JOURNAL

OF THE

SENATE

OF THE

FIRST SESSION OF THE

124th GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

BEING THE

REGULAR SESSION BEGINNING
TUESDAY, JANUARY 11, 2022

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Tuesday, January 11, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

I Corinthians 13:13

Paul proclaims at the close of his section on spiritual gifts: ". . .now faith, hope, and love abide, these three, and the greatest of these is love."

Please, prayerfully bow with me, my friends: Truly, dear Lord, such a profound truth does the Apostle Paul set forth here for all of us to celebrate again and again. And may each of us in our personal lives bring the truth of that simple passage to full life by how we live, by those things we choose to do -- and by those matters to which we stand firmly opposed. Indeed, O God, may the very work of these Senators during this new year reflect that very sentiment, too, so that every woman, every man and each child here in South Carolina might know full well that, whatever the issue, the members and staff members of the South Carolina Senate care deeply about the well-being of every individual. So, by Your grace allow those qualities of faith, hope, and love to be the touchstones of each debate and of every action throughout this entire year, guiding this Body ever forward. All this we humbly pray in Your blessed and holy name, dear Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Message from the House

Columbia, S.C., December 9, 2021

Mr. President and Senators:

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

TUESDAY, JANUARY 11, 2022

H. 4493 -- Reps. Lucas and Murphy: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on December 10, 2021, at 10:00 A.M. and the following Bill was ratified:

(R118, H. 4493) -- Reps. Lucas and Murphy: AN ACT TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT

OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.
L:\COUNCIL\ACTS\4493AHB21.DOCX

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 5038
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Appeal Procedures
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5039
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Research Involving Persons Eligible for Services
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5040
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Eligibility Determination
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5041
Agency: Department of Disabilities and Special Needs
Chapter: 88

TUESDAY, JANUARY 11, 2022

Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Recreational Camps for Persons with Intellectual Disability
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5043
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: Price Changes for Forest Tree Seedlings
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5044
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: General Regulations on South Carolina Forestry Commission Lands
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5045
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: Hunting and Fishing Regulations on State Forest Lands Established as Wildlife Management Areas
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5046
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: Allocation of Forest Tree Seedlings in Short Supply
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

TUESDAY, JANUARY 11, 2022

Document No. 5047
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-5-60(1), 59-18-110, 59-18-710, 59-18-1110, 59-20-60, 59-25-110, and 59-26-10 et seq.
SUBJECT: Accreditation Criteria
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education

Document No. 5049
Agency: Department of Labor, Licensing and Regulation-Board of Medical Examiners
Chapter: 81
Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, and 40-47-110
SUBJECT: Criteria for Physician Supervision of Nurses in Extended Role
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5050
Agency: Department of Labor, Licensing and Regulation-Office of Occupational Safety and Health
Chapter: 71
Statutory Authority: 1976 Code Section 41-15-210
SUBJECT: Occupational Safety and Health Review Board
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5051
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-112-100
SUBJECT: Determination of Rates of Tuition and Fees
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education

Document No. 5052
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Sections 59-149-10 et seq.

SUBJECT: LIFE Scholarship Program and LIFE Scholarship Enhancement
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education

Document No. 5053
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-104-20
SUBJECT: Palmetto Fellows Scholarship Program
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education

Document No. 5054
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-142-20
SUBJECT: South Carolina Need-based Grants Program
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education

Document No. 5055
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-61-10 et seq., 44-78-10 et seq., and 44-80-10 et seq.
SUBJECT: Emergency Medical Services
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5057
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-69-10 et seq.
SUBJECT: Standards for Licensing Home Health Agencies
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5058
Agency: Department of Health and Environmental Control
Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10 et seq.
SUBJECT: Hazardous Waste Management Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5060
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Contested Case Hearing
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5061
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Denial of Certification for Misconduct
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5062
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Final Decision by Law Enforcement Training Council
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5063
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Request for Contested Case Hearing
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5064
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.

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SUBJECT: Withdrawal of Certification of Law Enforcement Officers
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5065
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-69-330
SUBJECT: Suitability in Annuity Transactions
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Banking and Insurance

Document No. 5066
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Section 50-11-2200
SUBJECT: Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5067
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Section 50-3-395
SUBJECT: Use of Warning Tickets
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5070
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210
SUBJECT: Additional Regulations Applicable to Specific Properties
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5071
Agency: Department of Natural Resources
Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-2100, 50-11-2200, and 50-11-2210
SUBJECT: Field Trial Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5072
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210
SUBJECT: Wildlife Management Area Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5073
Agency: Department of Labor, Licensing and Regulation-Board of Barber Examiners
Chapter: 17
Statutory Authority: 1976 Code Sections 40-7-50, 40-7-60, and 40-7-355
SUBJECT: Barber Examiners; Mobile Barbers; and Sanitary Rules Governing Barbers, Barbershops and Barber Colleges
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5074
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55
SUBJECT: International Residential Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5075
Agency: Department of Labor, Licensing and Regulation-Board of Examiners for Licensure of Professional Counselors, Marriage and Family Therapists, Addiction Counselors, and Psycho-Educational Specialists

Chapter: 36
Statutory Authority: 1976 Code Sections 40-1-70 and 40-75-60
SUBJECT: Counselors, Therapists, and Specialists
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5076
Agency: Department of Labor, Licensing and Regulation-Board of Registration for Professional Engineers and Land Surveyors
Chapter: 49
Statutory Authority: 1976 Code Sections 40-1-70, 40-22-60, and 40-22-130
SUBJECT: Engineers and Land Surveyors
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5077
Agency: Department of Public Safety
Chapter: 38
Statutory Authority: 1976 Code Section 23-6-30(6)
SUBJECT: Vehicles Required to Stop at Railroad Crossings
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5078
Agency: Department of Public Safety
Chapter: 38
Statutory Authority: 1976 Code Section 23-6-30(6)
SUBJECT: Safety Rules and Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary

Document No. 5079
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Section 50-21-710
SUBJECT: Rule and Regulation Adopting Certain Federal Rules and Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

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Document No. 5080
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Section 50-23-230
SUBJECT: Display of Decals Bearing Title Number
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5081
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-7-50, 40-7-60, and 40-7-355
SUBJECT: Fee Schedule for Board of Barber Examiners
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5082
Agency: Department of Labor, Licensing and Regulation-Board of Architectural Examiners
Chapter: 11
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-3-50, and 40-3-60
SUBJECT: Architectural Examiners
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5083
Agency: Department of Labor, Licensing and Regulation-State Athletic Commission
Chapter: 20
Statutory Authority: 1976 Code Sections 40-1-70(4) and 40-81-70(A)(3), (6)
SUBJECT: Code of Ethics
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5084
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8

Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Building Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5085
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fire Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5086
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fuel Gas Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5087
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55
SUBJECT: International Mechanical Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5088
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: National Electrical Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5089
Agency: Department of Labor, Licensing and Regulation-Manufactured Housing Board
Chapter: 79
Statutory Authority: 1976 Code Section 40-29-10(D)(3)-(7)
SUBJECT: License Renewal; Retail Dealer Sales Transactions; Installers; Repairers; and Contractors
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5090
Agency: Department of Labor, Licensing and Regulation-Board of Medical Examiners
Chapter: 81
Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, and 40-47-110
SUBJECT: Emergency Licensure
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5093
Agency: Department of Employment and Workforce
Chapter: 47
Statutory Authority: 1976 Code Section 41-29-110
SUBJECT: Separation Notices
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5095
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-515
SUBJECT: Channel Nets
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5096
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-900
SUBJECT: Commercial Permit Duration

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Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5097
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-5-30 and 50-5-500
SUBJECT: Gill Nets
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry

Document No. 5098
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55
SUBJECT: International Plumbing Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

Document No. 5099
Agency: Department of Labor, Licensing and Regulation-Board of Examiners in Optometry
Chapter: 95
Statutory Authority: 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320
SUBJECT: Optometrists' Offices
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Document No. 5100
Agency: Department of Labor, Licensing and Regulation-Real Estate Appraisers Board
Chapter: 137
Statutory Authority: 1976 Code Sections 40-1-70, 40-60-10(I), and 40-60-38
SUBJECT: Real Estate Appraisers Board
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry

TUESDAY, JANUARY 11, 2022

Document No. 5101
Agency: Department of Labor, Licensing and Regulation-Board of Examiners in Speech-Language Pathology and Audiology
Chapter: 115
Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70
SUBJECT: Licensing Provisions
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs

Doctor of the Day

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

CO-SPONSORS ADDED

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

S. 176 Sen. Kimbrell
S. 901 Sen. Cromer
S. 903 Sen. Verdin
S. 907 Sen. Verdin
S. 929 Sens. Climer and Senn
S. 949 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 937 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT DAVID LAWSON FOR HIS MANY CONTRIBUTIONS TO THE NEWBERRY COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 938 -- Senator Harpootlian: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JAMES EDWARD "ED" "PUNKY" HOLLER, SR. AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 939 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF SENATOR PEDEN BROWN MCLEOD AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 940 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE CHARLES BRAVE UPON THE OCCASION OF HIS BEING ELECTED PRESIDENT OF THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL 1422.
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The Senate Resolution was adopted.

S. 941 -- Senator Goldfinch: A SENATE RESOLUTION TO CONGRATULATE MT. ZION MISSIONARY BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND IT FOR ITS SERVICE TO THE PAWLEYS ISLAND COMMUNITY AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 942 -- Senator Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NARCOTICS INVESTIGATOR KEN HANCOCK FOR HIS MANY CONTRIBUTIONS TO THE SPARTANBURG COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 943 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE JIM BOHANNON OF OCONEE COUNTY ON BEING SELECTED FOR INDUCTION INTO THE NATIONAL ASSOCIATION OF BROADCASTERS' PRESTIGIOUS BROADCASTING HALL OF FAME.
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The Senate Resolution was adopted.

S. 944 -- Senators Hembree and Gustafson: A BILL TO AMEND SECTION 24-3-580, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL; TO MAKE TECHNICAL CHANGES; TO PROVIDE THE PURCHASE OR ACQUISITION OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE; TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM ALL STATE LICENSING PROCESSES AND REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY; TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING, MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED IN THE ADMINISTRATION OF THE DEATH PENALTY; AND TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE ABSOLUTE CONFIDENTIALITY OF IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE.
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Read the first time and referred to the Committee on Corrections and Penology.

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

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

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

S. 948 -- Senator Williams: A JOINT RESOLUTION TO PROVIDE FOR THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION TO OCCUR ON THE SECOND TUESDAY OF MAY 2022.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 949 -- Senators Verdin and Kimbrell: A SENATE RESOLUTION TO RECOGNIZE JANUARY 26, 2022, AS "SOUTH CAROLINA OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 950 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY FROM ITS PREVIOUS DESIGNATION OF "THE MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" TO "THE HONORABLE MARVIN STEVENSON HIGHWAY" AND AMEND APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION TO CONTAIN THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 951 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA UPON THE OCCASION OF ITS ONE HUNDRED TENTH ANNIVERSARY, TO RECOGNIZE MARCH 12, 2022, AS "GIRL SCOUT DAY", AND TO COMMEND THE GIRL SCOUTS ORGANIZATION FOR ITS MANY YEARS OF DEDICATED

SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 952 -- Senators Peeler and Alexander: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.
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Read the first time and referred to the Committee on Finance.

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

S. 954 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA SYSTEM FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE JANUARY 26, 2022, AS "CAROLINA DAY" AT THE STATE HOUSE.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 955 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION OF ROSS CANNON STREET AND EAST MADISON STREET IN THE CITY OF YORK IN YORK COUNTY "JOHN HENRY HARDIN INTERSECTION" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.
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Read the first time and referred to the Committee on Finance.

S. 957 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE THE REVEREND CASPER ISAIAH GLENN, A NATIVE OF WINNSBORO, ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 958 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE JANUARY 2022 AS "FIREFIGHTER CANCER AWARENESS MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 959 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GREG ROWLES, MUSICIAN, SINGER, AND STORYTELLER, UPON THE OCCASION OF HIS RETIREMENT FROM THE ALABAMA THEATRE AFTER TWENTY-TWO YEARS OF OUTSTANDING PERFORMING, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 960 -- Senators Gambrell and Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.
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Read the first time and referred to the Committee on Judiciary.

S. 961 -- Senators Senn, Campsen and Loftis: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY", TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 962 -- Senator Massey: A BILL TO AMEND SECTION 12-39-260 OF THE 1976 CODE, RELATING TO RECORD OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITOR, TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; TO AMEND SECTION 30-5-120 OF THE 1976 CODE, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES

FOR RECORDING ARE VALID AND BINDING; TO REPEAL SECTION 30-5-80 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND TO REPEAL SECTION 8-21-130 OF THE 1976 CODE, RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.
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Read the first time and referred to the Committee on Finance.

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M. M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V. S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

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

H. 4722 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO SALUTE FORMER IRMO CHIEF OF POLICE COURTNEY DENNIS ON THE OCCASION OF

HIS RECENT DEPARTURE FROM THE IRMO POLICE DEPARTMENT, TO CONGRATULATE HIM ON TWENTY YEARS OF DISTINGUISHED SERVICE TO THE DEPARTMENT, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT AS HE TAKES UP NEW CHALLENGES AND OPPORTUNITIES IN THE DAYS AHEAD.

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

H. 4723 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR FORMER POLICE CHIEF SETH ZEIGLER UPON THE OCCASION OF HIS RETIREMENT FROM THE CHAPIN POLICE DEPARTMENT, TO THANK HIM FOR HIS TWENTY-FIVE YEARS OF OUTSTANDING SERVICE IN LAW ENFORCEMENT, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

H. 4724 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson,

Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS DEEP APPRECIATION FOR THE DEDICATED SERVICE OF GLORIA L. FREEMAN OF CHAPIN, TO CONGRATULATE HER ON THE OCCASION OF HER RECENT RETIREMENT FROM THE SOUTH CAROLINA MANUFACTURERS ALLIANCE AFTER AN EXEMPLARY CAREER OF FORTY-THREE YEARS, AND TO WISH HER A FUTURE BLESSED WITH GOOD HEALTH AND MUCH JOY.

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

H. 4725 -- Reps. Atkinson, Alexander, Allison, Anderson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE RALPH

ALLEN ATKINSON ON HIS HARD-EARNED RETIREMENT AND TO WISH HIM MUCH HAPPINESS IN HIS FUTURE ENDEAVORS.

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, January 12, 2022 - 8:00am - 10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA HISTORICAL SOCIETY**

Wednesday, January 12, 2022 - 11:30am - 1:30pm
Members and Staff, Luncheon, State House grounds, by the **SC MANUFACTURES ALLIANCE - SC TIRE COUNCIL**

Wednesday, January 12, 2022 - 5:00pm - 7:00pm
Members Only, Reception, The Palmetto Club, by the **DESIGN CONSTRUCTION PARTNERSHIP**

Wednesday, January 12, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, Capital City Club, by the **WINE & SPIRITS WHOLESALERS ASSOCIATION OF SOUTH CAROLINA**

Thursday, January 13, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **FOUNDATION FOR THE SOUTH CAROLINA COMMISSION FOR THE BLIND**

Tuesday, January 18, 2022 - 5:00pm - 7:00pm
Members Only, Reception, Captial City Club, by the **SOUTH CAROLINA ECONOMIC DEVELOPERS' ASSOCIATION**

Wednesday, January 19, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA EMS ASSOCIATION**

Wednesday, January 19, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, 112 Blatt Building, by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

Thursday, January 20, 2022 - 8:00am - 10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SC ASSOCIATION OF SPECIAL PURPOSE DISTRICTS**

Wednesday, January 26, 2022 - 8:00am - 10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SC DREAM TEAM SOCIAL JUSTICE COALITION**

Wednesday, January 26, 2022 - 11:30am - 2:00pm
Members Only, Luncheon, 112 Blatt Building, by the **SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT**

Wednesday, January 26, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, My Carolina Alumni Association, 900 Senate Street, by the **MY CAROLINA ALUMNI ASSOCIATION**

Thursday, January 27, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SC CHAPTER OF THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS**

HOUSE CONCURRENCES

S. 880 -- Senator Grooms: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ADDISON "JACK" GREENE, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GREENTOWN ROAD IN BERKELEY COUNTY, FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH SANTEE RIVER ROAD, "ADDISON 'JACK' GREENE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 881 -- Senator Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE DOUG MCELVEEN FOR RECEIVING THE 2022 TIME DEALER OF THE YEAR AWARD.

Returned with concurrence.

Received as information.

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\376C001.RT.WAB21), which was adopted:

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

/ SECTION 1. This act must be known and may be cited as the "State Institution of Higher Education Efficiency Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

"CHAPTER 157

Efficiency of State Institutions of Higher Education

Section 59-157-10. As used in this chapter:

(1) 'Board of trustees' means the boards of trustees of the colleges and universities listed in Section 59-101-10.

(2) 'Capital project' means the construction, improvement, equipment, renovation, or repair of any buildings, structure, facility, or other permanent improvement project; the acquisition of land to construct or establish a building, structure, or facility; or a permanent improvement project as defined in Section 2-47-50.

(3) 'Institution' means a research university identified in Section 11-51-30(5) or a nonresearch, four-year college or university described in Section 59-103-15(B)(2), (B)(3) and (B)(4).

Section 59-157-30. (A) Notwithstanding any other provision of the law, any permanent improvement project, as defined in Section 2-47-50, that costs more than five million dollars for research universities as identified in Section 11-51-30(5) and more than two and one half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3) and (B)(4), that requires the use of lease-purchase agreements, state institution bond funds, capital improvement bond funds, capital reserve funds, state general-appropriated funds, or state infrastructure bond funds or student tuition and fee funds for its funding must be submitted to the Commission on Higher Education and the Joint Bond Review Committee for review and the State Fiscal Accountability Authority for approval after full architecture and engineering design work is completed but prior to execution of a construction contract, and thereafter to the Executive Budget Office for publication upon approval.

(B) The Chairman of the Joint Bond Review Committee may, on behalf of the committee, request to review and comment on any other permanent improvement project, as defined in Section 2-47-50, that costs more than five million dollars for research universities as identified in Section 11-51-30(5) and more than two and one half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3) and (B)(4).

Section 59-157-40. Institutions are exempt from the requirements of Section 2-47-50 for permanent improvement projects that cost less than five million dollars for research universities as identified in Section 11-51-30(5) and less than two and one half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3) and (B)(4). However, such projects that exceed one million dollars are subject to Joint Bond Review Committee staff review, and may be referred to the committee if staff, after consultation with the chairman, determines necessary. Nothing in this section may be construed to approve such a project without an institution's governing board having first voted to approve the project in a public session. Institutions shall provide a report of projects approved by their governing boards pursuant to this subsection to the Chairman of the Commission on Higher Education, the Joint Bond Review Committee, and the State Fiscal Accountability Authority by September thirtieth of each year.

Section 59-157-50. The board of trustees shall provide on an annual basis a fiscal year report of property acquired and any capital projects which cost less than five million dollars for research universities and less than two and one half million dollars for all other institutions, commenced under the authority granted in this chapter, to the Governor, the Senate Finance Committee, and the House of Representatives Ways and Means Committee. The report must be submitted annually by September thirtieth."

SECTION 3. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

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

POINT OF ORDER

S. 403 -- Senator Gustafson: A BILL TO AMEND SECTION 41-18-30(D) OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, TO DIFFERENTIATE BETWEEN AMUSEMENT-STYLE AND COMPETITION-STYLE CONCESSION GO-KARTS; AND TO DEFINE NECESSARY TERMS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND

ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY

APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MADE SPECIAL ORDER

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Gustafson, Grooms, M. Johnson and Garrett: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME

ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

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

The Bill was made a Special Order.

MOTION ADOPTED

At 12:15 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Millard Lopez "Bill" Crotzer, Jr. of Gaffney, S.C. Bill was a graduate of Gaffney High School. He served in the United States Navy as a medic on the U.S.S. Twining during the Korean War. He was a banker in the Blacksburg and Gaffney area for five decades before retiring in 1994 as a vice president with Wachovia National Bank. Bill served his community by volunteering with the Heart Association, Friends of Cherokee County Library, Meals on Wheels and Blacksburg Rotary Club to mention a few. Bill was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Avra Callie Brannon Hammett of Columbia, S.C. Avra graduated from Gaffney High School and the University of South Carolina. She was a board certified behavior analyst and taught for the Carolina LIFE program at the University of South Carolina. Avra was a member of First Baptist Church of Gaffney, the Junior League of Columbia and volunteered at St. Jude's Children's Hospital. She had a passion for serving children with disabilities. Avra was a loving wife, devoted daughter and doting mother who will be dearly missed.

TUESDAY, JANUARY 11, 2022

ADJOURNMENT

At 12:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 12, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Micah 6:8

The prophet Micah reminds us that: "He has told you, O mortal, what is good; and what does the Lord require of you but to do justice and to love kindness, and to walk humbly with your God."

Please join your heart with mine as we pray: Holy God, we are so often moved by the simple beauty of holy texts that speak to us in ways profound and so often personally meaningful. This simple verse from Micah, the prophet, is one such, calling each of us to pause, to reflect, to take stock of what we're all about. Surely, Lord, it is fitting for this Body, the Senate of South Carolina, to do this very thing: to ascertain that what we are seeking for the people of our State is truly in accord with Your own wishes, dear God. To that end, we pray that You will speak clearly this term to these leaders, that You will guide them in their debates, in their committee meetings, in all of the decisions that they will need to make over the weeks and months ahead. And grant that the end result demonstrates fully the wisdom of these Senators as they walk humbly with You. So we pray in Your loving name, Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Statewide Appointment

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2021, and to expire June 30, 2025

At-Large/Chairman:

John Robert Bolchoz, P.O. Box 6989, Columbia, SC 29260-6989 *VICE* Mark Elam

Referred to the Committee on Medical Affairs.

Local Appointment

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

James W. Rickenbacker, 220 Oakridge Dr., Orangeburg, SC 29115-3923 *VICE* Samuel A. Daily

Doctor of the Day

Senator MALLOY introduced Dr. John C. Ropp III of Hartsville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MASSEY, at 1:30 P.M., Senators CORBIN and GROOMS were granted a leave of absence for today.

Leave of Absence

On motion of Senator MATTHEWS, at 1:30 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:31 P.M., Senator McELVEEN was granted a leave of absence for today.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 104 Sen. Kimbrell
S. 248 Sens. McElveen and Bennett
S. 290 Sens. Kimbrell and Adams
S. 811 Sen. Climer
S. 901 Sen. McElveen

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 811 Sen. Martin

WEDNESDAY, JANUARY 12, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 963 -- Senator Senn: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY MICAH COX, FIRST SERGEANT HUGER MCCLELLAN, AND TEMS OPERATOR MERIDITH LEVENTIS FOR THEIR MANY CONTRIBUTIONS TO THE CHARLESTON COUNTY COMMUNITY AND CONGRATULATE THEM FOR RECEIVING THE MEDAL OF VALOR.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 964 -- Senator Senn: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY NICHOLAS VECCHIONE FOR HIS MANY CONTRIBUTIONS TO THE CHARLESTON COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 965 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "CONTRABAND CELL PHONE ACT" BY ADDING CHAPTER 4 TO TITLE 24 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ALLOW SUPERVISING LAW ENFORCEMENT OFFICERS WITH REASONABLE SUSPICION TO BELIEVE THAT CONTRABAND CELL PHONES EXIST IN A PRISON OR LOCAL DETENTION FACILITY TO AUTHORIZE THE USE OF ANY ELECTRONIC DEVICE TO DETECT AND CONFIRM SUCH PRESENCE, TO ALLOW SUPERVISING LAW ENFORCEMENT OFFICERS WHO CONFIRM THE PRESENCE OF CONTRABAND CELL PHONES TO APPLY FOR AN EX PARTE ORDER REQUESTING SUSPENSION OF SERVICE FOR SUCH CONTRABAND CELL PHONES, TO AUTHORIZE THE CIRCUIT COURTS OF THIS STATE TO ISSUE EX PARTE ORDERS REQUIRING CELLULAR SERVICE PROVIDERS TO SUSPEND CELLULAR SERVICE TO IDENTIFIED CONTRABAND CELL PHONES, TO REQUIRE CELLULAR SERVICE PROVIDERS TO DISCONTINUE CELLULAR SERVICE TO CONTRABAND CELL PHONES UPON RECEIPT OF ORDERS ISSUED PURSUANT TO THIS CHAPTER, TO ALLOW CELLULAR

SERVICE SUBSCRIBERS AFFECTED BY ORDERS ISSUED PURSUANT TO THIS CHAPTER TO CHALLENGE THE SUSPENSION OF SERVICE, AND TO PROVIDE IMMUNITY FROM CIVIL LIABILITY TO CERTAIN PERSONS AND ENTITIES FOR COMPLIANCE WITH THE PROVISIONS OF THIS CHAPTER.
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Read the first time and referred to the Committee on Corrections and Penology.

S. 966 -- Senators Rankin, Campsen, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.
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Read the first time and referred to the Committee on Judiciary.

S. 967 -- Senator Alexander: A BILL TO AMEND SECTION 56-5-2360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF A MOTOR VEHICLE THAT IS APPROACHED BY AN AUTHORIZED EMERGENCY VEHICLE, SO AS TO INCREASE THE PENALTY FOR A VIOLATION AND TO PROVIDE A PENALTY WHEN A VIOLATOR CAUSES DAMAGE TO PROPERTY OR CAUSES GREAT BODILY INJURY OR DEATH; TO AMEND SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT AND PERSONS WHO FAIL TO PROCEED WITH CAUTION UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE A DIFFERENT

PENALTY FOR A VIOLATION AND TO PROVIDE A PENALTY WHEN A VIOLATOR CAUSES DAMAGE TO PROPERTY OR CAUSES GREAT BODILY INJURY OR DEATH; TO AMEND SECTION 56-5-1960, RELATING TO THE PROHIBITION ON FOLLOWING FIRE APPARATUS, SO AS TO INCREASE THE PENALTY FOR A VIOLATION AND TO PROVIDE A PENALTY WHEN A VIOLATOR CAUSES DAMAGE TO PROPERTY OR CAUSES GREAT BODILY INJURY OR DEATH; AND TO AMEND SECTION 56-5-3850, RELATING TO THE PROHIBITION ON CROSSING OVER A FIRE HOSE, SO AS TO INCREASE THE PENALTY FOR A VIOLATION.

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

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

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Read the first time and referred to the Committee on Family and Veterans' Services.

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

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

S. 970 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Hembree, Loftis, Gustafson, Shealy, Climer, Gambrell, Verdin, Turner and Peeler: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO RULES REGARDING THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-50 TO REQUIRE THAT THE SUPERINTENDENT OF EDUCATION PROVIDE FOR THE DISPLAY OF THE NATIONAL MOTTO, THE NATIONAL FLAG, AND THE STATE FLAG TO PUBLIC SCHOOLS.
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Read the first time and referred to the Committee on Education.

S. 971 -- Senator Scott: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GEORGE E. GLYMPH OF COLUMBIA, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 972 -- Senator Malloy: A JOINT RESOLUTION TO REPEAL ACT 990 OF 1928, RELATING TO THE PROVISION FOR THE ERECTION OF A MONUMENT TO THE MEMORY OF DR. J. MARION SIMS UPON THE STATE HOUSE GROUNDS IN COLUMBIA, TO DIRECT THE REMOVAL OF THE SIMS STATUE TO THE STATE MUSEUM, TO CREATE THE ROBERT SMALLS MONUMENT COMMISSION, AND TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, DUTIES, AND RELATED MATTERS.
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Read the first time and referred to the Committee on Finance.

Senator MALLOY spoke on the Resolution.

Remarks by Senator MALLOY

To explain this Resolution, I think it is eminently important. We can be the august Body that we say that we are and tackle issues that need to be tackled. However, we must do it in a reasonable and very rational manner.

The former PRESIDENT of the Senate, who has joined me on the floor now, said to me during the debate of the Heritage Act, “I like you,

and don't like you for the same reason." As the Senate began reaching conclusions on the Heritage Act, I had to file an action and I needed the former PRESIDENT's name on it -- I didn't have another option. But we worked together and we got a good result, a just result. The history of the Heritage Act Bill has nothing to do with this Resolution.

My mother, grandmother, wife, my two sisters, and my daughter are all beneficiaries of a great legacy of people. My mother taught me how to treat my sisters, and my dad beat me when I treated them poorly. I think about how times have changed, we don't discipline like that anymore. As I was conversing with my friends on the other side of this issue (neither of which are here), I said, "We've got to address issues as they relate to monuments."

I want to talk to you for a few minutes about monuments on the State House grounds. It is a tough situation because some say, "Where do you start and where do you stop?" I would like to put forth one proposal that I discussed with Senator DAVIS and Senator McLEOD. This is not the Heritage Act, this has to do with an act passed in 1928. In 1928, we had a provision for the erection of a monument to the memory of Dr. Marion Sims on the State House grounds, a small monument in the corner of the grounds near Assembly and Gervais Streets. Not to belabor the point, but in today's world we know there were major contributions to the medical field that were made through engagement in inhumane practices in an effort to do so. These practices do not reflect the values that we hold here in this Body today. You all know the history of Dr. Sims, it goes right along with the Tuskegee syphilis experiment and the Henrietta Lacks issue where experimentation was done on people that were not free to say no. Dr. Sims was performing gynecological surgery on women without anesthesia. This is inhumane. The question is, "Could they consent?" The question is not whether they could say "yes", but whether they could say "no". In his day, Dr. Sims was considered a hero for the work he did on enslaved women. History must be preserved, and I hope we will take a look at this Resolution so that the museum will be able to enshrine such monuments and put them in the appropriate place. I know that it is sometimes difficult to make these decisions. One argument that some may make is that, "You never know where to stop." However, I don't think anyone in this day and time could endorse what Dr. Sims was doing under any circumstances.

We have to do what is right. We are not asking folks what the State can do for us. We are asking what we can do for our State. I use that as a parallel to John F. Kennedy's words, "Ask not what your country can do for you, but what you can do for your country", but I always look at

the last part of that speech, and what he is saying is that God's work must be our very own. God's work must be our own.

My grandfather said when you pray, you move your feet. I think the time is right for us to do what is right, with regard to the statue of Dr. Marion Sims on the State House grounds. Do we condone this conduct happening to our mothers, grandmothers, wives, and children, no matter how great one may become?

Therefore, I believe it is the appropriate time for all of us to join in this conversation, to have this discussion together. We need to get this Resolution into a committee and talk about it. We don't need to add anything to it. This is something we can do in a bipartisan way. I will wait for others to chime in on this. I know that we started early this morning, but I wanted to be able to explain this particular Resolution to you and I hope we are able to get it through a committee and adopted so we can make South Carolina what we really want it to be. We don't want to honor someone for inhumane practices that do not reflect the values of this Body, and at the same time, we also want to make certain we can recognize one of South Carolina's heroes. Thank you.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

S. 973 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2022.
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Read the first time and referred to the Committee on Judiciary.

S. 974 -- Senators Shealy, Climer, Rice, Adams, Kimbrell, Gustafson and Garrett: A BILL TO AMEND SECTION 12-36-2120(74) OF THE 1976 CODE, RELATING TO THE EXEMPTION FROM SALES TAX FOR DURABLE MEDICAL EQUIPMENT AND RELATED SUPPLIES; TO EXPAND THE NUMBER OF SALES THAT ARE SUBJECT TO THE EXEMPTION.
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Read the first time and referred to the Committee on Finance.

S. 975 -- Senators Young and Massey: A JOINT RESOLUTION TO AUTHORIZE THE RELOCATION OF THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND ACCOMPANYING UNITED STATES FLAG INSTALLATION LOCATED AT THE CORNER OF EDGEFIELD AVENUE AND LAURENS STREET IN THE CITY OF AIKEN TO THE AIKEN COUNTY VETERANS MEMORIAL LOCATED AT 1435 RICHLAND AVENUE EAST.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 977 -- Senator Jackson: A SENATE RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT S. 1873, H.R. 1946, OR SIMILAR LEGISLATION TO ESTABLISH MEDICARE COVERAGE FOR MULTI-CANCER EARLY DETECTION SCREENING TESTS, AND TO CONTINUE WORKING ACROSS PARTY LINES TO REDUCE CANCER DEATHS IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 978 -- Senators McElveen and K. Johnson: A CONCURRENT RESOLUTION TO HONOR CORPORAL MATTHEW BARWICK AND CORPORAL BRADLEY HYNES OF THE SUMTER COUNTY SHERIFF'S OFFICE, WHO DISPLAYED EXCEPTIONAL DECISIVENESS, PRESENCE OF MIND, AND SWIFTNESS OF ACTION WHILE IN THE LINE OF DUTY, AND TO

CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 979 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BENJAMIN BANNEKER ELK LODGE ON THE JOYOUS OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA SENATE FOR THE LODGE'S MANY CONTRIBUTIONS TO THE BETTERMENT OF ITS COMMUNITY.
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The Senate Resolution was adopted.

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 981 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS;

TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 982 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-500 SO AS TO PROVIDE THAT THE GOVERNING BODY OF A PUBLIC SCHOOL SHALL PROVIDE CERTAIN TRAINING AND INSTRUCTIONAL MATERIAL ON ITS WEBSITE, AND TO PROVIDE THAT A SCHOOL DISTRICT OR PUBLIC SCHOOL

MAY NOT MANDATE THAT STUDENTS, TEACHERS, OR STAFF PARTICIPATE IN CERTAIN POLITICAL EVENTS.
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Read the first time and referred to the Committee on Education.

Message from the House

Columbia, S.C., January 12, 2022

Mr. President and Senators:

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

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Very respectfully,
Speaker of the House

Received as information.

S. 525--SENATE INSISTS ON THEIR AMENDMENTS

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

On motion of Senator VERDIN, the Senate insisted upon its amendments to S. 525 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators GAMBRELL, SENN and GARRETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

WEDNESDAY, JANUARY 12, 2022

SECOND READING BILL

S. 948 -- Senator Williams: A JOINT RESOLUTION TO PROVIDE FOR THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION TO OCCUR ON THE SECOND TUESDAY OF MAY 2022.

On motion of Senator WILLIAMS.

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL

ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 403 -- Senator Gustafson: A BILL TO AMEND SECTION 41-18-30(D) OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, TO DIFFERENTIATE BETWEEN AMUSEMENT-STYLE AND COMPETITION-STYLE CONCESSION GO-KARTS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (403R001.SP.PG), which was adopted:

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

/SECTION 1. This act must be known and may be cited as the "South Carolina Go-Kart Definitions Act".

SECTION 2. Section 41-18-30(D) of the 1976 Code is amended to read:

"(D) This chapter applies to amusement-style concession go-karts. This chapter does not apply to ~~super-karts~~ competition-style concession go-karts, provided that:

(1) ~~Only~~ only persons age ~~eighteen or above who hold a valid driver's license~~ twelve and above are allowed to operate ~~super-karts~~ competition-style concession go-karts, provided that all persons under age eighteen must have parental consent to operate competition-style concession go-karts;~~.~~

(2) ~~No~~ no person shall operate a ~~super-kart~~ competition-style concession go-kart in any establishment where other permanent amusement devices are located or operated. Establishments offering ~~super-karts~~ competition-style concession go-karts must not share an entrance or exit with any other establishment offering ~~an~~ a permanent amusement device and must charge a separate fee for operating ~~super-karts~~ competition-style concession go-karts;~~.~~

(3) ~~A~~ a sign shall be on display on the premises where ~~super-karts~~ competition-style concession go-karts are operated stating: '~~Super-karts~~ Competition-style concession go-karts are not amusement devices regulated by the South Carolina Department of Labor, Licensing and Regulation. ~~Super-karts~~ Competition-style concession go-karts may reach speeds in excess of fifty miles per hour. Drive at your own risk.';

(4) ~~The~~ the owner of a ~~super-kart~~ competition-style concession go-kart must carry an insurance policy in an amount not less than one million dollars per occurrence against liability for injury to persons or property arising out of the operation or use of such device~~.~~; and

(5) any person who operates a competition-style concession go-kart who does not possess a driver's license must complete a training session prior to its operation."

SECTION 3. Section 41-18-40(15) and (16) of the 1976 Code is amended to read:

"(15)(a) 'Concession go-kart' means an amusement ride or device that:

(i)is a single vehicle, unattached to other vehicles or a common frame system;

(ii) is powered without connection to a common energy source;

(iii) is driver-controlled with respect to acceleration, speed, braking, and steering;

(iv) ~~operates within the containment system of a defined track;~~

~~(v)~~ simulates competitive motor sports; and

~~(vi)~~(v) is used by members of the general public for a fee.

(b) A concession go-kart has a maximum capacity of two persons and no cargo capacity.

(c) An amusement-style concession go-kart operates within the containment system of a defined track.

(d) A competition-style concession go-kart does not operate within the containment system of a defined track.

~~(16) 'Super-kart' means an open-wheel motorsport vehicle, with or without gearbox or shifter capability, used for racing in excess of fifty miles per hour. Super-kart does not mean 'concession go-kart' as defined by this section.~~"

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

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the committee amendment.

The amendment was adopted.

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

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

Ayes 39; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--39

NAYS

Massey	Young

Total--2

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

CARRIED OVER

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND

PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY

APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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

CARRIED OVER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

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

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

MOTION ADOPTED

At 1:42 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, DEBATE INTERRUPTED

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Gustafson, Grooms, M. Johnson, Garrett, Kimbrell and Adams: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL

SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

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

Senator DAVIS explained the Bill.

Amendment No. 2

Senators GOLDFINCH, KIMBRELL, CLIMER, MALLOY and ALEXANDER proposed the following amendment (290R006.SP.SLG), which was adopted:

Amend the bill, as and if amended, on page 10, by striking SECTION 7.

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

/SECTION __. Section 44-7-160 of the 1976 Code is amended to read:

"Section 44-7-160. A ~~person or health care facility~~ nursing home as defined in this article is required to obtain a Certificate of Need from the department before undertaking any of the following:

(1) the construction or other establishment of a new ~~health care facility~~ nursing home;

(2) a change in the existing bed complement of a ~~health care facility~~ nursing home through the addition of one or more beds or change in the classification of licensure of one or more beds;

(3) an expenditure by or on behalf of a ~~health care facility~~ nursing home in excess of an amount to be prescribed by regulation which, under generally acceptable accounting principles consistently applied, is considered a capital expenditure except those expenditures exempted in Section 44-7-170(B)(1). The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the development, acquisition, improvement, expansion, or replacement of any plant or equipment must be included in determining if the expenditure exceeds the prescribed amount;

(4) a capital expenditure by or on behalf of a ~~health care facility~~ nursing home which is associated with the addition or substantial

expansion of a health service for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(5) the offering of a health service by or on behalf of a ~~health care facility~~ nursing home which has not been offered by the facility in the preceding twelve months and for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(6) the acquisition of medical equipment which is to be used for diagnosis or treatment if the total project cost is in excess of that prescribed by regulation." /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator SETZLER proposed the following amendment (290NGS4), which was carried over:

Amend the bill, as and if amended, page, 2, by striking lines 6 through 8 and inserting the following:

/ ~~(3)~~ (1) preparation and publication of a State Health Plan;

~~(4)~~ (2) the licensure of facilities rendering medical, nursing, and other health care." /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

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

Amendment 1A

Senator TALLEY proposed the following amendment (290R003.SP.SFT), which was tabled:

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

/SECTION 1. Section 1-23-380 of the 1976 Code is amended to read:

"Section 1-23-380. A party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review pursuant to this

article and Article 1, except for a party aggrieved by a final decision in a contested case filed with the Administrative Law Court relating to subject matter contained in Article 3, Chapter 7, Title 44. This section does not limit utilization of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by law. A preliminary, procedural, or intermediate agency action or ruling is immediately reviewable if review of the final agency decision would not provide an adequate remedy. Except as otherwise provided by law, an appeal is to the court of appeals.

(1) Proceedings for review are instituted by serving and filing notice of appeal as provided in the South Carolina Appellate Court Rules within thirty days after the final decision of the agency or, if a rehearing is requested, within thirty days after the decision is rendered. Copies of the notice of appeal must be served upon the agency and all parties of record.

(2) Except as otherwise provided in this chapter, the serving and filing of the notice of appeal does not itself stay enforcement of the agency decision. The serving and filing of a notice of appeal by a licensee for review of a fine or penalty or of its license stays only those provisions for which review is sought and matters not affected by the notice of appeal are not stayed. The serving or filing of a notice of appeal does not automatically stay the suspension or revocation of a permit or license authorizing the sale of beer, wine, or alcoholic liquor. The agency may grant, or the reviewing court may order, a stay upon appropriate terms, upon the filing of a petition under Rule 65 of the South Carolina Rules of Civil Procedure.

(3) If a timely application is made to the court for leave to present additional evidence, and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the agency, the court may order that the additional evidence be taken before the agency upon conditions determined by the court. The agency may modify its findings and decision by reason of the additional evidence and shall file the evidence and modifications, new findings, or decisions with the reviewing court.

(4) The review must be conducted by the court and must be confined to the record. In cases of alleged irregularities in procedure before the agency, not shown in the record, and established by proof satisfactory to the court, the case may be remanded to the agency for action as the court considers appropriate.

(5) The court may not substitute its judgment for the judgment of the agency as to the weight of the evidence on questions of fact. The court

may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

(a) in violation of constitutional or statutory provisions;

(b) in excess of the statutory authority of the agency;

(c) made upon unlawful procedure;

(d) affected by other error of law;

(e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion."

SECTION 2. Section 44-7-160 of the 1976 Code is amended to read:

"Section 44-7-160. A person or health care facility as defined in this article is required to obtain a Certificate of Need from the department before undertaking any of the following:

(1) the construction or other establishment of a new health care facility;

(2) a change in the existing bed complement of a health care facility through the addition of one or more beds <u>except as provided for in Section 44-7-170(A)(5)</u> or change in the classification of licensure of one or more beds;

(3) an expenditure by or on behalf of a health care facility in excess of ~~an amount to be prescribed by regulation~~ <u>five million dollars</u> which, under generally acceptable accounting principles consistently applied, is considered a capital expenditure except those expenditures exempted in <u>Section 44-7-170(A)(5), Section 44-7-170(A)(6), and</u> Section 44-7-170(B)(1). The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the development, acquisition, improvement, expansion, or replacement of any plant or equipment must be included in determining if the expenditure exceeds the prescribed amount;

(4) a capital expenditure by or on behalf of a health care facility which is associated with the addition or substantial expansion of a health service for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(5) the offering of a health service by or on behalf of a health care facility which has not been offered by the facility in the preceding twelve months and for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(6) the acquisition of medical equipment which is to be used for diagnosis or treatment if the total ~~project~~ equipment cost is in excess of ~~that prescribed by regulation~~ two million dollars."

SECTION 3. Section 44-7-170(A) of the 1976 Code is amended to read:

"Section 44-7-170. (A) The following are exempt from Certificate of Need review:

(1) the acquisition by a person of medical equipment to be used solely for research, the offering of an institutional health service by a person solely for research, or the obligation of a capital expenditure by a person to be made solely for research if it does not:

(a) affect the charges imposed by the person for the provision of medical or other patient care services other than the services that are included in the research;

(b) change the bed capacity of a health care facility; or

(c) substantially change the medical or other patient care services provided by the person.

A written description of the proposed research project must be submitted to the department in order for the department to determine if these conditions are met. A Certificate of Need is required in order to continue use of the equipment or service after the equipment or service is no longer being used solely for research;

(2) the offices of a licensed private practitioner whether for individual or group practice except as provided for in Section 44-7-160(1) and (6);

(3) the replacement of ~~like~~ equipment including, but not limited to, CT scanners, magnetic resonance imaging, positron emission tomography (PET), and positron emission tomography/computed tomography for which a Certificate of Need has been issued which does not constitute ~~a material change in service or~~ a new service;

(4) crisis stabilization unit facilities. Notwithstanding subsection (C), crisis stabilization unit facilities will not require a written exemption from the department~~.~~;

(5) a change in the existing bed complement of a health care facility through the addition of one or more beds if:

(a) in the immediately prior calendar year, the average occupancy of the total number of the beds in the same license category at the health care facility where the beds will be added exceeded seventy-five percent capacity, including beds considered as observational status; and

(b) for licensed general acute care hospital beds, the number of beds exempt from review under this section does not exceed fifty beds or ten percent of the total number of licensed general acute care hospital beds, whichever is greater, at the health care facility where the beds will be added;

(c) for beds in license categories other than general acute care hospital beds, the number of beds exempt from review under this section does not exceed ten percent of the total number of beds in the same license category, at the health care facility where the beds will be added.

(6) the addition of up to a fifty-bed acute care hospital in a county that does not have an acute care hospital. The exemption provided for in this subsection shall no longer apply in a county where an acute care hospital is opened pursuant to this subsection. All other provisions of this article shall apply to the construction or addition of health facilities or health services in a county without an acute care hospital. For purposes of this subsection, 'acute care hospital' shall mean a facility with a dedicated emergency department, organized and administered to provide short-term overnight medical or surgical care or nursing care of illness, injury, or infirmity and may provide obstetrical care, and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy."

SECTION 4. Section 44-7-210(F)-(G) of the 1976 Code is amended to read:

"Section 44-7-210. (F) Notwithstanding any other provision of law, including Section 1-23-650(C), in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the following apply:

(1) each party may name no more than ~~ten~~ three witnesses who may testify at the contested case hearing;

(2) each party is permitted to take only the deposition of a person listed by an opposing party as a witness who may testify at the contested case hearing~~, unless otherwise provided for by the Administrative Law Court~~ and each party is prohibited from taking a deposition pursuant to the provisions of the South Carolina Rules of Civil Procedure, Rule 30(b)(6);

(3) each party is permitted to serve only ten interrogatories pursuant to Rule 33 of the South Carolina Rules of Civil Procedure;

(4) each party is permitted to serve only ten requests for admission, including subparts; and

(5) each party is permitted to serve only thirty requests for production, including subparts.

~~The limitations provided for in this subsection are intended to make the contested case process more efficient, less burdensome, and less costly to the parties in Certificate of Need cases. Therefore, the Administrative Law Court may, by court order, lift these limitations beyond the parameters set forth in this subsection only in exceptional circumstances when failure to do so would cause substantial prejudice to the party seeking additional discovery.~~

(G) Notwithstanding any other provision of law, in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the Administrative Law Court shall file a final decision no later than ~~eighteen~~ twelve months after the contested case is filed with the Clerk of the Administrative Law Court~~, unless all parties to the contested case consent to an extension or the court finds substantial cause otherwise~~. There shall be no judicial review of final decisions issued by the Administrative Law Court for a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, the issuance of a determination regarding the applicability of Section 44-7-160, or any other department decisions relating to Article 3, Chapter 7, Title 44."

SECTION 5. Section 44-69-30 of the 1976 Code is amended to read:

"Section 44-69-30. No person, private or public organization, political subdivision, or other governmental agency shall establish, conduct, or maintain a home health agency or represent itself as providing home health services without first obtaining a license from the Department of Health and Environmental Control. This license is effective for a twelve-month period following the date of issue. A license issued under this chapter is not assignable or transferable and is subject to suspension or revocation at any time for failure to comply with this act. Subunits of parent home health agencies must be separately licensed.

The department may enter into public and private joint partnerships or enter into other appropriate cooperative agreements or arrangements or negotiate and effect these partnerships and agreements to include the sale of the entity and/or the transfer of licenses held by the department or its subdivisions to other qualified providers, if appropriate, when doing so would result in continued high quality patient care, continued provision of services to indigent patients, assurance of the employment of the

department's home health employees, and provision of home care services adequate to meet the needs of the State. The department may facilitate the negotiation, contracting, or transfer of these activities through licensure ~~and without requirement of a Certificate of Need as set out in Section 44-69-75~~ and without regard to the Procurement Code, Section 11-35-10, et. seq. However, a sale of the entity is subject to the provisions of the Procurement Code.

At least thirty days before entering any negotiations regarding a contractual agreement or a public/private partnership concerning the provision of home health services, the department shall place a public notice in a newspaper of general circulation for a period of no less than three consecutive days within the area where the services will be performed.

The department may establish requirements and conditions upon those entities joined in partnership or receiving transfer of the home care services, and licensing, ~~and Certificate of Need~~ including, but not limited to, transfer of employees, coverage of indigent patients, and payments or contributions to the department to continue the provision of basic public health services as determined by the department. All agreements must be reviewed and approved by the board of the department. The department may monitor and enforce the contract or partnership provisions and/or conditions of transfer or any other conditions or requirements of agreements entered into pursuant to this section.

All funds paid to or received by the department pursuant to this section must be deposited in an account separate and distinct from the general fund entitled the Public Health Fund (PHF). The funds deposited in this fund must be used solely by the department to support basic public health services determined to be necessary by the department. The appropriation of the funds must be through the General Appropriations Act.

Notwithstanding any of the provisions of this section, the department may continue to provide public health services in the clinic, the home, and the community necessary to ensure the protection and promotion of the public's health."

SECTION 6. Sections 44-7-220 of the 1976 Code and 44-69-75(A) are repealed.

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or

amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 8. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 9. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

Senator CLIMER spoke on the amendment.

Senator CLIMER moved to lay the amendment on the table.

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

Ayes 31; Nays 9

AYES

Adams	Alexander	Bennett
Cash	Climer	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McLeod	Peeler	Rice
Senn	Setzler	Shealy

Turner	Verdin	Williams
Young		

Total--31

NAYS

Allen	Hutto	Jackson
Johnson, Kevin	Rankin	Sabb
Scott	Stephens	Talley

Total--9

The amendment was laid on the table.

Debate was interrupted by adjournment.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

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

James W. Rickenbacker, 220 Oakridge Dr., Orangeburg, SC 29115-3923 *VICE* Samuel A. Daily

Motion Adopted

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

MOTION ADOPTED

On motion of Senators MATTHEWS, PEELER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, K. JOHNSON, M. JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, McELVEEN, McLEOD, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Peden Brown McLeod of Walterboro, S.C. Former Senator McLeod served in the United States Army and graduated from the University of South Carolina law school. He was elected to the South Carolina House of Representatives in 1972 and the Senate in 1979. He was later elected Code Commissioner and became director of the South Carolina Legislative Council. Former Senator McLeod received the Order of the Palmetto from Governor Beasley. He served with the American Legion Post 93, Boy Scouts of America, the Jaycees, Lions Club, Elks Lodge and numerous others. Senator McLeod was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:34 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 13, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 25:4

We read in Psalm 25: "Make me to know your ways, O Lord; teach me your paths."

Let us pray: Glorious and everloving God, we are fully aware that You urge us to seek Your guidance in every task we might undertake. After all, most all of us know full well that without Your blessing and Your direction, we find ourselves often fumbling and stumbling over life's many problems and issues. And surely, Lord, in this day and time problems and issues are manifold and they confront us -- and our desires to move forward -- at virtually every turn. In light of these realities, we ask You yet again to grant to these Senators and their aides the very gifts they need to accomplish good for this State and for all of our citizens. By following Your clear pathways may these leaders bring about the very best results for us all. And as always, to You, Lord, be the glory. In Your blessed name we humbly pray. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Local Appointment

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

Kenneth Sanders, 619 Whitestone Road, Spartanburg, SC 29302-5322
VICE Jimmy B. Henson

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

THURSDAY, JANUARY 13, 2022

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 690 Sen. Gambrell
S. 929 Sen. Kimbrell

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bills:

S. 811 Sen. Shealy
S. 935 Sen. Shealy

RECALLED

H. 4125 -- Reps. Rose, Howard and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT A SIGN IN RICHLAND COUNTY ON THE CORNER OF GERVAIS STREET WHERE IT INTERSECTS WITH MCDUFFIE STREET IN THE CITY OF COLUMBIA'S LYONS STREET NEIGHBORHOOD CONTAINING THE WORDS "IN MEMORY OF MARVIN HELLER LONGTIME LYON STREET NEIGHBORHOOD PRESIDENT AND COMMUNITY ACTIVIST".

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

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

RECALLED AND ADOPTED

S. 977 -- Senator Jackson: A SENATE RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT S. 1873, H.R. 1946, OR SIMILAR LEGISLATION TO ESTABLISH MEDICARE COVERAGE FOR MULTI-CANCER EARLY DETECTION SCREENING TESTS, AND TO CONTINUE WORKING ACROSS PARTY LINES TO REDUCE CANCER DEATHS IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

There was no objection.

Senator VERDIN asked unanimous consent to make a motion to take the Senate Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Senate Resolution. The question then was the adoption of the Senate Resolution.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 983 -- Senator Massey: A BILL TO AMEND SECTION 59-149-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADDITIONAL LIFE SCHOLARSHIP STIPEND, SO AS TO AWARD THE ADDITIONAL STIPEND TO A QUALIFIED STUDENT MAJORING IN EDUCATION; AND TO AMEND SECTION 59-104-25, RELATING TO THE ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPEND, SO AS TO AWARD THE ADDITIONAL STIPEND TO A QUALIFIED STUDENT MAJORING IN EDUCATION.

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

S. 984 -- Senators Hembree and Massey: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

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

S. 985 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DR. MARY ELIZABETH ASHLEY-LIVINGSTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 986 -- Senators McElveen, Davis, Shealy, Peeler, Alexander, Scott, Cromer, Young, Goldfinch, Gambrell, K. Johnson, Sabb, Climer, M. Johnson, Williams, Campsen, Matthews, Kimbrell, Gustafson, Turner, Rice, Cash and Harpootlian: A BILL TO AMEND THE 1976 CODE, TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; AND TO AMEND SECTION 12-6-1171 OF THE 1976 CODE, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.
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Read the first time and referred to the Committee on Finance.

S. 987 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF VIOLA D. KENNEDY OF WINNSBORO, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 988 -- Senators Cash and Rice: A BILL TO ENACT THE EQUAL PROTECTION FOR UNBORN BABIES ACT; TO REPEAL CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO THE REGULATION OF ABORTIONS; TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROHIBIT THE PERFORMANCE OR INDUCTION OF ABORTIONS IN THIS STATE, TO PROVIDE PENALTIES FOR VIOLATING THE PROHIBITION, AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE THAT THE PROVISIONS CONTAINED IN THIS ACT ARE EFFECTIVE UPON AN ACTION TAKEN BY THE FEDERAL GOVERNMENT THAT HAS THE EFFECT OF ACKNOWLEDGING THAT THE STATE OF SOUTH

CAROLINA HAS THE AUTHORITY TO REGULATE ABORTION TO THE EXTENT SET FORTH IN THIS ACT.
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Read the first time and referred to the Committee on Medical Affairs.

S. 989 -- Senator Bennett: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.
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Read the first time and referred to the Committee on Finance.

H. 4746 -- Reps. G. M. Smith, Rutherford and J. E. Johnson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 2, 2022, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4, WHOSE TERM WILL EXPIRE JULY 31, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED

TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT,

SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, TO FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022.

On motion of Senator RANKIN, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 4747 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 19, 2022, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

H. 4748 -- Reps. B. Newton, Lucas, McGarry and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY LEONARD "LEE" JESUELE OF THE LANCASTER COUNTY SHERIFF'S OFFICE UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

H. 4749 -- Reps. Lowe, Alexander, Jordan, Kirby, R. Williams, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, King, Ligon, Long, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT JOHNNY (JOLLY) HICKS OF THE FLORENCE COUNTY SHERIFF'S OFFICE UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

H. 4752 -- Reps. G. R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY BRIANNA MILLER OF THE GREENVILLE COUNTY SHERIFF'S OFFICE, WHO ACTED HEROICALLY IN RESPONDING TO A VEHICLE ACCIDENT, AND TO CONGRATULATE HER UPON RECEIVING THE 2021 SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

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

H. 4753 -- Reps. G. R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT PATRICK SWIFT, MASTER DEPUTY MATTHEW BROAD, DEPUTY KYLE ALEXANDER, AND DEPUTY RYAN HUMBURG AND K9 NIKOS OF THE GREENVILLE COUNTY SHERIFF'S OFFICE UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

H. 4754 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO EXPRESS DEEP APPRECIATION FOR THE DEDICATED PUBLIC SERVICE OF MARTIN K. TAYLOR, DIRECTOR OF TREASURY MANAGEMENT FOR THE SOUTH CAROLINA TREASURER'S OFFICE, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT FROM SERVICE TO THE STATE OF SOUTH CAROLINA AFTER AN EXEMPLARY CAREER OF OVER THIRTY-TWO YEARS, AND TO WISH FOR HIM A FUTURE BLESSED WITH GOOD HEALTH AND MUCH JOY.

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

H. 4756 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson,

Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE MICHAEL D. SCOTT, SR., AND MARGARET ROSE SCOTT ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MUCH CONTINUED HAPPINESS AND FULFILLMENT IN THE DAYS AHEAD.

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

H. 4758 -- Reps. Ligon, D. C. Moss and McDaniel: A CONCURRENT RESOLUTION TO HONOR SERGEANT RICHARD BRANHAM, CORPORAL JORDAN BROWN, DEPUTY DASHAUN BOYD, DEPUTY MARCUS BEASLEY, DEPUTY QUENTIN ELEY, DEPUTY SYDNEY CANIPE, AND DEPUTY JOHNNY ARCILA OF THE CHESTER COUNTY SHERIFF'S OFFICE, WHO DISPLAYED EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY, AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

H. 4759 -- Reps. Jefferson, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR THE MEMORY OF CHARLESTON NATIVE DR. PATRICIA SANDERS-COOPER, A DEDICATED SOUTH CAROLINA EDUCATOR, AND TO CELEBRATE HER LIFE OF SERVICE.

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

H. 4760 -- Reps. Bamberg, Rivers, Murray, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss,

Murphy, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE PEDEN BROWN MCLEOD OF COLLETON COUNTY AND TO EXTEND DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND MANY FRIENDS.

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

H. 4786 -- Reps. G. R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A CONCURRENT RESOLUTION TO HONOR DEPUTY MARK HARDEN AND DEPUTY COLIN PRICE OF THE GREENVILLE COUNTY SHERIFF'S OFFICE, WHO DISPLAYED EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY, AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

SEATING SELECTIONS

On motion of Senator MASSEY, with unanimous consent, the Senate proceeded to the selection of seats.

The Reading Clerk called the roll in accordance with Rule 4 for the purpose of seating selections as follows:

Seat 1 Sen. Peeler
Seat 2 Sen. Rankin
Seat 3 Sen. Alexander
Seat 4 Sen. Cromer
Seat 5 Sen. Grooms
Seat 6 Sen. Campsen
Seat 7 Sen. Davis
Seat 8 Sen. Shealy
Seat 9 Sen. Martin
Seat 10 Sen. Verdin

Seat 11	Sen. Senn
Seat 12	Sen. Loftis
Seat 13	Sen. Gustafson
Seat 14	Sen. Climer
Seat 15	Sen. Goldfinch
Seat 16	Sen. Gambrell
Seat 17	Sen. Bennett
Seat 18	Sen. Hembree
Seat 19	Sen. Turner
Seat 20	Sen. Massey
Seat 21	Sen. Young
Seat 22	Sen. Talley
Seat 23	Sen. Corbin
Seat 24	Sen. Hutto
Seat 25	Sen. Setzler
Seat 26	Sen. Jackson
Seat 27	Sen. Allen
Seat 28	Sen. McElveen
Seat 29	Sen. Scott
Seat 30	Sen. Malloy
Seat 31	Sen. K. Johnson
Seat 32	Sen. Williams
Seat 33	Sen. Kimpson
Seat 34	Sen. Matthews
Seat 35	Sen. Sabb
Seat 36	Sen. McLeod
Seat 37	Sen. Harpootlian
Seat 38	Vacant
Seat 39	Sen. Stephens
Seat 40	Sen. Cash
Seat 41	Sen. Rice
Seat 42	Sen. Adams
Seat 43	Sen. Garrett
Seat 44	Sen. M. Johnson
Seat 45	Sen. Kimbrell
Seat 46	Sen. Fanning

THURSDAY, JANUARY 13, 2022

Message from the House

Columbia, S.C., January 13, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hiott, Burns and Atkinson to the Committee of Conference on the part of the House on:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., January 13, 2022

Mr. President and Senators:

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

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION

2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 937 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT DAVID LAWSON FOR HIS MANY CONTRIBUTIONS TO THE NEWBERRY COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 942 -- Senator Martin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NARCOTICS INVESTIGATOR KEN HANCOCK FOR HIS MANY CONTRIBUTIONS TO THE SPARTANBURG COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 948 -- Senator Williams: A JOINT RESOLUTION TO PROVIDE FOR THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION TO OCCUR ON THE SECOND TUESDAY OF MAY 2022.

On motion of Senator WILLIAMS.

SECOND READING BILLS

S. 862 -- Senators Hutto and Matthews: A BILL TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

On motion of Senator MATTHEWS.

S. 975 -- Senators Young and Massey: A JOINT RESOLUTION TO AUTHORIZE THE RELOCATION OF THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND ACCOMPANYING UNITED STATES FLAG INSTALLATION LOCATED AT THE CORNER OF EDGEFIELD AVENUE AND LAURENS STREET IN THE CITY OF AIKEN TO THE AIKEN COUNTY VETERANS MEMORIAL LOCATED AT 1435 RICHLAND AVENUE EAST.

S. 975--Ordered to a Third Reading

On motion of Senator YOUNG, S. 975 was ordered to receive a third reading on Friday, January 14, 2022.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

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

Kenneth Sanders, 619 Whitestone Road, Spartanburg, SC 29302-5322 *VICE* Jimmy B. Henson

Motion Adopted

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

THURSDAY, JANUARY 13, 2022

REPORT RECEIVED

Judicial Merit Selection Commission
Report of Candidate Qualifications
for Fall 2021

Date Draft Report Issued: Thursday, January 13, 2022

Date and Time: Final Report Issued: Noon, Tuesday, January 18, 2022

Judicial candidates are not free to seek or accept commitments until Tuesday, January 18, 2022, at Noon.

Judicial Merit Selection Commission

Rep. G. Murrell Smith, Jr., Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Jeffrey E. Jefferson
Hope Blackley-Logan.
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

January 13, 2022

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

THURSDAY, JANUARY 13, 2022

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 18, 2022. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, January 18, 2022. In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after the release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,
Representative G. Murrell Smith Jr.

Judicial Merit Selection Commission

Rep. G. Murrell Smith Jr, Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Jeffrey E. Johnson
Hope Blackley-Logan
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

January 13, 2022

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003, Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section is to ensure that members of the General Assembly have full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report***. The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly***, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General

Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,
Representative G. Murrell Smith Jr.
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, as amended, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this

desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.,* lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, experience, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar through BallotBox online;
(2) SLED and FBI investigation;
(3) credit investigation;
(4) grievance investigation;
(5) study of application materials;
(6) verification of ethics compliance;
(7) search of newspaper articles;
(8) conflict of interest investigation;
(9) court schedule study;
(10) study of appellate record;
(11) court observation; and
(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which

they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision.

Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina

THURSDAY, JANUARY 13, 2022

Court of Appeals, Circuit Court, Family Court, and Administrative Law Court.

SUPREME COURT
QUALIFIED AND NOMINATED

The Honorable Kaye G. Hearn
Supreme Court, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Justice Hearn meets the qualifications prescribed by law for judicial service as a Supreme Court Justice.

Justice Hearn was born in 1950. She is 71 years old and a resident of Conway, South Carolina. Justice Hearn provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1977.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Justice Hearn.

Justice Hearn demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Justice Hearn reported that she has not made any campaign expenditures.

Justice Hearn testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Justice Hearn testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Justice Hearn to be intelligent and knowledgeable.

Justice Hearn reported that she has taught the following law-related courses:

(a) The Hearsay Rule in the Family Court (1979)
(b) Order Writing for Circuit Court Judges (1979)
(c) Order Writing for Family Court Judges (1979)
(d) Order Writing for Law Clerks (1980)
(e) Order Writing for Law Clerks and Staff Attorneys (1981)
(f) Appellate Advocacy Brief Writing (1982)
(g) Opinion Writing for Appellate Judges (1983)
(h) Effective Order Writing (1984)
(i) Order Writing (New Family Court Judges School) (1985)
(j) Practical Problems in Legal Ethics (1987)
(k) Order Writing (New Family Court Judges School) (1988)
(l) Domestic Violence (Magistrates' CLE) (1991)
(m) Adoption, Abuse & Neglect (New Family Court Judges' School, Moderator) (1992)
(n) The Future of Family Court (South Carolina Trial Lawyers' Association Annual Conference) (1993)
(o) Suppression Hearings in Family Court (Solicitors' Conference) (1993)
(p) How the Family Court is Using ADR and Mediation (South Carolina Bar Meeting) (1994)
(q) Judicial Perspective on Briefs and Oral Arguments (1995)
(r) Preserving the Record (South Carolina Circuit Court Judges' Conference (1996)
(s) Ethics: A View from the Bench (South Carolina Public Defenders' Conference) (1996)

(t) Appellate Writs and Motions Practice (South Carolina Bar Conference) (1997)
(u) The Rules of Evidence and the Dead Man's Statute (South Carolina Probate Judges' Conference (1997)
(v) Now We Have Campbell, What Do We Do with It? (South Carolina Defense Trial Attorneys' Association Conference (2003)
(w) Keeping Your Verdicts Without Compromising Your Ethics (Trial Lawyers' Auto Torts Seminar) (2006)
(x) Appellate Advocacy (Charleston School of Law—Adjunct Faculty, Fall 2007 Semester)
(y) How to Talk To and Write For Judges (2010)
(z) Francis Marion Commencement Speech (2011)
(aa) Future of Women on the Bench (South Carolina Women Lawyers' Annual Conference) (2012)
(bb) Criminal Law Update (South Carolina Bar Convention) (2017)
(cc) The Boss (Julius B. Ness) (South Carolina Supreme Court Historical Society Presentation (2018)
(dd) A Life Well-Lived (Tanya Gee) (South Carolina Bar) (2019)
(ee) Women's Equality Day (Charleston Bar CLE) (2020)
(ff) My Journey to the South Carolina Supreme Court (Senior Lawyers' Luncheon) (2020)
(gg) Fireside Chats (South Carolina Bar) (2020)

Justice Hearn reported that she has published the following:
(a) S.C. Appellate Practice Handbook (S.C. Bar CLE 1985), Contributing Author.
(b) Marital Litigation in S.C., Roy T. Stuckey and F. Glenn Smith (S.C. Bar CLE 1997), Editorial Board.
(c) South Carolina Damages, Terry E. Richardson, Jr., and Daniel S. Haltiwanger (S.C. Bar CLE 2004), authored chapter titled, "S.C. Modified Comparative Negligence."
(d) The Appellate Prosecutor: A Practical and Inspirational Guide to Appellate Advocacy, Ronald H. Clark (S.C. Bar CLE 2005), authored chapter on oral argument.
(e) South Carolina Damages, Second Edition, James Ward, Jr., and Edward Westbrook (S.C. Bar CLE 2009 & 2017), Contributing Author.

(4) Character:
The Commission's investigation of Justice Hearn did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Justice Hearn did not indicate any evidence of a troubled financial status. Justice Hearn has handled her financial affairs responsibly.

The Commission also noted that Justice Hearn was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Justice Hearn reported that her last available rating by a legal rating organization was BV as of May 1986.

Justice Hearn reported that she has not served in the military.

Justice Hearn reported that she has never held public office other than judicial office.

(6) Physical Health:
Justice Hearn appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Justice Hearn appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Justice Hearn was admitted to the South Carolina Bar in 1977.

She gave the following account of her legal experience since graduation from law school:
(a) 1977-1979: Law clerk to the Honorable Julius B. Ness, Associate Justice of the S.C. Supreme Court

(b) 1979-1986: Associate and partner in firm which eventually became Stevens, Stevens, Thomas, Hearn & Hearn; located in Loris and Myrtle Beach, S.C.
(c) 1986-1995: Family Court Judge for the Fifteenth Judicial Circuit (Chief Administrative Judge from 1987-1995)
(d) 1995-1999: Judge, S.C. Court of Appeals
(e) 1999-2009: Chief Judge, S.C. Court of Appeals
(f) 2010-present: Associate Justice, S.C. Supreme Court

Justice Hearn reported that she has held the following judicial office(s):

I was elected Family Court Judge in 1986 and served until 1995. The family court has jurisdiction over matters involving domestic relationships, such as divorce, division of marital property, custody, visitation rights, adoptions, termination of parental rights, and juvenile criminal matters.

In 1995, I was elected to serve as a judge on the S.C. Court of Appeals, and in 1999, I was elected Chief Judge of the Court of Appeals. The court of appeals has jurisdiction over all appeals, with the following seven exceptions (see S.C. Code Ann. § 14-8-200 (2017)):

(1) death penalty cases;
(2) final decisions of the Public Service Commission setting public utility rates;
(3) challenges to the constitutionality of a statute or ordinance (unless the Supreme Court deems the constitutional question raised insignificant);
(4) final judgments from the circuit court involving "the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the State, its agencies, political subdivisions, public service districts, counties, and municipalities, or any other indebtedness authorized by Article X of the Constitution of this State;"
(5) judgments dealing with elections or election procedures;
(6) orders limiting the investigation of the state grand jury; and
(7) orders dealing with an abortion by a minor.

In 2009, I was elected to the Supreme Court. I began to serve the remainder of Justice John Waller's un-expired term in January, 2010, and I was reelected in 2012 to a new term.

Justice Hearn provided the following list of her most significant orders or opinions:

(a) Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (2014) (holding juveniles sentenced to life without parole were entitled to new sentencing proceeding based on United States Supreme Court precedent where the court must consider the impact of youth).

(b) Stone v. Thompson, 428 S.C. 79, 833 S.E.2d 266 (2019) (abolishing common law marriage prospectively and refining the test for those cases where a common law marriage is alleged).

(c) Neumayer v. Philadelphia Indemnity Ins. Co., 427 S.C. 261, 831 S.E.2d 406 (2019) (holding an insurer may rely on a notice clause in an insurance contract to deny coverage if the insurer was substantially prejudiced by the insured's failure to comply with that clause).

(d) State v. Langford, 400 S.C. 421, 735 S.E.2d 471 (2012) (holding statute that placed control of the criminal docket with the solicitor unconstitutional).

(e) Kiawah Dev. Partners, II v. S.C. Dep't. of Health & Env't Control, 411 S.C. 16, 766 S.E.2d 707 (2014) (reversing the decision to approve a permit to construct a 2,783-foot bulkhead and revetment along the shore of the Kiawah River at Captain Sam's Spit and remanding to the ALC).

Justice Hearn reported the following regarding her employment while serving as a judge:
Adjunct Professor at the Charleston School of Law in appellate advocacy during the 2006, 2007, and 2008 fall semesters.

Justice Hearn further reported the following regarding unsuccessful candidacies:
Yes, I ran twice for the Supreme Court in 2007 and 2008, before winning in 2009.

(9) Judicial Temperament:
The Commission believes that Justice Hearn's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification reported Justice Hearn to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee did not have related or summary statements.

Justice Hearn is married to George Hearn. She has one child.

Justice Hearn reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
I have previously been a member of:
(b) Council of Chief Judges
Immediate Past President, 2006-2007
President, 2005-2006
Chair, Education Committee, 2003
Member, Executive Board, 2001-Present
Member, Education Committee, 2000-2002
(c) Conference of Family Court Judges
Treasurer, 1990
Secretary, 1991
President, 1992

Justice Hearn provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
Coastal Inn of Court, Founding and Judicial Member, 2016-2020

(11) Commission Members' Comments:

The Commission commended Justice Hearn's many years of service on the bench. They noted her reputation as an energetic, hard-working jurist.

(12) Conclusion:

The Commission found Justice Hearn qualified, and nominated her for re-election to Supreme Court, Seat 4.

THURSDAY, JANUARY 13, 2022

COURT OF APPEALS
QUALIFIED AND NOMINATED

The Honorable H. Bruce Williams
Chief Judge, Court of Appeals, Seat 5

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Chief Judge, Court of Appeals, Seat 5, 1 candidate applied for this vacancy. Accordingly, the names and qualifications of 1 candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Williams meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Williams was born in 1956. He is 65 years old and a resident of Columbia, South Carolina. Judge Williams provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1982.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Williams.

Judge Williams demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Williams reported that he has not made any campaign expenditures.

Judge Williams testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Williams testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Williams to be intelligent and knowledgeable.

Judge Williams reported that he has taught the following law-related courses:
(a) I am an adjunct professor at the University Of South Carolina School Of Law, teaching Family Law from 2012 to present.
(b) I lectured at the SC Bar Program "Bridge the Gap" for new lawyers.
(c) I have given presentations on the topics of appellate advocacy and domestic relations at the annual SC Bar meeting, as well as numerous presentations at SC Bar CLE events.
(d) I have given presentations in the areas of appellate law and domestic relations for the SC Association for Justice's annual meetings.
(e) I have lectured to University of South Carolina School of Law classes related to the following topics: alternative sentencing/drug court, abuse and neglect cases, domestic relations, and fundamentals of law practice and professionalism. I have also presented professionalism seminars to first -year students on the courts and civility.
(f) I have lectured to undergraduate and graduate level classes at the University of South Carolina regarding juvenile crime, drug court, and courtroom procedures in South Carolina.
(g) I have participated as a group leader in drug court training for new courts in programs sponsored by the National Association of Drug Court Professionals.

(h) I have given numerous presentations at SC Solicitors' annual conferences concerning juveniles, case law updates, drug court, and civility in the courts. In addition, I have presented at the SC Public Defenders' Conference.

(i) I have had the opportunity to speak at locally sponsored CLE events on appellate advocacy, abuse and neglect cases, and guardian ad litem training.

Judge Williams reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Williams did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Williams did not indicate any evidence of a troubled financial status. Judge Williams has handled his financial affairs responsibly.

The Commission also noted that Judge Williams was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Williams reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Williams reported that he has not served in the military.

Judge Williams reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Williams appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Williams appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Williams was admitted to the South Carolina Bar in 1982.

He gave the following account of his legal experience since graduation from law school:

(a) 1982-1995 General practice with primary emphasis on family law and personal injury law.
(b) 1982-1995 – Scott, Matthews & Williams: Administrative and financial management of the firm was the responsibility of the senior partners.
(c) 1991-1995 – Trotter and Williams: Administrative and financial management of operating and trust accounts.
(d) 1991-1995 – Part-time municipal judge for Irmo, SC.
(e) 1995-2004 – Judge, South Carolina Family Court
(f) 1997-2019 – Presiding Judge Richland County Juvenile Drug Court
(g) 2000-2002 – Presiding Judge Richland County Adult Drug Court
(h) 2004-present – Judge, South Carolina Court of Appeals

Judge Williams reported the frequency of his court appearances prior to his service on the bench as follows:
(a) Federal: low;
(b) State: high.

Judge Williams reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) Civil: 30%;
(b) Criminal: 5%;
(c) Domestic: 65%;
(d) Other: 0%.

Judge Williams reported the percentage of his practice in trial court prior to his service on the bench as follows:
(a) Jury: 5%;
(b) Non-jury: 95%.

Judge Williams provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Williams's account of his five most significant litigated matters:

(a) Melvin v. Melvin – a contested divorce case in which the parties had a long term marriage and disputed equitable distribution of military retirement benefits
(b) Inman v. Inman – a custody case involving a mother who moved out of state
(c) Oswald v. Oswald – a contested custody case involving child support visitation, equitable distribution, and attorney's fees
(d) Jackson v. Jackson – a domestic case in which custody was obtained for the mother who had initially given up custody and visitation with her children
(e) Bullard v. Ehrhardt, 283 S.C. 557, 324, S.E.2d 61 (1984) – in this case, our Supreme Court established the duty a store owner owes to invitees for criminal acts of third parties in negligence actions

The following is Judge Williams's account of three civil appeals he has personally handled:

(a) Bullard v. Ehrhardt, 283 S.C. 557, 324, S.E.2d 61 (1984) – In this case, our supreme court established the duty a store owner owes to invitees for criminal acts of third parties in negligence actions
(b) Oyler v. Oyler 293 S.C. 4, 358 S.E.2d 170 (Ct. App. 1987) – Participation limited to oral argument and assisting and preparing brief.
(c) Francis June Rawl v. Roy Edwin Rawl, Sr. – Participation limited to oral argument.

Judge Williams reported that he has not personally handled any criminal appeals.

Judge Williams reported that he has held the following judicial office(s):

(a) Assistant Town Judge, Irmo, South Carolina – October, 1991-June, 1995
(b) Appointed by Town Council. Jurisdiction is limited to magistrate level criminal and traffic offenses. Duties included setting bonds for criminal defendants

(c) South Carolina Family Court Judge, 5th Judicial Circuit, Richland County, Seat 1, June 1995-June, 2004. Elected. Jurisdiction includes but is not limited to divorce, adoption, abuse and neglect, and juvenile cases. I also presided over the Richland County Juvenile Drug Court from its inception until 2019.

(d) South Carolina Court of Appeals, Seat 2, 2004-present. Elected. Jurisdiction over all appeals, except those reserved by statute to the original jurisdiction of the Supreme Court of South Carolina

(e) I was appointed a special circuit court judge to preside over Richland County Adult Drug Court, (2000-2002)

Judge Williams provided the following list of his most significant orders or opinions:

(a) S.C .Dep't of Soc. Servs. v. Truitt, 361 S.C.272,603 S.E.2d 867 (Ct. App. 2004)

(b) State v. Lynch, 375 S.C. 628, 654 S.E.2d 292 (Ct. App. 2007)

(c) Melton v. Medtronic, Inc., 389 S.C. 641, 698 S.E. 2d 886 (Ct. App. 2010)

(d) Miranda C. v. Nissan Motor Co., Ltd., 402 S.C. 577, 741 S E. 2d 34 (Ct. App. 2013)

(e) Shelley v. South Carolina Highway Patrol, 432 S.C. 335, 852 S.E.2d 220 (Ct. App. 2020)

Judge Williams reported the following regarding his employment while serving as a judge:

Adjunct Professor, USC School of Law -2012 to present

Judge Williams further reported the following regarding unsuccessful candidacies:

(a) In 1994, I was a candidate for Family Court Judge. I was found qualified by the South Carolina Bar and Judicial Merit Selection Commission. I withdrew prior to the election. I was then elected to the Family Court in 1995.

(b) In 2003, I was found qualified by the South Carolina Bar in my effort to serve on the South Carolina Court of Appeals. I was further found qualified and nominated by the Judicial Merit Selection Commission. Another

candidate was elected. I was then elected to the Court of Appeals in 2004.

(c) In 2007, I was found qualified by the South Carolina Bar in my effort to serve on the Supreme Court of South Carolina. I was also found qualified and nominated by the Judicial Merit Selection Commission. Another candidate was elected.

(d) In 2009, I was found qualified by the South Carolina Bar in my effort to serve on the Supreme Court of South Carolina. I was found qualified but not nominated by the Judicial Merit Selection Commission.

(e) In 2016, I was found well qualified by the South Carolina Bar in my effort to serve on the Supreme Court of South Carolina. I was found qualified and nominated by the Judicial Merit Selection Commission. Another candidate was elected.

(9) Judicial Temperament:
The Commission believes that Judge Williams's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Williams "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: Excellent appellate justice" and "Well Qualified.

Judge Williams is married to Sharon C. Williams. He has two children.

Judge Williams reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar, 1982-present

(b) Richland County Bar, 1982-present; Family Law Chair, 1993; Family Law Committee, 1991-1993

(c) South Carolina Conference of Family Court Judges, 1995-2004; President, 1999-2000; President-Elect, 1998-1999; Secretary-Treasurer, 1997-1998
(d) South Carolina Association of Drug Court Professionals; President, 2000-2001; 2008-2014; Board Member, 2006-present
(e) John Belton O'Neall Inn of Court, 2007-present
(f) Board Member, National Association for Drug Court Professionals, 7/2015-present
(g) Chairman of the Board, National Association for Drug Court Professionals, 2019-2021

Judge Williams provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Matthew J. Perry Civility Award, presented by the Richland County Bar Association 2012
(b) Columbia Urban League Ethel M. Bolden Community Service Award, 2011
(c) Palmetto Club
(d) Wildewood Club -Full Golf Member

Judge Williams further reported:

In 1997, I, along with the Solicitor, initiated the implementation of the Richland County Juvenile Drug Court Program, a comprehensive drug treatment court for juvenile offenders with serious drug problems. I presided over drug court on Monday evenings until 2019. We are currently working on a new juvenile treatment court program for the 5th Circuit.

I am gratified and appreciative of the support and encouragement received from members of the Bar since serving on the Bench. I will continue in my efforts to serve the people of South Carolina to the best of my ability.

My thirteen years of experience as a practicing lawyer, nine years of experience on the Family Court bench, and seventeen years of experience on the Court of Appeals has been invaluable. I believe this experience, along with my service and involvement in the community, has given me a significant perspective to serve as Chief Judge of the South Carolina Court of Appeals.

(11) Commission Members' Comments:
The Commission found Judge Williams to be excellent in all evaluative criteria and believe that based on his prior experience on the Court of Appeals he will be an effective Chief Judge.

(12) Conclusion:
The Commission found Judge Williams qualified and nominated him for election to Court of Appeals, Seat 5, Chief Judge.

The Honorable David Garrison "Gary" Hill
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Hill meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Hill was born in 1964. He is 57 years old and a resident of Greenville, SC, South Carolina. Judge Hill provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hill.

Judge Hill demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hill reported that he has made less than $25 in campaign expenditures, for postage and the cost of paper.

Judge Hill testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hill testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Hill to be intelligent and knowledgeable.

Judge Hill reported that he has taught the following law-related courses:

(a) I have appeared on panels at SC Bar Ethics CLEs.
(b) I have appeared on panels at the Solicitors' conference.
(c) I have spoken on trial advocacy at CLEs held at the Southeastern Asbestos Conference.
(d) I have spoken on *Crawford v. Washington* and the Confrontation Clause at a conference held by the Greenville Bar, *Batson v. Kentucky* at a SCAJ conference, Ethics to the SCDTAA Trial Academy, given a caselaw update at a conference sponsored by the Colleton County Bar Association, spoken at the York County Bar Association, presented at "Super CLEs" sponsored by the Greenville Bar and the Hilton Head Island Bar. In February 2020 I moderated a panel discussion on State constitutional law at the USC School of Law.
(e) As a member of the Circuit Judges Advisory Committee, I gave annual presentations on "Judicial Ethics" and "Inherent Powers of Courts" to the New Judges' Orientation School sponsored by S.C. Court Administration.
(f) I have taught a January Interim course at Wofford College entitled "The Bill of Rights and Modern Citizenship." This course involves intensive study of the origins and development of the Bill of Rights, and also provides the students the opportunity to be exposed to volunteer community service as they in turn teach what they have learned to students of a local literacy

association who are preparing for the civics portion of the GED exam or the Naturalized Citizenship exam.

(g) "Doing Business with S.C. Local Governments," S.C. Bar CLE, 2001.

(h) "Construction Contracting for Public Entities," Lorman, 2001.

(i) "Appellate Advocacy," S.C. Bar 2000.

(j) "Representing a Public Body," S.C Bar 1997

(k) "Freedom of Information Act Update" S.C. Ass'n of Counties CLE, 1999.

(l) I have spoken on the Freedom Information Act to a seminar for employees of the S.C. Department of Revenue and at conferences held by the S.C. Association of Public Service Districts.

(m) I have spoken on Trial Advocacy to the Construction Law section of the S.C. Bar, the S.C. Ass'n of Counties, and the SCDTAA

Judge Hill reported that he has published the following:

(a) "Back to the Future: *United States v. Jones* and the search for Fourth Amendment Coherence," May 2012 South Carolina Lawyer

(b) "Celebrate the Bill of Rights and act as its Guardian," December 12, 2010 Op-Ed column in The Greenville News (article also published in The State)

(c) "Celebrate That We're a Nation of Laws, Not Men," May 2, 2008 Op-Ed column in The Greenville News.

(d) "Lay Witness Opinions," September 2007 South Carolina Lawyer at 34.

(e) "Rule 30(j), Charlie McCarthy and The Potted Plant," September 2005 South Carolina Lawyer at 26.

(f) Doing the Public's Business, (2001) (book authored with Leo H. Hill).

(g) "Recent Changes to the South Carolina Freedom of Information Act," South Carolina Lawyer May/June 1999.

(h) "The Fourth Amendment, Substance Abuse and Drug Testing in the Public Sector," South Carolina Lawyer, May/June 1997

(i) "Mayhem," 7 S.C. Juris. 213 (1991)

(j) "Direct Criminal Contempt," South Carolina Lawyer, Sept/Oct 1992

(k) From approximately 1994 to 1998 I served on the editorial board of the South Carolina Lawyer magazine published by the S.C. Bar. I served as editor-in-chief for three of those years.

(l) I also published three student Notes in volume 40 of the South Carolina Law Review (1988). These Notes examined recent state supreme court and U.S. Court of Appeals cases dealing with post-conviction relief, the 6th amendment right to counsel, and federal civil procedure.

(4) Character:
The Commission's investigation of Judge Hill did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hill did not indicate any evidence of a troubled financial status. Judge Hill has handled his financial affairs responsibly.

The Commission also noted that Judge Hill was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Hill reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Hill reported that he has not served in the military.

Judge Hill reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Hill appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Hill appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Hill was admitted to the South Carolina Bar in 1990.

He gave the following account of his legal experience since graduation from law school:

From 1989-90 I was a law clerk to Judge Billy Wilkins on the United States Court of Appeals for the Fourth Circuit. In 1990, I joined the law firm of Hill, Wyatt & Bannister. I became a partner in the firm in 1994. I had a general practice that included civil and criminal cases and appeals in all courts. In 2000, I started the law firm of Hill & Hill, LLC with my late father, Leo H. Hill. We enjoyed a wide client base and practice area, concentrating in business litigation and representation of governmental bodies including municipalities and special purpose districts. I also handled numerous civil and criminal appeals. We were fortunate to be listed in the Martindale-Hubbell Register of Pre-Eminent Lawyers. I was the managing partner and responsible for the trust accounts.

Judge Hill reported that he has held the following judicial office(s):
Yes, from 2004 to 2017 I was privileged to serve as Circuit Judge, Thirteenth Circuit, seat 4. In 2017 I was elected to the Court of Appeals, Seat 9.

Judge Hill provided the following list of his most significant orders or opinions:

(a) Cornelius v. Oconee County, 369 S.C. 531, 633 S.E.2d 492 (2006)
I was invited to sit as an acting Associate Justice of the S.C. supreme court, and wrote this opinion for the unanimous court concerning whether a 1976 voter referendum and the S.C. Constitution precluded Oconee County from expanding its sewerage system using certain financing sources.

(b) Hackworth v. Greenville County, 371 S.C. 99, 637 S.E.2d 320 (2006)

This was a claim by the Hackworths against the Greenville County Sheriff's office for return of monies forfeited under the gambling laws. The Court of Appeals affirmed dismissal of the claim based on the Statute of Limitations.

(c) State v. Jeffrey Motts
I wrote the trial court order granting Mr. Motts' request waiving his right to appeal his death sentence. The supreme court affirmed. State v. Motts, 391 S.C. 635, 707 S.E.2d 804 (2011).

(d) In Re South Carolina Asbestos Docket
From 2009 to 2017, I was assigned by the supreme court to handle the asbestos trial docket throughout the state, which consists of hundreds of civil lawsuits claiming personal injury due to asbestos exposure. I have written several significant orders in this capacity, involving such issues as product identification, proximate cause, product liability, and the sophisticated user defense.

(e) In Re ITG Merger Litigation
This case, which I was assigned through the complex case procedure, is a shareholder and derivative class action related to the merger of two Upstate textile companies. The plaintiffs alleged hundreds of millions of dollars in damages. During the pre-trial phase, I wrote opinions dealing with Rule 23 class certification, civil conspiracy, fiduciary duty, discovery, damages and numerous other issues arising under both South Carolina and Delaware law.

Judge Hill reported no other employment while serving as a judge.

Judge Hill further reported the following regarding unsuccessful candidacies:
In May 2014, I was one of three candidates qualified and nominated for Court of Appeals Seat No. 7 but withdrew before the election.

(9) Judicial Temperament:
The Commission believes that Judge Hill's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Hill to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, character, professional and academic ability, experience, reputation, and judicial temperament. The Committee had no related or summary comments.

Judge Hill is not married. He has three children.

Judge Hill reported that he was a member of the following Bar and professional associations:
(a) S.C. Bar
Member House of Delegates, 1997-2004
President, Government Law Section, 1999
(b) Greenville County Bar Association, Member of Executive Committee
(c) Haynsworth-Perry Inn of Court, 2012-current

Judge Hill provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Member of Westminster Presbyterian Church

Judge Hill further reported:
I am grateful to this Commission and the Legislature for the faith they placed in me 17 years ago when I was elected a circuit judge. I have done my level best to contribute to the fair and impartial administration of justice. There is nothing more professionally satisfying than having a positive impact on others, and knowing you made a difference in an important matter in a fellow person's life.

If given the opportunity, I would like to continue to serve the public in our judicial branch. I would strive to uphold the great traditions of our bench and bar and to make positive contributions to the public image of the justice system. I firmly believe we have the finest justice system in the world, and it is a humbling honor and solemn responsibility to be entrusted with a judicial office.

(11) Commission Members' Comments:
Due to Judge Hill's well established record and outstanding reputation, he was unanimously found qualified and nominated by the Commission. The Commission commended him for his service as a judge and commented that they greatly appreciated that he continued to offer himself as a candidate for the Court of Appeals.

(12) Conclusion:
The Commission found Judge Hill qualified and nominated him for re-election to Court of Appeals, Seat 9.

CIRCUIT COURT
QUALIFIED AND NOMINATED

Charles McCutchen
Circuit Court, First Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, First Judicial Circuit, Seat 1, 2 candidates applied for this vacancy. Accordingly, the names and qualifications of 2 candidates are hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. McCutchen meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. McCutchen was born in 1977. He is 44 years old and a resident of Orangeburg, South Carolina. Mr. McCutchen provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. McCutchen.

Mr. McCutchen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. McCutchen reported that he has made $199.55 in campaign expenditures for photography and postage expenses.

Mr. McCutchen testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. McCutchen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Mr. McCutchen to be intelligent and knowledgeable.

Mr. McCutchen reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. McCutchen reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Mr. McCutchen did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. McCutchen did not indicate any evidence of a troubled financial status. Mr. McCutchen has handled his financial affairs responsibly.

The Commission also noted that Mr. McCutchen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Mr. McCutchen reported that he is not rated by any legal rating organization.

Mr. McCutchen reported that he has not served in the military.

Mr. McCutchen reported that he has never held public office.

(6) Physical Health:
Mr. McCutchen appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Mr. McCutchen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Mr. McCutchen was admitted to the South Carolina Bar in 2002.

He gave the following account of his legal experience since graduation from law school:

(a) Hood Law Firm, LLC, Charleston, SC. Associate. September 2002 – January 2004. My primary area of practice was general civil litigation defense, beginning with initial pleadings and conducting discovery, all the way through mediation, as well as trial preparation/trial. I was not involved in any management position in this role, including management of trust accounts.
(b) Lanier & Burroughs, LLC, Orangeburg, SC. Non-equity member. February 2004 – Present. My areas of practice have always included personal injury litigation practice, including pretrial, trial preparation and trial, domestic

> litigation, criminal defense, workers compensation, as well as Social Security disability appeals and magistrate's Court civil and criminal litigation practice. Although I never managed the firm nor the trust accounts, I do oversee the trust account disbursements in cases that I personally handle.

Mr. McCutchen further reported regarding his experience with the Circuit Court practice area:

Over the past 5 years, and even prior, I have handled DUI/DUS cases, cases involving burglary and stolen goods, assault and battery, criminal domestic violence, various drug and firearm related charges, and also numerous traffic offenses. The usual issues presented in these cases pertained to probable cause or lack thereof, Miranda violations, failure of law enforcement to comply with South Carolina law, as well as mitigating facts and circumstances to be considered beyond just the charge(s) alone. The vast majority of my criminal cases concluded in negotiated plea agreements after concluding the rule 5 discovery process.

As far as civil matters, I frequently and routinely handle an array of cases including automobile accidents and premises liability cases, primarily. These typically involve issues of proximate causation, damages and especially on the premises liability side, foreseeability issues and issues of actual and constructive notice, in addition to the proximate cause and damages issues. Again, the vast majority of my civil cases ended in an agreed upon settlement, whether it be at mediation or before; however, a few cases that included issues of causation/liability coupled with issues of causally connected damages, ended up proceeding to trial. Most of my practice is spent representing Plaintiffs, but from time to time I do represent individual defendants who have been sued.

I certainly am aware that my practice has been primarily on the civil side; however, I believe that the Rules of Evidence apply across the board, in any type of case, and the practice of one type of law familiarizes you with those same rules to be applied in other areas. I believe there would be a swift learning curve on the criminal side if I were elected, as there are usually more

General Sessions terms of court compared to Common Pleas terms. As criminal matters involve the potential loss of rights most sacred to our State and US Constitutions, I would most certainly ensure that I was well versed, by way of research and independent study, on any unfamiliar issue that may arise in a case before me. That would also hold true with civil matters, as I am a firm believer in proper preparation in all areas of the law, and beyond.

Mr. McCutchen reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 5, or on average about 1 per year;
(b) State: 191 total, or on average about 38 times per year.

Mr. McCutchen reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: Including pre-suit civil matters, 57%. Including only filed civil matters 43%;
(b) Criminal: Including pre-suit civil matters, 5%. Including only filed civil matters, 6%;
(c) Domestic: Including pre-suit civil matters, 25%. Including only filed civil matters, 33%;
(d) Other: Including pre-suit civil matters, 13%. Including only filed civil matters, 18%.

Mr. McCutchen reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 97%;
(b) Non-jury: 3%.

Mr. McCutchen provided that during the past five years he most often served as sole counsel.

The following is Mr. McCutchen's account of his five most significant litigated matters:

(a) Sandra Canty, indv. and as Guardian of Andrea Gulley, an Incapacitated Adult v. Orangeburg County EMS, Case # 2018-CP-38-01354.

This matter involved alleged breaches of the standard of care by EMS personnel in responding to a 911 call from the Plaintiff's daughter, which resulted in an anoxic brain injury. The case involved multiple experts in the areas of causation and damages, as well as issues surrounding protections under the SC Tort Claims Act. After discovery and expert preparation, the case was successfully mediated, wherein a substantial, yet limited recovery was obtained to assist in Ms. Gulley's lifelong care.

(b) Shawn Hale v. Locals Pub of Orangeburg, SC, etal., Case # 2017-CP-38-00005

This premises liability case involved injuries sustained by the owner of a security company who was shot while checking on staff at a night club providing security services. The Plaintiff had extensive medical treatment requiring a month long hospitalization, multiple skin grafts and was permanently limited in function as a result of his injuries. The issues litigated were the duties owed by the landowner, and imputed notice from tenant to the landlord, assumption of the risk doctrines, and criminal acts of third parties. After extensive investigation, numerous depositions and surviving a defense motion for summary judgment, the case was successfully mediated.

(c) William Rutland v. Hazel H. Fogle, Case # 2016-CP-38-01449

This automobile accident case was one where liability was admitted, partly because the Defendant later became incapacitated due to age. Also, the case contained issues of pre-existing medical problems, exacerbation of a prior condition, causally connected medical expenses, and UIM offset due to failure to exhaust liability limits. After lengthy discovery, treating physician deposition(s), and subsequent consulting independent medical examiner testimony, the case was mediated twice (liability and UIM) and ultimately resolved prior to trial.

(d) Shayeata Taylor v. Wal-Mart Stores East, LP, etal., Case # 2013-CP-38-0650

Suit was commenced in this matter due to the wrongful arrest and subsequent prosecution of the Plaintiff for shoplifting. Plaintiff was a single mother who lost her job because of her detention and arrest. Significantly, the case involved issues of computer forensics and data stored on a gaming console which assisted in proving the allegations of wrongful arrest and malicious prosecution. Further, past economic loss was a substantial portion of the damages in the case. After multiple pretrial motions hearings, requiring amendment of the complaint itself, the matter settled prior to trial, after it was previously mediated unsuccessfully.

(e) Walter Proctor v. Admon Louis Moran d/b/a Moran Stumping Company, etal., Case # 2010-CP-14-124
This case, along with the companion loss of consortium case, arose out of an accident between a private vehicle and a tractor trailer hauling pine tree stumps. From the beginning, this matter contained issues and violations of the Federal Motor Carrier Safety Administration regulations, conspicuity analysis, accident reconstruction, comparative negligence, as well as substantial physical injuries sustained by the Plaintiff and his wife. The case was unsuccessfully mediated, yet settled prior to trial

Mr. McCutchen reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:
The Commission believes that Mr. McCutchen's temperament would be excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Mr. McCutchen to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Although Mr. McCutchen has less criminal

experience than civil, he has a good place to make up for his inexperience in this area."

Mr. McCutchen is married to Tara Lovelace McCutchen. He has two children.

Mr. McCutchen reported that he was a member of the following bar and professional associations:
(a) SC Bar Association
(b) Orangeburg County Bar Association, Treasurer 2008-Present.
(c) First Judicial Circuit Fee Dispute Resolutions Board
(d) SC Association of Justice, member.
Mr. McCutchen provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Orangeburg County Community of Character, Board of Directors, 2014 -Present.
(b) 2018 Lawyer of the Year, as voted on by readers of the Times & Democrat Newspaper.
(c) City of Orangeburg Dixie Youth Baseball Coach, 2012-2020

Mr. McCutchen further reported:
I was born and raised in a small community a few miles north of Kingstree, South Carolina. Growing up, my parents and grandparents taught me the importance of diligence and hard work. More importantly, they taught me how to be a person of good character, which includes how to treat people. I never once witnessed my parents mistreat another human being, not so much as to raise their voice at them. The opposite was more true: my parents would inconvenience themselves and go out of their way to help their peers, indiscriminately. At age twelve, my father passed away, and I watched my mother work tirelessly to ensure our needs were met. Growing up, I held every job a teenager in rural Williamsburg County could possibly have: from country store clerk to farming or working the tobacco and gladiola fields, I did it all. I consider myself fortunate to have met so many people from various walks of life at such a young age. It keeps me grounded to this day. I have walked many miles in many different persons' shoes, and I believe this is extremely

important when one day I may be asked to adjudicate matters involving those same people.

My humble beginnings in life have stayed with me throughout my career, and I believe that is partially what has prepared me to be a Judge. I pray that if I am ever fortunate enough to wear a black robe, I will be no different of a man then as I am today. No person is bigger than the system in which they operate, including the law. I have realized over my eighteen years of practice that any case I have handled, although all important regardless of size and type, is the most important case to 1 person: the client that hired you. When an individual places that much trust in another individual, it is a very humbling experience. It is even more humbling to fathom that one day I may have to preside over matters where there are two sides having their most important, and sometimes only experience, within the judicial system. That is a responsibility that I do not, and will not take lightly. Having to preside and render judgment over an individual's life or livelihood is a sobering, serious responsibility, and that is a responsibility that I will gladly and humbly assume.

(11) Commission Members' Comments:
The Commission commented that Mr. McCutchen demonstrated a calm judicial demeanor, a strong intellect, with a wealth of experience in many areas of the law, and that he would make a fine member of the judiciary.

(12) Conclusion:
The Commission found Mr. McCutchen qualified and nominated him for election to Circuit Court, First Judicial Circuit, Seat 1.

Heath Preston Taylor
Circuit Court, First Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, First Judicial Circuit, Seat 1, 2 candidates applied for this vacancy. Accordingly, the names and qualifications of 2 candidates are hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Taylor meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Taylor was born in 1972. He is 49 years old and a resident of Gaston, South Carolina. Mr. Taylor provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Taylor.

Mr. Taylor demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Taylor reported that he has not made any campaign expenditures.

Mr. Taylor testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Taylor testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Mr. Taylor to be intelligent and knowledgeable.

Mr. Taylor reported that he has taught the following law-related courses:

(a) I have lectured at the 2005 South Carolina Association of Criminal Defense Lawyers DUI Defense Seminar.
(b) I have presented at the 2008 South Carolina Court Administration Magistrate Orientation School.
(c) I have lectured at the 2008 Lorman Strategies in Defending DWI and DUI Cases Seminar.
(d) I have lectured at the 2008 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.
(e) I have presented at the March 2009 South Carolina Court Administration Orientation School for Magistrates.
(f) I have lectured at the 2009 South Carolina Bar Trial of a Domestic Violence Case Continuing Legal Education Program.
(g) I have presented at the July 2009 South Carolina Court Administration Orientation School for Magistrates.
(h) I have lectured at the 2009 South Carolina Court Administration Intensive Training School for Municipal Judges and Magistrates.
(i) I have presented at the March 2010 South Carolina Court Administration Magistrate Orientation School.
(j) I have presented at the July 2010 South Carolina Court Administration Magistrate Orientation School.
(k) I have lectured at the 2010 South Carolina Court Administration 7th Annual Intensive Training School for Municipal Judges and Magistrates.
(l) I have presented at the South Carolina Bar South Carolina Traffic and DUI Updates Continuing Legal Education Program.
(m) I have lectured at the 2011 Lorman Strategies in Defending DWI and DUI Cases Seminar.
(n) I have presented at the March 2011 South Carolina Court Administration Magistrate Orientation School.

(o) I have lectured at the July 2011 South Carolina Court Administration Summary Court Orientation School.

(p) I presented the 2011 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(q) I have presented at the 2011 South Carolina Court Administration Intensive Training School for Magistrates.

(r) I have presented at the 2012 South Carolina Court Administration Intensive Training School for Magistrates.

(s) I presented the 2013 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(t) I have presented at the 2013 South Carolina Court Administration Intensive Training School for Magistrates.

(u) I have lectured at the 2013 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(v) I presented the 2014 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(w) I have presented at the 2014 South Carolina Court Administration Intensive Training School for Magistrates.

(x) I have lectured at the South Carolina Prosecution Coordination Commission 2014 South Carolina Solicitor's Association Annual Conference.

(y) I have presented at the 2014 South Carolina Court Administration Mandatory School for Summary Court Judges.

(z) I have lectured at the 2014 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(aa) I presented the 2015 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(bb) I have presented at the 2015 South Carolina Court Administration Intensive Training School for Magistrates.

(cc) I have lectured at the 2015 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(dd) I lectured at the 2016 South Carolina Bar Annual Convention during the Criminal Law Section.

(ee) I have presented at the 2016 South Carolina Court Administration Intensive Training School for Magistrates and Municipal Judges.

(ff) I lectured at the 2017 South Carolina Prosecution Coordination Commission Summary Court Judges' DUI Training.

(gg) I presented the 2017 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(hh) I have lectured at the 2017 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(ii) I have presented at the South Carolina Bar 2018 Criminal Law Practice Essentials.

(jj) I presented the 2018 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Annual Convention.

(kk) I presented at the 2018 South Carolina Bar Criminal Trial Demonstration: Cold-Blooded Custody.

(ll) I have lectured at the 2018 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(mm) I organized and moderated the criminal law presentation at the 2019 South Carolina Bar Annual Convention.

(nn) I have presented at the South Carolina Bar 2019 Criminal Law Practice Essentials.

(oo) I have lectured at the June 2019 South Carolina Bar LEAPP Ethics School.

(pp) I have presented at the 2019 South Carolina Court Administration Intensive Training School for Magistrates and Municipal Judges.

(qq) I have lectured at the September 2019 South Carolina Bar LEAPP Ethics School.

(rr) I have lectured at the 2019 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(ss) I presented the 2020 South Carolina Association for Justice Criminal Law Legislative Update at the South Carolina Association for Justice Young Lawyers Seminar.

(tt) I have presented at the August 2020 South Carolina Court Administration Orientation School for Magistrates and Municipal Judges.

(uu) I have lectured at the 2020 South Carolina Association of Criminal Defense Lawyers Annual Reese I. Joye DUI Defense Seminar.

(vv) I have presented at the March 2021 South Carolina Court Administration Orientation School for Magistrates and Municipal Judges.

(ww) I have presented at the 2020 South Carolina Administrative and Regulatory Law Association Seminar.

(xx) I have lectured at the 2021 DUI Defense Lawyers Association Seminar.

Mr. Taylor reported that he has published the following:
Horizontal Gaze Nystagmus: Drunk Science or Junk Science?, The Justice Bulletin, Winter 2011.

(4) Character:
The Commission's investigation of Mr. Taylor did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Taylor did not indicate any evidence of a troubled financial status. Mr. Taylor has handled his financial affairs responsibly.

The Commission's investigation of Mr. Taylor did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Taylor was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Mr. Taylor reported that his rating by a legal rating organization, Martindale Hubbell, is AV Preeminent; his rating by Super

Lawyers Rising Stars is Criminal Defense: DUI/DWI- 2020; his ratings by Super Lawyers are Criminal Defense DUI/DWI- 2020 and Criminal Defense DUI/DWI- 2021.

Mr. Taylor reported that he has not served in the military.

Mr. Taylor reported that he has never held public office other than judicial office.

(6) Physical Health:
Mr. Taylor appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Mr. Taylor appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Mr. Taylor was admitted to the South Carolina Bar in 1998.

He gave the following account of his legal experience since graduation from law school:

(a) In November of 1998, I became an associate in the firm now known as Moore Taylor Law Firm, PA in West Columbia, South Carolina and became a partner in 2000. Initially, I had a diverse practice which included automobile insurance defense, criminal defense, personal injury, domestic litigation, general civil litigation, workers' compensation and administrative law matters. By 2001, my practice became focused on criminal defense, with an emphasis on DUI defense, personal injury and workers' compensation. During my time at Moore Taylor, I served as an assistant prosecutor for the Town of Irmo. Additionally, I served as Associate Municipal Judge for the City of West Columbia from November 7, 2000 to December 3, 2002. As a partner, I was involved in administrative and financial management of the firm. I was not involved in the management of trust accounts.

(b) In September of 2006, I became a partner in the Taylor Law Firm LLC. My practice remained focused on criminal defense, with an emphasis on DUI defense, personal injury

> and workers' compensation. I also began handling more appellate cases and began representing business entities in matters before the administrative law court. I am a contract attorney for the Town of Springdale and represent indigent defendants in its municipal court and serve as the county attorney for Calhoun County. In July of 2017, I assumed management of administrative and financial matters for the firm including management of the firm's trust account. Additionally, during this time, I served as the South Carolina Senate Judiciary Chairman's designee to the South Carolina Sentencing Reform Oversight Committee from July 25, 2017 through January 2, 2019.

Mr. Taylor further reported regarding his experience with the Circuit Court Practice area:

In nearly 23 years of practice, I have handled virtually every type of criminal case ranging from routine traffic tickets to murder. Although civil in nature, I participated as second chair in the litigation of a capital murder post-conviction relief proceeding wherein co-counsel and I essentially relitigated the entire sentencing phase in which the defendant was sentenced to death. A significant portion of my practice includes defending persons accused of Driving under the Influence in both summary courts and the Court of General Sessions and I have represented numerous defendants accused of Felony Driving Under the Influence involving both death and great bodily injury. Additionally, I have substantial experience in cases involving property crimes, assault and battery, domestic violence, controlled substance offenses and criminal sexual conduct. Finally, I also have experience in representing criminal defendants in federal court in cases involving child pornography, counterfeiting, controlled substances and fraud against the government.

Throughout the course of my career, I have represented both plaintiffs and defendants in civil matters in magistrate's court, the Court of Common Pleas and federal court. I have represented individuals as well as business entities as plaintiff's counsel. While the bulk of my plaintiff's practice has involved representing plaintiffs in motor vehicle accidents, I have also represented plaintiffs in cases involving landlord-tenant matters, dram shop liability actions, medical negligence, construction

defects, fraud, contract matters and business disputes. I am currently representing a plaintiff in an industrial accident which includes complex questions regarding negligence and South Carolina's statutory employer-employee doctrine.

Likewise, I have represented numerous individuals as well as business entities as defense counsel in civil cases. Representation of individual defendants include cases involving motor vehicle accidents, assault and battery, defamation, contract matters, fraud and property disputes. I have defended small businesses in general business litigation, construction cases, the Trade Secrets Act, the Unfair Trade Practices Act and matters in which injunctive relief was sought. I have also defended a large infrastructure construction company in a complex matter which required the use of and cross-examination of multiple expert witnesses.

Some of the experience cited above is beyond five years but has been included to demonstrate the breadth of my criminal and civil experience over the course of my legal career. It is impossible for me to state with certainty the frequency of my appearances before a Circuit Court judge over the past five years. Depending on my case load over different periods of time, the frequency could be as much as two to five times per week to as little as two to three times per month.

Mr. Taylor reported the frequency of his court appearances during the past five years as follows:

(a)	Federal:	one federal appearance per month;
(b)	State:	two to five appearances per week

Mr. Taylor reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a)	Civil:	25%;
(b)	Criminal:	70%
(c)	Domestic:	0%
(d)	Other:	5%

Mr. Taylor reported the percentage of his practice in trial court during the past five years as follows:

(a)	Jury:	90%;
(b)	Non-jury:	10%

Mr. Taylor provided that during the past five years he most often served as sole counsel.

The following is Mr. Taylor 's account of his five most significant litigated matters:

(a) State v. Nehemiah Wayne Dixon, 2013-GS-32-02379, 02380 & 02381
Mr. Dixon was initially charged with Accessory After the Fact to Attempted Murder. He refused to cooperate with the State with regard to providing the name of the shooter in a drive by shooting and was indicted on charges of Attempted Murder, Possession of a Weapon During the Commission of a Violent Crime and Criminal Conspiracy. Mr. Dixon was alleged to have been present during the drive by shooting and the State prosecuted the case under the accomplice liability doctrine as no witness observed him possess or fire a gun. The case was tried to verdict and Mr. Dixon was acquitted on the charges of Attempted Murder, Possession of a Weapon During the Commission of a Violent Crime and found guilty of Criminal Conspiracy. He received a probationary sentence. This case is significant as it demonstrates my ability to litigate serious cases in General Sessions Court and my understanding of the relevant evidentiary and procedural rules in cases that often appear before Circuit Court judges.

(b) Stephen Corey Bryant v. State of South Carolina, 2011-CP-43-00901

I served as second chair co-counsel in this capital post-conviction relief matter. The defendant pled guilty and was sentenced to death in a bench trial. Co-counsel and I essentially relitigated the entire sentencing phase of the case. The case is significant because it exposed me to capital litigation and the extraordinary demands capital cases place upon solicitors, defense counsel and judges.

(c) Charles D. Corley v. United Contractors, LLC, South Carolina Department of Transportation, Mabey, Inc. and Robert C. Smith, 2013-CP-32-03379
I served as co-defense counsel for United Contractors, LLC in a complex matter wherein United Contractors, LLC and the other defendants were alleged to have been responsible

for damage to a historic home caused by vibrations from road construction activities. The case involved a significant number of fact witnesses, construction experts and geotechnical experts. Originally scheduled for two weeks, the case was settled after six days of trial. The case demonstrates my ability to understand and manage complex litigation in Common Pleas court.

(d) Jacob S. Jackson v. Eastman Chemical Company and Mundy Maintenance Services and Operation, LLC, Case No. 5:17-01015-JMC
I represent the plaintiff with regard to injuries he sustained in an industrial explosion. The case presents complex negligence questions as well as the application of South Carolina's statutory employer-employee doctrine. The case is presently pending appeal in the Fourth Circuit Court of Appeals. The case is significant as it demonstrates my ability to handle complex civil issues that may appear before Circuit Court judges.

(e) Palmetto Princess, LLC v. Town of Edisto Beach, 369 S.C. 34, 631 S.E.2d 68 (2006).
I represented the plaintiff in a declaratory judgment action challenging the constitutionality of a local ordinance prohibiting casino boats. The defendant appealed the Circuit Court's finding that the ordinance was unconstitutional and I handled the appeal before the South Carolina Supreme Court. The case demonstrates my ability to litigate constitutional issues and my understanding of appellate advocacy.

The following is Mr. Taylor 's account of five civil appeals he has personally handled:

(a) Sanders v. S.C. Dep't of Motor Vehicles, 431 S.C. 374, 848 S.E.2d 768 (2020).
(b) S.C. Dep't of Motor Vehicles v. Brown, 406 S.C. 626, 753 S.E. 2d 524 (2014).
(c) S.C. Dep't of Motor Vehicles v. McCarson, 391 S.C. 136, 705 S.E.2d 425 (2011).
(d) Oblachinski v. Reynolds, 391 S.C. 557, 706 S.E. 2d 430 (Ct. App 2010)
(e) Carroll v. S.C. Dep't of Public Safety, 388 S.C. 39, 693 S.E.2d 430 (Ct. App. 2010).

The following is Mr. Taylor 's account of five criminal appeals he has personally handled:

(a) State v. Elwell, 403 S.C. 606, 743 S.E.2d 802 (2013).
(b) State v. Vinson, 400 S.C. 347, 743 S.E.2d 182 (Ct. App.2012)
(c) State v. Kellu, Op. No. 2019-MO-013 (S.C. Sup Ct. filed March 13, 2019)
(d) State v. Lippard, Op No. 2011-MO-003 (S.C. Sup Ct. filed January 18, 2011)
(e) State v. Causey, Op No. 2011-UP-104 (S.C. Ct. App.filed March 15, 2011)

Mr. Taylor reported that he has held the following judicial office(s):

Part-Time Associate Municipal Judge, City of West Columbia
November 7, 2000 – December 3, 2002
The jurisdiction included cases arising under municipal ordinances and all traffic and criminal offenses which are subject to a fine not exceeding $500.00 or imprisonment not exceeding 30 days, or both, as well as certain driving offenses in which the Legislature granted jurisdiction to summary courts which exceeds the above cited limitations. Municipal courts have no jurisdiction to hear or decide civil cases.

Mr. Taylor reported the following regarding his employment while serving as a judge:

I served as part-time Associate Municipal Judge for the City of West Columbia from November 7, 2000 to December 3, 2002. During that period, I was a partner practicing law with the firm now known as Moore Taylor Law Firm, PA. As a partner, I had no supervisor.

(9) Judicial Temperament:
The Commission believes that Mr. Taylor's temperament would be excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification reported that Mr. Taylor to be "Qualified" in the evaluative

criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee noted: "Mr. Taylor is a well-rounded candidate with a unique perspective on criminal reform."

Mr. Taylor is married to Julie Hartley Taylor. He has two children.

Mr. Taylor reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
- House of Delegates, Criminal Law Council Section Delegate – 2020 – 2021
- Immediate Past Chairperson, Criminal Law Council – 2019 – 2020
- Chairperson, Criminal Law Council – 2018 – 2019
- Chairperson-Elect, Criminal Law Council – 2017 – 2018
- Vice Chairperson, Criminal Law Council – 2016 – 2017
- Secretary, Criminal Law Council – 2015 – 2016
- Criminal Law Council Member – 2012 – 2021

(b) Lexington County Bar

(c) South Carolina Association for Justice
- Criminal Section Chair – 2009 – 2021

(d) South Carolina Association of Criminal Defense Lawyers
- Past President – 2020
- President – 2019
- President-Elect – 2018
- Vice President – 2017
- Past President – 2011
- President – 2010
- President-Elect – 2009
- Vice President – 2008
- Legislative Committee Chair or Co-Chair – 2010 – 2021

(e) National Association of Criminal Defense Lawyers

(f) National College for DUI Defense

(g) DUI Defense Lawyers Association

Mr. Taylor provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.
Mr. Taylor further reported:

I have been fortunate to have been exposed to virtually every type of case that comes before Circuit Court judges. I understand the legal profession. I understand the lawyers that would appear before me. Most lawyers are conscientious and well-prepared. Some are not. Some relish a battle in the courtroom and some fear it.

I have felt the sinking feeling of moving from the bottom to the top of a Common Pleas roster and knowing my weekend would be spent preparing for trial. I have felt the exhilaration of a favorable jury verdict and crushing defeat of an unfavorable verdict after every ounce of effort and energy was poured into the case. I have made the lonely walk from the courtroom after a client received a lengthy sentence and felt the pride when a client conquered his or her drug habit. I have settled civil cases and received a verdict that changed lives. I have settled cases where no one was satisfied but it made sense to put everyone out of their misery. I understand that many private practitioners are also small business women and men. They have employees that depend on them and in lean times, are the last to get paid. Lawyers are real people and sometimes have real problems like those they represent. They have families and personal lives that demand their attention. Sometimes, they pay more attention to their clients and their businesses than themselves.

I also understand the citizens that would appear before me. Whether they admit it or not, most are scared. They are scared of a system they do not understand and intimidated by the bench and black robe. They need their lawyers to help them to navigate our system of justice. They depend on their lawyers to obtain whatever manner of justice they are seeking and deserve a fair and impartial judge. They are entitled to be treated with dignity and respect and an even-tempered, courteous judge helps alleviate the stress and emotion often present in our courtrooms.

I understand the practice of law and the clients for whom it exists. The lawyers that appear in Circuit Court and the citizens that depend on them deserve judges that understand them. I appreciate the gravity of the cases over which Circuit Court

judges preside. I understand and appreciate the pressure and emotions the lawyers, litigants and victims experience in a courtroom setting. I have the experience and understanding of our judicial system and the people who comprise it to be an effective Circuit Court judge. I believe my exposure to the variety of cases that appear in Circuit Court as well as my experience in representing real people in real cases qualifies me to hold the office of a Circuit Court judge.

(11) Commission Members' Comments:
The Commission noted Mr. Taylor's sterling reputation with other members of the Bar including those members with whom he worked with in an adversarial role. The Commission also remarked that his experience and temperament are excellent.

(12) Conclusion:
The Commission found Mr. Taylor qualified and nominated him for election to Circuit Court, First Judicial Circuit, Seat 1.

The Honorable Diane Schafer Goodstein
Circuit Court, First Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Goodstein meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Goodstein was born in 1955. She is 66 years old and a resident of Summerville, South Carolina. Judge Goodstein provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1981.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Goodstein.

Judge Goodstein demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important

to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Goodstein reported that she has made $75 in campaign expenditures for typing.

Judge Goodstein testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Goodstein testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Goodstein to be intelligent and knowledgeable.

Judge Goodstein reported that she has taught the following law-related courses:

(a) Lawyer Mentoring Program (George Smythe) 04/24/2016

(b) Co-Lecturer at 2016 Orientation School for Magistrates And Municipal Judges 07/20/2016

(c) Co-Lecturer at 2016 Orientation School for New Circuit Court Judges 08/26/2016

(d) Co-Lecturer at 2017 Orientation School for Magistrates And Municipal Judges 03/20/2017

(e) Co-Lecturer at 2017 Orientation School for New Circuit Court Judges 07/05/2017

(f) Panelist at National Business Institute (NBI) Civil Court Judicial Forum "As Judges See It: Best (and worst) Practices in Civil Litigation Seminar 03/09/2018

(g) Panelist at Law & Economics Center 13th Annual Meeting Of American College of Business Court Judges "The Business Divorce: Handling Complex Business Dissolution In The Midst of Family Breakup" 03/14/2018

(h) Co-Lecturer at 2018 Orientation School for New Circuit Judges 07/11/2018

(i) Co-Lecturer at 2018 Orientation School for Magistrates And Municipal Judges 07/27/2018

(j) Co-Lecturer at 2019 Orientation School for Magistrates And Municipal Judges 03/18/2019

(k) Lawyer Mentoring Program (Richards Hundley) 05/10/2019

(l) Co-Lecturer at 2019 Orientation School for New Circuit Judges 07/10/2019

(m) Co-Lecturer at 2019 Orientation School for Magistrates And Municipal Judges 07/26/2019

(n) Lawyer Mentoring Program (Brandi Quattlebaum) 08/09/2019

(o) Lawyer Mentoring Program (Gil Gatch) 02/28/2020

(p) Co-Lecturer at 2020 Orientation School for New Circuit Judges (Via WebEx) 07/08/2020

(q) Co-Lecturer at 2020 Orientation School for Magistrates And Municipal Judges 08/14/2020

(r) Co-Lecturer at 2021 Orientation School for New Circuit Court Judges 07/06/2021

(s) Lawyer Mentoring Program (Lauren Mims)

(t) Participant as guest lecturer and Judge of student trials at Charlotte Law School.

Judge Goodstein reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Goodstein did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Goodstein did not indicate any evidence of a troubled financial status. Judge Goodstein has handled her financial affairs responsibly.

The Commission also noted that Judge Goodstein was punctual and attentive in her dealings with the Commission, and the

Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Goodstein reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Goodstein reported that she has not served in the military.

Judge Goodstein reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Goodstein appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Goodstein appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Goodstein was admitted to the South Carolina Bar in 1981.

She gave the following account of her legal experience since graduation from law school:

(a) I began practice as an associate with the Goodstein, Bowling, Douglas & Phillips from 1981 through 1983. I became a partner in Goodstein & Goodstein, PA from 1983 through 1998. After my election to the bench in 1998 and days before I concluded my practice, my law firm merged with the firm of Rosen, Rosen & Hagood, creating Rosen, Goodstein & Hagood. My husband continued to practice with that firm until the end of 2000.

(b) My private practice was always a general one. However, it progressed from one which primarily was associated with the representation of plaintiffs, to one which represented both plaintiffs and defendants. In the later years, I practiced more often in the public sector, serving as Dorchester County

Attorney, as General Counsel for the Charleston County Aviation Authority, and as counsel for Dorchester County School District Number Two. I prosecuted cases for the Charleston County Aviation Authority Police Department. In 1997, Goodstein & Goodstein PA began to represent the South Carolina Insurance Reserve Fund in cases arising in Charleston and Dorchester Counties. After seventeen years, my law practice had expanded into numerous areas of the private and public sector, representing both plaintiffs and defendants.

Judge Goodstein reported that she has held the following judicial office(s):

(a) South Carolina Circuit Court Judge, First Circuit Seat 2, July 1, 1998, until the present. The circuit court is a court of general jurisdiction.

(b) In January 2011 Judge Patrick Watts, the Dorchester County Master in Equity retired and I was ordered by Chief Justice Toal to assume the duties of the Master in Equity. I performed those duties for approximately 6 months until the installation of the successor Master in Equity.

Judge Goodstein provided the following list of her most significant orders or opinions:

(a) John Doe #53, John Doe 66, John Doe 66A, John Doe 67, Jane Doe 1 and Jane Doe 2 and Rachel Roe individually and as representatives of a class of people similarly situated, v. The Bishop of Charleston, a Corporation Sole, and The Bishop of the Diocese of Charleston, in his official capacity. Cases No. 2006-CP-18-01310, 2006-CP-18-01311 and 2006-CP-18-01636. Order Approving Settlement. The Appellate citation is 407SC128(2014).

(b) The Protestant Episcopal Church In The Diocese of South Carolina; The Trustees of The Protestant Episcopal Church in South Carolina, a South Carolina Corporate Body; All Saints Protestant Episcopal Church, Inc.; Christ St. Paul's Episcopal Church; Christ The King, Waccamaw; Church of The Cross, Inc. and Church Of The Cross Declaration of

Trust; Church Of The Holy Comforter; Church of the Redeemer; Holy Trinity Episcopal Church; Saint Luke's Church, Hilton Head; Saint Matthews Church; St. Andrews Church – Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. Davids Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; The Church Of St. Luke and St. Paul, Radcliffeboro; The Church Of Our Saviour Of The Diocese of South Carolina; The Church of The Epiphany (Episcopal); The Church Of The Good Shepherd, Charleston, SC; The Church Of The Holy Cross; The Church of The Resurrection, Surfside; The Protestant Episcopal Church, Of The Parish of Saint Philip, In Charleston, In The State of South Carolina; The Protestant Episcopal Church The Parish of Saint Michael, In Charleston, In The State of South Carolina and St. Michael's Church Declaration of Trust; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of Prince George Winyah; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. Helena and The Parish Church Of St. Helena Trust; The Vestry and Church Wardens Of The Episcopal Church of The Parish Of St. Matthew; The Vestry and Wardens of St. Paul's Church, Summerville; Trinity Church of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis; Vestry and Church-Wardens Of The Episcopal Church Of The Parish Of Christ Church; Vestry and Church Wardens Of The Episcopal Church Of The Parish of St. John's, Charleston County, The Vestries And Churchwardens Of The Parish of St. Andrew v. The Episcopal Church (a/k/a, The Protestant Episcopal Church in the United States of America); The Episcopal Church in South Carolina. Case No.2013CP1800013. Order deciding the case. Appellate cite is 421S.C. 211 (2017) NOTE: Please see Remittitur Order authored by Honorable Edgar Dickson.

(c) Timothy D. Rogers, Jr. v. State of South Carolina. Case No. 2000-CP-18-00575. Order Granting Post Conviction Relief in part and denying in part. Appellate Cite is 2013WL8596570.

(d) Margaret Sheikh, as Personal Representative of the Estate of Asif Sh Sheikh, deceased, for the benefit of Margaret Sheikh, and four children v. Lexington Medical Center, Midland Associates, Inc. AKA Midlands Orthopaedics, P.A., Thomas Gross, M.D., and Gail B. Capell, M.D. Case #2003-CP-32-00675 Order Granting Defendants' Motion For A New Trial.

(e) Gerald Bass, Plaintiff v. Gopal, Inc. and Super 8 Motels, Inc. Defendants. Case No. 2004-CP-38-01174. Order Granting Motion for Summary Judgment. Appellate cite is 395SC129 (2011).

Judge Goodstein reported the following regarding her employment while serving as a Judge:
Master-in-Equity for Dorchester County January 1, 2011 for approximately six months by order of Chief Justice Toal. I was responsible for all the duties of a Master-in-Equity, for example, foreclosure hearings. Master sales, and Supplementary hearings.

Judge Goodstein further reported the following regarding unsuccessful candidacies:
South Carolina Supreme Court, Seat 5, in Spring 2007 and while found qualified, I was not nominated. South Carolina Supreme Court, Seat 3 in Fall 2007 and while found qualified, I was not nominated. South Carolina Supreme Court, Seat 5 in Fall 2016 and was found qualified and nominated.

(9) Judicial Temperament:
The Commission believes that Judge Goodstein's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Goodstein to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee said in a summary statement that: "Judge Goodstein continues to be a positive force on the bench and willing to serve

as a mentor to others with in the judiciary and in the community at large."

Judge Goodstein is married to Arnold Samuel Goodstein. She has two children.

Judge Goodstein reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) American Bar Association Judicial Delegate 2011, 2014, 2015, 2016
(c) Dorchester County Bar Association Secretary (prior to judgeship)
(d) Circuit Judges Association member
(e) South Carolina Women Lawyers Association member

Judge Goodstein provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) American Bar Association 2012 Recipient of the Pursuit of Justice Award.
(b) 2014 Association of Justice Portrait Recipient
(c) Dorchester County Bar Association
(d) South Carolina Bar Association

Judge Goodstein further reported:

In 2012 I was one of 36 Judges selected on a nationwide search to participate in the National Judicial College's program entitled "Theory and Practice of Judicial Leadership"

Over the last nearly 15 years I have had the honor to not only teach at the New Judge's School but to mentor new Judges by having them hold court with me in their first weeks as a Judge. A list of Judges is as follows: Hon. Deadra Jefferson, Hon. Michelle Childs, Hon. Carmen Mullen, Hon. Benjamin Culbertson, Hon. Larry Hyman, Hon. R. Knox McMahon, Former Hon. Kristin Harrington, Hon. Edgar Dickson, Hon. Rob Stillwell, Hon. Deandra Benjamin, Hon. Craig D. Brown, Hon. Stephanie McDonald, Hon, Maite Murphy, Hon. Scott Sprouse, Hon. Letitia Verdin, Hon. Jocelyn Newman and Hon. Courtney Clyburn Pope.

(11) Commission Members' Comments:
The Commission commented that Judge Goodstein's many years on the bench and sterling reputation for positive judicial temperament are an asset to the South Carolina judiciary. They praised her community engagement and the congenial manner in which she treats all litigants who come before her.

(12) Conclusion:
The Commission found Judge Goodstein qualified and nominated her for re-election to Circuit Court, First Judicial Circuit, Seat 2.

The Honorable Courtney Pope
Circuit Court, Second Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Pope meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Pope was born in 1979. She is 42 years old and a resident of Aiken, South Carolina. Judge Pope provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Pope.

Judge Pope demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Pope reported that she has not made any campaign expenditures.

Judge Pope testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Pope testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Pope to be intelligent and knowledgeable.

Judge Pope reported that she has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Pope reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Pope did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Pope did not indicate any evidence of a troubled financial status. Judge Pope has handled her financial affairs responsibly.

The Commission also noted that Judge Pope was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Pope reported that she is not rated by any legal rating organization.

Judge Pope reported that she has not served in the military.

Judge Pope reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Pope appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Pope appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Pope was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

(a) From August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie LLC.
(b) From January 2010 to March 2016, I was in private practice at my law firm Clyburn Pope & Price, LLC, where I was the managing partner. My primary area of practice was family law and criminal defense. Additionally, I managed all aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared these duties in equal parts with my then law partner, Jason M. Price.
(c) From March 2016 to June 2019, I was employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecuted all Municipal level charges. Additionally in my role as Staff Attorney, I reviewed and negotiated various contracts on behalf of the City, handled all FOIA requests, handled tax litigation on behalf of the City, as well as composed Orders for various City Boards.

Judge Pope reported that she has held the following judicial office(s):
Circuit Court Judge, Second Judicial Circuit, Seat 1. I was elected on May 8, 2019 and currently hold this judicial office. The Circuit

Court has general trial jurisdiction. Additionally, the Circuit Court has limited appellate jurisdiction over appeals from Probate Court, Magistrate's Court, and Municipal Court. Lastly, the Circuit Court has jurisdiction over appeals from the Administrative Law Judge Division over matters relating to state administrative and regulatory agencies.

Judge Pope provided the following list of her most significant orders or opinions:
(a) Marcus Jacobs v. Barnwell Elementary School
(b) F Duane Shields v. James Vincenzetti
(c) Shaundra Mims vs. Chukker Creek
(d) Matthews vs. Lakes and Streams
(e) Ashlynn Woodruff v. Publix Super Market

Judge Pope reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Pope's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Pope to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in a summary that Judge Pope had "excellent qualifications" and was overall "Well-Qualified."

Judge Pope is married to George Washington Pope, III. She has two children.

Judge Pope reported that she was a member of the following Bar and professional associations:
(a) SC Bar Association
(b) American Bar Association

Judge Pope provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Delta Sigma Theta, Incorporated.
(b) Aiken Chapter of the Links, Incorporated: Recording Secretary and previously served as Christmas Gala Committee Chairwoman.
(c) Cumberland A.M.E Church, YPDers youth leader (Young People's Department), Childrens' Church Teacher.

Judge Pope further reported:

I believe that my parents influenced and guided me to strive to act in accordance to the highest standard of morality. Every day, I try to make informed, educated decisions based on research, information, morality, and equity. During my tenure as both an attorney and a Circuit Court judge, I have had the opportunity to have relationships with mentors who are highly respected in the legal community.

I believe that judicial temperament and patience is of the utmost importance. I believe in permitting attorneys to make their arguments in completion. Both oral arguments, written memoranda, and legal research are all components whereby I base my decisions. I take my position as a member of the Judiciary seriously and have strived to make thoughtful, deliberate, and ethical decisions.

(11) Commission Members' Comments:
The Commission screened Judge Pope in 2019 and noted that her BallotBox comments and responses have shown that she has established herself in her role as a circuit judge. Her temperament is exemplary.

(12) Conclusion:
The Commission found Judge Pope qualified and nominated her for re-election to Circuit Court, Second Judicial Circuit, Seat 1.

THURSDAY, JANUARY 13, 2022

The Honorable Ralph Ferrell Cothran Jr.
Circuit Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Cothran meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Cothran was born in 1952. He is 69 years old and a resident of Manning, South Carolina. Judge Cothran provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1977.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Cothran.

Judge Cothran demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Cothran reported that he has not made any campaign expenditures.

Judge Cothran testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Cothran testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Cothran to be intelligent and knowledgeable.

Judge Cothran reported that he has taught the following law-related courses:
(a) I conducted a course at the Criminal Justice Academy over a five year period regarding Auto Theft and Chop Shop Law.
(b) I have conducted classes on Search and Seizure to local law enforcement and the local bar, as well as to the Circuit Court Judges.

Judge Cothran reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Cothran did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Cothran did not indicate any evidence of a troubled financial status. Judge Cothran has handled his financial affairs responsibly.

The Commission also noted that Judge Cothran was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Cothran reported that his last rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Cothran reported that he has not served in the military.

Judge Cothran reported that he has held the following public offices:
Chairman, Election Commission, 1979-1990, appointed by John C. Land, III.
Assistant Solicitor, 1983-September 2006, appointed by Wade S. Kolb, Jr.

(6) Physical Health:
Judge Cothran appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Cothran appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Cothran was admitted to the South Carolina Bar in 1977.

He gave the following account of his legal experience since graduation from law school:
(a) Cothran, Chandler and Cothran 1977 – early 1979
(b) Cothran and Cothran 1979-1997
(c) Cothran and Robinson 1997 - 2000
(d) Clarendon County Attorney 1979 – September 2006
(e) Assistant Solicitor, Third Judicial Circuit 1983 – September 2006
(f) Circuit Court Judge, Third Judicial Circuit September 2006 - present

My practice consisted of real estate, probate, family, civil and criminal law.

The following is Judge Cothran's account of his five most significant orders/opinions:
(a) Homeowners Services vs. Donald J. Hatcher, et al (2006-CP-43-1688)
(b) Oka Deas Gilliard, et al vs. Darci Strickland, et al (2008-CP-43-1384)
(c) W.A. Berry, et al vs. Lee County Landfill SC, LLC, et al (2011-CP-31-166)
(d) Janice H. Smith, et al vs. Rebecca Baird, J.D., et al (2012-CP-10-04064)
(e) Gunner Palm, Jr. vs. Atlantic Pools and Water Features, Inc. (2014-CP-43-00643

Judge Cothran reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Cothran's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee for Judicial Qualifications reported that Judge Cothran is "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Cothran is married to Deborah Jean Brakefield. He has three children.

Judge Cothran reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Clarendon County Bar Association
(c) American Bar Association
(d) Pee Dee Inn of Court

Judge Cothran further reported:
In my judgeship, I have enjoyed serving the people of South Carolina. I am aware of the importance of how each litigant feels about their case and I have tried to treat everyone with respect and in the same manner that I would want to be treated.

(11) Commission Member' Comments:
The Commission commented that Judge Cothran possesses the correct approach for being on the bench and has a reputation of being a fair judge. They noted he did not receive one negative response regarding his temperament and he is doing things the right way.

(12) Conclusion:
The Commission found Judge Cothran qualified, and nominated him for re-election to Circuit Court, Third Judicial Circuit, Seat 1.

THURSDAY, JANUARY 13, 2022

The Honorable Paul M. Burch
Circuit Court, Fourth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Burch meets the qualifications prescribed by law for judicial service as a Circuit Court Judge.

He was born in 1954. He is 67 years old and is a resident of Pageland, South Carolina. Judge Burch stated in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1980.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Burch.

Judge Burch has demonstrated an understanding of the Canons of Judicial Conduct and other important ethical considerations, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Burch reported that he has not made any campaign expenditures.

Judge Burch testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Burch testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Burch to be intelligent and knowledgeable.

Judge Burch reported that he has taught the following law-related courses:
(a) Serving on Judicial panels on several occasions at annual SC Solicitors Conferences.
(b) Serving on Judicial panels at annual SC Defense Attorney's Conventions.
(c) Lecturing on Courtroom Violence and Security at annual Circuit Judges Conferences.
(d) Lecturing on Prevention and Preparation of Hearing Room Violence at the National Association of Hearing Officials Conference.

Judge Burch reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Burch did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Burch did not indicate any evidence of a troubled financial status. Judge Burch has handled his financial affairs responsibly.

The Commission also noted that Judge Burch was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Burch reported that he was not rated by any legal rating organization.

Judge Burch reported that he has not served in the military.

Judge Burch reported that he has held the following public offices:

(a) Chesterfield County Council 1983-1987
(b) SC House of Representatives 1988-1991
(c) All Ethics filing requests were met and [he has] not been cited for any violations.

(6) Physical Health:
Judge Burch appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Burch appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Burch was admitted to the South Carolina Bar in 1980.

He gave the following account of his legal experience since graduating from law school:
(a) Managed my own private practice of law from 1980-1991. My general practice included civil litigation, criminal defense, domestic relations and Social Security disability appeals with little change over the 11 years. At all times during my practice, I had sole control over the firm Trust Account.
(b) Served as Attorney for the Town of Pageland, SC from 1983 to 1991.
(c) I have served as a Circuit Court Judge from 1991 to present.

Judge Burch reported that he has held the following judicial office(s):
Resident Judge of the Fourth Judicial Circuit from July 1, 1991 to the present.

Judge Burch provided the following list of his most significant orders or opinions:
(a) Carolina Power & Light Company vs The City of Bennettsville and Marlboro Electric Cooperative Inc.; 314 S.C. 137, 442 S.E.2d 177 (1994) (affirmed by Supreme Court).
(b) Glenn P. Tallent and Christopher C. King vs Solid Waste Recycling Disposal User Fee Appeals Board of the County of

Chester County and Chester County Tax Assessor, individually, and in their official capacity; Case Number 94-CP-12-120.

(c) Chip Knoke as Personal Representative of the Estate of Jeremy Ryan Knoke vs The South Carolina Department of Parks, Recreation and Tourism; 478 S.E.2d 256 (1996) (affirmed by Supreme Court).

(d) Darlington County School District vs Cedric Washington; Case Number: 94-CP-16-134.

(e) Donald M. Brandt Individually and as the Personal Representative of the Estate of Janice N. Brandt, Deceased vs Elizabeth K. Gooding and Gooding & Gooding, PA; 368 S.C. 618 (2006).

Judge Burch reported no other employment while serving as a judge.

Judge Burch further reported the following regarding his unsuccessful candidacies:
Unsuccessful candidate for SC House of Representatives in 1976 and 1978.

(9) Judicial Temperament:
The Commission believes that Judge Burch's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Burch to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee provided no additional summary or comments.

Judge Burch is married to Kimberly Thomas Burch. He has three children.

Judge Burch reported that he was a member of the following Bar and professional associations:
(a) Chesterfield County Bar Association

(b) South Carolina Bar

Judge Burch provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Pageland Volunteer Fire Department, 1972 – present.
Judge Burch further reported he believes his prior service speaks for itself.

(11) Commission Members' Comments:
The Commission commented that Judge Burch is highly respected by those appearing before him and working with him in court, has an excellent temperament, and treats all parties fairly. As South Carolina's Senior Circuit Court Judge, he has conducted himself as a model jurist who sets the standard for how our state judges should conduct themselves.

(12) Conclusion:
The Commission found Judge Burch qualified and nominated him for re-election to Circuit Court, Fourth Judicial Circuit, Seat 1.

The Honorable Daniel McLeod Coble
Circuit Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Coble meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Coble was born in 1987. He is 34 years old and a resident of Columbia, South Carolina. Judge Coble provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2012.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Coble.

Judge Coble demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Coble reported that he has made $110 in campaign expenditures for postage.

Judge Coble testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Coble testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Coble to be intelligent and knowledgeable.

Judge Coble reported that he has taught the following law-related courses:

(a) 2021 Domestic Violence, Sexual Assault, Stalking and Harassment Training by the S.C. Attorney General's Office: *Restraining Orders in Magistrate* Court (May 2021)

(b) Understanding Evidentiary Issues: Court Education (May 2021)

(c) Judicial Canon 3: Ethical Issues in Magistrate Court: Court Education (May 2021)

(d) Guilty Pleas: Court Education (May 2021)

(e) Bond Court: Court Education (May 2021)

(f) Midlands Mediation Center, Guest Speaker: MMC Spring Training 2021

(g) Ethics and Professionalism: Effective Relationships with the Court, Opposing Counsel, & Pro Se Litigants: *CLE - S.C. Bar* (April 2021)

(h) Magistrate Court Series: Richland County Central Court: *CLE - S.C. Bar* (April 2021)
(i) Residential Landlord Tenant Act: *CLE - S.C. Bar* (April 2021)
(j) South Carolina Trial Evidence in Magistrate Court: *CLE - S.C. Bar* (April 2021)
(k) Driving Under the Influence: DUI in Magistrate Court: *CLE - S.C. Bar* (April 2021)
(l) Fourth Amendment: Search and Seizure Law in Magistrate Court: *CLE - S.C. Bar* (April 2021)
(m) Stanford Legal Design Lab, *Justice by Design*, Panelist (April 2021)
(n) Orientation School for Magistrates and Municipal Judges: Claim & Delivery (March 2021)
(o) Midlands Mediation Center, Guest Speaker: MMC Winter Training 2020
(p) Ever Evolving Evidence: *CLE – S.C. Bar* (August 2020)
(q) No-Knock Search Warrants: On-Demand CLE – S.C. Bar (June 2020)
(r) 2020 SCSCJA Staff Seminar: Evidence (*Postponed due to COVID-19*)
(s) 2020 It's All a Game: Top Trial Lawyers Tackle Evidence: Evidence in Magistrates Court (February 2020)
(t) South Carolina Impaired Driving Assessment: Adjudication of DUI Cases (October 2019)
(u) Leadership Columbia: South Carolina Judicial Systems (October 2019)
(v) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (September 2019)
(w) A Guide to Prelims: On-Demand CLE – S.C. Bar (Fall 2019)
(x) S.C. Victims' Rights Week: The Bond Hearing Process – A Creative Approach (April 2019)
(y) South Carolina Bar Leadership Academy: Attorneys in Public Service (Running for Office) (March 2019)
(z) Orientation School for Magistrates and Municipal Judges: Landlord/Tenant (March 2019)
(aa) Direct Examination Podcast: Episode 3: Judge Daniel Coble (March 2019)
(bb) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (October 2018)

(cc) 2018 SCSCJA Judge's Seminar: Discovery (Brady/Rule 5) (September 8, 2018)
(dd) S.C. Victims' Rights Week: A Walk Through the Criminal Justice System (April 2018)
(ee) 2018 SCSCJA Staff Seminar: Criminal/Civil Trial Objections (March 2018)
(ff) Columbia Homeless Court Training, Panelist (December 2014)
(gg) Columbia Rotary Club, Guest Speaker: Columbia Homeless Court (June 2014)
(hh) Richland County Bar Association, Annual Ethics CLE: Virtual Courts and Ethical Dilemmas (presented with former Chief Justice Costa Pleicones) (October 2021)
(ii) 2021 SCSCJA Judge's Seminar: Guilty Pleas (September 2021)
(jj) 2021 SCSCJA Judge's Seminar: Ethics: Judges and Social Media (September 2021)
(kk) Daubert/Council & Expert Testimony: CLE - S.C. Bar (August 2020)

Judge Coble reported that he has published the following:

(a) Published Books

i. Pocket Prelims: A Guide Book to Preliminary Hearings in South Carolina (S.C. Bar Publications, 2019)
ii. Florida Rules of Evidence: Annotated for State and Federal Court (Lawyers & Judges Publishing, 2020) (I am also working on two more books for L&J Publishing: South Carolina Rules of Evidence and Texas Rules of Evidence)
iii. Precedents: Annotated and Abridged Cases from the Supreme Court 1793-2019 (Submitted for publication)
iv. South Carolina Evidence, Third Edition (I am updating this book that was originally written by Danny Collins).
v. *Contributing Author for* The Fourth Amendment by Melanie Yenovkian (Chapter on Suppression Hearings) (Forthcoming 2021)

(b) Self-Published Books

vi. South Carolina Trial Evidence (*Forthcoming 2021*)

vii. Federal Rules of Evidence: An Introduction to Trial Evidence (Harvard Law School's Library Innovation Lab H2O, 2020)

viii. Federal Rules of Evidence: Annotated for the Fourth Circuit (Independently published 2018)

ix. South Carolina Rules of Evidence: Annotated (Independently published 2019)

x. The 4th: Fourth Amendment Law in South Carolina (Independently published 2018)

xi. Everyday Evidence: State Court (Independently published 2018)

xii. Everyday Evidence: Federal Court (Independently published 2018)

xiii. Deconstructing the DUI: A guide book to DUI law in South Carolina (Independently published 2018)

xiv. Traffic Court in South Carolina: Offenses and Definitions (Independently published 2018) (Terry Leverette is coauthor)

xv. Court Rules of South Carolina: A Compilation of Legal Rules 2020 (Independently published 2020)

(c) Published Articles, Essays, and Book Reviews

xvi. Expert Testimony: Daubert, Council, and Phillips S.C. Lawyer (Forthcoming September 2021)

xvii. Ever Evolving Evidence S.C. Lawyer (September 2020)

xviii. @Posner_Thoughts - The Verified Account: A Review of Judge Posner's The Federal Judiciary: Strengths and Weaknesses 41 La Verne Law Rev. 2 (2020)

xix. *Not Your Scalia's Textualism* JOTWELL (July 9, 2019) (reviewing Jeffrey Bellin, *Fourth Amendment Textualism*, **Mich. L. Rev.** (2019), available at SSRN)

xx. A Prosecutor's Credo, Robed Oracles, and Gideon's Angels: A Review of Doing Justice Harvard L. & Pol'y Rev. Notice and Comment Blog (May 28, 2019)

xxi. Discretionary Life Sentences for Juveniles: Resolving the Split Between the Virginia Supreme Court and the Fourth Circuit 75 Washington & Lee Law Rev. Online 101 (2019)

xxii. The Time in Between: A Response to A Theory of Civil Problem-Solving Courts 67 Buff. Law Rev. D1 (2019)

xxiii. Severing the Severability Doctrine: Why It's Time the Supreme Court Finally Acknowledges, Clarifies, and Severs this Doctrine 88 UMKC Law Rev. (2020)

xxiv. Permissible Inference or Impermissible Burden Shift: How the Supreme Court Could Decide State v. Glover Washburn L.J. Blog (Mar. 18, 2019)

xxv. Following Friendly or Running to Rehnquist? A Review of Joan Biskupic's "The Chief" 52 Ind. Law Rev. Blog (April 19, 2019)

xxvi. Heart-Wrenching, Yet Hopeful: A Review of Judge William Alsup's 'Won Over' The Recorder on Law.com (April 5, 2019)

xxvii. I Recommend: Theodore Roosevelt for the Defense Judicature Bolch Judicial Institute, Duke Law School (May,2020)

xxviii. Chasing the Chiefs: A Review of "The Chief Justices" by Daniel A. Cotter Everyday Evidence Legal Blog (May 13, 2019) (From my personal blog)

xxix. A Letter from the Editor: When Can a Judge Write? 1 Cts. & Just. L.J. 9 (2019) (From my law journal)

(d) I write extensively for my legal blog, Everyday Evidence, which focuses on the rules of evidence, Fourth Amendment, civil/criminal case law, and more. I am also the founder and editor of the Courts & Justice Law Journal.

(e) Magistrate Court Series Judge Kenneth Southerlin (SC Bar Publications forthcoming 2020), Editorial Board.

(4) Character:

The Commission's investigation of Judge Coble did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Coble did not indicate any evidence of a troubled financial status. Judge Coble has handled his financial affairs responsibly.

The Commission also noted that Judge Coble was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Coble reported that he is not rated by any legal rating organization.
Judge Coble reported that he has not served in the military.

Judge Coble reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Coble appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Coble appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Coble was admitted to the South Carolina Bar in 2012.

He gave the following account of his legal experience since graduation from law school:

(a) From July 2012 to November 2012, I was a law clerk for the Fifth Judicial Circuit.
(b) From November 2012 to July 2017, I was an assistant solicitor for the Fifth Judicial Circuit. I handled a wide range of cases ranging from drug offenses and DUIs to armed robbery and kidnapping. I co-counseled three murder cases and tried several other felony and misdemeanor cases. From 2014 until 2017, I was the lead prosecutor for the Columbia Homeless Court. I also organized a committee of health care professionals to address the chronically homeless in seeking solutions for their recovery, which is called Homeless Coordination.
(c) From July 2017 until August 2021, I served as a full-time Magistrate Judge in Richland County. In this capacity, I handled both civil and criminal cases, which included bond

settings, preliminary hearings, mediation, civil and criminal jury trials, transfer court, and more. In June 2018, I was appointed as the Associate Chief Judge for Richland County. As the Associate Chief Judge, I handled the majority of administrative issues at Central Court. I was appointed as the Municipal Judge for Arcadia Lakes from May 2020 to August 2021.

(d) In August 2021 I opened my own law firm. I focus on DUI defense, criminal defense generally, and civil litigation (both plaintiff and defense).

Judge Coble further reported regarding his experience with the Circuit Court practice area:

As an assistant solicitor, I spent nearly every single week in the court room handling criminal cases. In criminal court, I managed different cases from beginning to end - from bond settings, to preliminary hearings, to guilty pleas and motions, to jury trials. I tried three murder cases with co-counsel, and I also co-counseled a "castle hearing" to determine immunity from prosecution of a murder. I tried multiple other cases to verdict.

The most rewarding experience of my time as an assistant solicitor was being part of the creation of South Carolina's first Homeless Court. This partnership among prosecutors, judges, public defenders, and many more, helped folks transition out of homelessness and back into society. Because of the great work the court did, I worked with local health officials to create Homeless Coordination, which was focused on the top homeless folks in the City of Columbia. Our group coordinated together to create a list of the 20 most frequently arrested and hospitalized homeless people and to help them get off the streets and give them an opportunity to seek treatment.

As a full-time Magistrate Judge, I also handled criminal cases from beginning to end. I presided over both jury trials and bench trials for criminal court, bond settings, preliminary hearings, guilty pleas, and motions. As a Magistrate, I also handled civil matters. The ranged from civil motions, mediation, bench trials and jury trials. I have presided over dozens of full-length jury trials with attorneys on both sides. These trials require knowledge of the rules of evidence and an efficient application of those rules.

In addition to the civil experience from Magistrate Court, I have received over 30 CLE credit hours in the last year of reporting.

I have recently opened my own law firm handling both criminal and civil matters. I have experienced firsthand the stresses and responsibilities that come with owning a solo law practice and working with clients.

Whether I was presiding over a summary judgment motion, castle hearing, guilty pleas, or representing a client in court, I have come to understand that a judge might not have all the answers, but they need to be able to know where to find the answers, and do so quickly. Every day in court, I had to say no, yes, guilty, not guilty, and much more. Being decisive and making decisions that upset people is not easy, but I did that for over four years as a Magistrate.

I think it is extremely important for all judges to very knowledgeable about the court rules and also empathetic to attorneys appearing before them. One area I constantly focus on is understanding what an attorney is going through as they represent a client. I am always aware of the issues that arise with attorneys and running a law practice. This includes uncooperative clients, the family of clients, running a small business, and many other issues. By understanding and seeing the attorney's position I will be a better judge and make the system as a whole more effective and judicious.

I am extremely fortunate to have some of the most respected lawyers in our state as both close friends and mentors. They have taught me since my first day as an assistant solicitor to treat other attorneys with respect and understand where they are coming from. As a solo practice attorney, this advice and mentorship has been invaluable and will continue for the rest of my career.

Judge Coble reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: 0%
(b) State: 100%

Judge Coble reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: 40%

(b) Criminal: 60%;
(c) Domestic: 0%
(d) Other: 0%

Judge Coble reported the percentage of his practice in trial court prior to his service on the bench as follows:
(a) Jury: 75%
(b) Non-jury: 25%

Judge Coble provided that during the past five years prior to his service on the bench he most often served as co-counsel.

The following is Judge Coble's account of his five most significant litigated matters:
(a) State v. William Wallace, 2013GS4004554; 4548; 8/15/14. I was second seat in this double murder case. It was a weeklong trial that involved dozens of witnesses and lengthy motions.
(b) State v. Frankie Brown, 2012GS4001088; 10/24/13. This was my first trial as first chair. I was able to strategize about the trial and make the final decisions. The jury deliberated for several hours, but we worked out a plea deal with the defense attorney before the jury returned a verdict.
(c) State v. Adrian Lawrence, 2012GS4006014; 7/6/15. I second seated this castle hearing with the Deputy Solicitor, where the defendant was charged with murder. We were successful with the castle hearing and the defendant ultimately ended up pleading to a reduced charge.
(d) State v. Nickolas Richardson, 2013GS4006592; 10/31/16. I second seated this murder trial and gave opening statement and handled many witnesses.
(e) State v. Frank Singleton, 2013GS2800251; 3/12/14. I second seated this murder trial and gave opening statement and handled many witnesses.

Judge Coble reported he has not personally handled any civil or criminal appeals.

Judge Coble reported that he has held the following judicial office(s):

I served as a full-time Magistrate Judge for Richland County from July 2017 to August 2021 and as a Municipal Judge for Arcadia Lakes from May 2020 to August 2021. Magistrates generally have jurisdiction in criminal cases that do not carry more than a $500 fine or 30 days in jail. In civil case, Magistrates are generally limited to cases not exceeding $7,500 in the amount in controversy. Municipal judges generally have jurisdiction over criminal cases that do not carry more than a $500 fine or 30 days in jail.

Judge Coble provided the following list of his most significant orders or opinions:

(a) State v. Haggins, Order 5469-2017-3 (Not Reported). The public defender filed a motion to dismiss for failure to comply with a speedy trial motion, Langford violation, and Rule 5 violation. I held a hearing and ultimately denied the motion to dismiss.

(b) State v. Andrzejewski, Order 5469-2018-3 (Not Reported). In this case, I held a castle hearing on an assault charge. I wrote an order denying immunity under the Protection of Persons and Property Act.

(c) Rodriguez v. McDaniel, Order 5469-2017-5 (Not Reported). After a civil trial, one party moved for sanctions against the other claiming that they violated ADR Rules. I denied the motion.

(d) Rowe v. Osbourne, Order 5469-2018-14 (Not Reported). After a restraining order hearing, I granted the restraining order against the defendant. The defendant moved for a new trial based on new evidence. I denied the motion for a new trial after analyzing the required factors. This order was overturned on appeal by the Circuit Court Judge.

(e) Neil v. Edelmayer, 2018CV4010600603 (Order from the bench). In this claim and delivery action, I awarded a judgment of $200 to the plaintiff.

Judge Coble further reported the following regarding unsuccessful candidacies:

In 2020, I ran unsuccessfully for Circuit Court, At-Large, Seat 12. I was not screened out.

Judge Coble reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Coble's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Coble to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "With his experience and devotion to the judicial system he will be a definite asset to the bench."

Judge Coble is married to Kristen Karr Coble. He has one child.

Judge Coble reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Richland County Bar Association, *Magistrate Court Liaison*
(c) S.C. Bar: CLE Publications Committee, *Chair*
(d) S.C. Bar: Ethics Advisory Committee
(e) S.C. Bar: Practice and Procedure Committee
(f) South Carolina Summary Court Judges Association, Member
(g) Richland County Magistrate Association, Treasurer

Judge Coble provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Summary Court Judge Mentoring Program (mentoring three new judges)
(b) S.C. Bar: CLE Publications Committee, Chair (Present)
(c) S.C. Bar: Ethics Advisory Committee (Present)
(d) S.C. Bar: Practice and Procedure Committee (Present)
(e) 1L Mentoring Program (2016, 2017, 2018, 2019, 2020)
(f) UofSC Mock Trial Judge (2019, 2020)
(g) Affordable Housing Resources

(h) Midlands Housing Trust Fund
(i) United Way Financial Stability Council
(j) Community Relations Council
(k) Chair of CRC Young Contemporaries
(l) Animal Mission
(m) Shandon Neighborhood Council
(n) Tarantella Club
(o) Richland County Magistrate Association, Treasurer
(p) Purple Ambassador, Mayor's Walk Against Domestic Violence
(q) Trial Advocacy Certification, NDAA

Judge Coble further reported:

Having served nearly a decade in public service, I decided that to be the most well rounded and experienced attorney that I needed to open my own law practice. While it is intimidating and tough to give up such a great job as being a magistrate, I want to understand all aspects and views when I enter the courtroom and learn as much as I can about being a practicing attorney. I believe it is important for judges to see all sides and have experience representing all sides of the courtroom.

But what I believe is most important, more important than knowing the rules or the law, is the character and temperament of a judge. This means having empathy for attorneys who appear before you. I am fortunate to have some of the best and most experienced mentors surrounding me, and they taught me from the first day not to forget what it's like to be on the other side of the bench and how quickly a judge can develop "robitis." Many attorneys are in a solo firm, which means not only do they have to deal with the law and its application, but also with running a small business. I believe a judge should always be mindful of that, and I have. One year after my appointment, I was promoted to the Associate Chief Judge for Richland County in the summer of 2018. This means that I handle a majority of the administrative duties for our Central Court. And I am personally in charge of every single continuance request that comes through Central Court. Whether it is law enforcement, attorneys, solicitors, or anyone else, I have to decide whether to continue the case or deny the continuance request. Before COVID-19, I received continuance requests on a daily basis and I saw firsthand many of the issues that arise for private attorneys that

can prevent them from making a court appearance. Handling continuances, legal issues, and other administrative issues that arise can often times be more difficult and time consuming than presiding over actual court cases. But a judge needs to be able to do both in order to run an efficient and competent court system.

After serving nearly a decade in public service, I wanted to broaden my experience as an attorney. I have decided to open my own law firm and focus on DUI defense, criminal defense, and civil litigation. I believe seeing all perspectives of the courtroom will give me an invaluable experience and make me a better attorney and hopefully a better judge if I am honored to serve again.

It is an honor and privilege to serve as a Magistrate Judge, and I am humbled to be considered for a Circuit Court Judgeship.

(11) Commission Members' Comments:
The Commission noted Judge Coble's poise at the public hearing and stated that he would make a great Circuit Court judge.

(12) Conclusion:
The Commission found Judge Coble qualified and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 2.

The Honorable Amy McCulloch
Circuit Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge McCulloch meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McCulloch was born in 1964. She is 57 years old and a resident of Columbia, South Carolina. Judge McCulloch provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge McCulloch.

Judge McCulloch demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McCulloch reported that she has made $515.24 in campaign expenditures for postage, stationery, and printing.

Judge McCulloch testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McCulloch testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge McCulloch to be intelligent and knowledgeable.

Judge McCulloch reported that she has taught the following law-related courses:
(a) I have been an Instructor for South Carolina Court Administration, Mandatory School for new Probate Judges from 2009 to the present.
(b) I have been an Instructor for the SC Bar Program "Bridge the Gap" for new lawyers from 2003 to 2015.
(c) I was an adjunct Professor for Midlands Technical College, Paralegal Program 1997 through 1998 and again in the summer of 2011 and taught classes on introduction to the law, torts, criminal, and probate trusts and estates.
(d) I was an adjunct Professor for University of South Carolina, College of Criminal Justice on 1997 through 1998 and

taught a class titled Criminal Justice, American Criminal Courts.

(e) In 2003, I spoke to the University of South Carolina, School of Law, Women in Law Speaker Series on the topic of "Road to be a Probate Judge".

(f) In 2001, 2002, 2003, 2005, 2007, 2008, and 2016, I was a presenter for the Continuing Legal Education series known as "Tips from the Bench".

(g) In 2007, I was a presenter at a Continuing Legal Education titled "Rules! Rules! Rules! – an overview of the Probate Rules".

(h) In 2014, I was a presenter at a Continuing Legal Education titled "The Modern Family – Probate Issues."

(i) In 2014, I was part of a panel discussion at the South Carolina Probate Judges Association on the new probate code.

(j) In 2014, I was a presenter for the National College of Probate Judges on the topic of "Firearms and the Mentally Ill."

(k) In 2017, I was a presenter at the Magistrates Conference on the topic of explaining probate.

(l) In 2017, I was a presenter at the Richland County Probate Court's guardian ad litem training.

(m) In 2020, I co-taught a session of the University of South Carolina, School of Law Summer Class on "Mediation in Probate Court."

(n) In 2021, I was a presenter for a Continuing Legal Education session for judges on the changes to common law marriage.

Judge McCulloch reported that she has published the following:

(a) Legal Aspects of Involuntary Commitment (SC Lawyer, 2000) Co-Author

(b) Wrongful Death and Survival Actions: How you may find yourself in Probate Court (Richbar News, 2003) Author

(c) Avoiding Conflict After Death (IMARA Magazine, 2013) Author

(d) Minors in Probate Court: Conservatorships, Minor Settlements, and Special Needs Trusts (SC Lawyer, 2014) Co-Author

(4) Character:
The Commission's investigation of Judge McCulloch did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge McCulloch did not indicate any evidence of a troubled financial status. Judge McCulloch has handled her financial affairs responsibly.

The Commission also noted that Judge McCulloch was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge McCulloch reported that she is not rated by any legal rating organization.

Judge McCulloch reported that she has not served in the military.

Judge McCulloch reported that she has held the following public office:
(a) I have been the Richland County Probate Judge from 1999 through the present.
(b) I was originally elected in November of 1998 and was sworn in in January of 1999 and I am currently serving in my sixth term.

(6) Physical Health:
Judge McCulloch appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge McCulloch appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge McCulloch was admitted to the South Carolina Bar in 1990.

She gave the following account of her legal experience since graduation from law school:

(a) 1990-1991 – Judicial Law Clerk for The Honorable Thomas J. Ervin, Circuit Court, Tenth Judicial Circuit – duties included assistant in the courtroom, research, and order drafting.
(b) July 1991-September 1991 – Judicial Law Clerk for The Honorable William "Bucky" Catoe, United States Magistrate Judge for the District of South Carolina – duties included reading files and drafting of orders mainly focused on Medicaid appeals.
(c) September 1991 – December 1996 – Assistant Solicitor, Fifth Judicial Circuit – prosecuted cases in Magistrates Court, Family Court and General Sessions.
(d) December 1996 – December 1998 – Attorney with Law Offices of Joseph M. McCulloch, Jr. – managed the Trust and General accounts, office administration, managed the civil cases for pleadings and discovery, preliminary hearings, guilty pleas, and Family Court divorce matters.
(e) May 1997 through November 1998 – part time contract employee with the Richland County Solicitor's Office to train new prosecutors.
(f) 1997-1998 Adjunct Professor at Midlands Technical College – Paralegal Program – taught courses on Introduction to Law, Legal Ethics, Torts, Criminal and Business Law.
(g) 1997-1998 Adjunct Professor at University of South Carolina, College of Criminal Justice – taught the course Criminal Justice, American Criminal Courts.
(h) January 1999 through present – Probate Judge for Richland County – manage and oversee administration of the office, hear estate matters, commitment hearings, guardianship and conservatorship hearings, and trust litigation.

Judge McCulloch further reported regarding her experience with the Circuit Court practice area:

The experiences I will be describing are from 1992 to 1998, the five (5) year time frame before I began serving as Probate Judge in January of 1999.

During my time serving as an Assistant Solicitor, in addition to handling my own caseload of approximately 200 to 300 cases, I managed a team of lawyers that were responsible for a rotational trial docket. Each solicitor was responsible for his or her cases

from the beginning of the investigation through the ultimate plea, trial, or dismissal. I was on rotational call for local law enforcement for warrant approval and bond hearings in an innovative twenty-four (24) hour a day program called Early Legal Assistance to law enforcement. I monitored and was responsible for discovery, communication with the arresting agency and officers, and communication with victims and other agencies. As a team leader, I was responsible for weekly discussions of cases, preparation of plea negotiations and ultimately trial preparation which included witness preparation, issuing subpoenas, preparing appropriate motions, and review of evidence. I prosecuted a range of cases including driving under the influence, burglary, criminal sexual conduct, drug distribution, kidnapping, and murder.

During my time in private practice, I handled the daily administrative duties of the office, which included personnel and payroll, client billing, monthly reconciliation of all accounts, payments and deposits, retainer agreements, and client meetings. In civil cases, I responded to and reviewed discovery, prepared pleadings and motions, participated in depositions and mediations, settled and distributed proceeds, attended pretrial hearings, and sat as co-counsel at hearings. In criminal cases, I met with clients, reviewed discovery, negotiated pleas, attended preliminary hearings, and sat as co-counsel at hearings.

Judge McCulloch reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: In in the period of 1997-1998, I was involved in one federal civil case that was resolved in preliminary motions. I was co-counsel with Hugh Roberts at the time.

(b) State: General Sessions from 1993 to 1996 (Solicitor's Office) daily/weekly

Family Court from 1993 to 1996 (Solicitor's Office) at least monthly or quarterly

Magistrates Court from 1993 -1996 (Solicitor's Office) at least weekly or monthly

Circuit Court from 1997-1998 (private practice) monthly

General Sessions from 1997-1998 (private practice) monthly

Magistrates Court from 1997-1998 (private practice) monthly
Family Court from 1997-1998 (private practice) approximately six (6) times total

In the five years prior to her election as Probate Judge, Judge McCulloch reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

(a) civil: none from 1993 to 1996, fifty (50%) percent during 1997-1998
(b) criminal: one-hundred (100%) percent from 1993 to 1996, approximately 20% of those criminal cases were prosecuting juvenile cases in Family Court; twenty (20%) percent during 1997-1998
(c) domestic: none from 1993-1996, ten (10%) percent during 1997-1998
(d) other: office management of law firm from 1997-1998, twenty (20%) percent

Judge McCulloch reported the percentage of her practice in trial court prior to her service on the bench as follows:

(a) Jury: During my time in the Solicitor's office approximately forty (40%) percent of my cases went to trial before a jury. During my time in private practice, I was second chair in several civil cases with the majority reaching disposition through settlement.
(b) Non-jury: I was involved in a few matters that were non-jury in Magistrates Court, five to ten (5-10%) percent of juvenile criminal matters in Family Court while in the Solicitor's office, and approximately six domestic matters in Family Court while in private practice.

Judge McCulloch provided that during the past five years prior to her service on the bench she most often served as co-counsel or chief counsel.

The following is Judge McCulloch's account of her five most significant litigated matters:

(a) While serving as an Assistant Solicitor, a Defendant was charged with kidnapping and criminal sexual conduct, 1st

degree. I was the assigned prosecutor on the case and took it from the investigation stage through its dismissal. It was significant because the facts of the case were traumatic and the outcome taught me many things. A 14-year-old girl at an all-night church "lock-in" event snuck out with another to find cigarettes. She was abducted and sexually assaulted by three individuals. I had a significant level of involvement with the Investigator, the victim and the witnesses. The defendant was identified through a drawing and BOLO. The similarity of appearance was striking. The victim and witness picked him out of a photo line-up. The Defendant remained in jail and Defendant's grandfather and main paternal figure came to every court hearing and dropped by the Solicitor's office frequently to ask about the progress of the case. At every meeting, he told me that the charges against his grandson would be dismissed. It was a DNA case and ultimately the DNA testing returned that the Defendant was not a match. I remember the powerful impact of explaining the outcome to the victim and her family. I dismissed the charges against the Defendant and remember the grandfather's relief. The process and outcome of the case was a significant experience for me and reinforced my commitment to follow the evidence and the responsibility and importance of prosecutorial objectivity.

(b) While serving as an Assistant Solicitor, I prosecuted a man for kidnapping and criminal sexual conduct, 1st degree. The case was significant for several reasons. The victim was a young female and while working extra hours over the weekend at a law firm where she was an assistant, she was held against her will and sexually assaulted by the man that the law firm had hired to maintain the yard. She was extremely frightened and did not want to testify. The accused asserted the defense of consent. While the facts and evidence fully supported her assault, convincing her to testify and supporting her through her testimony and the trail was challenging on many levels. The accused was found guilty. From this case, I learned many things, including that it takes great strength and commitment to go thought such an emotionally demanding trial. I also learned that I had the strength and compassion to support

the victim thought the process and the to find justice for the victim and society.

(c) While serving as an Assistant Solicitor, I was responsible for prosecuting a grandfather for criminal sexual conduct with a minor granddaughter. The evidence was strong to convict with medical evidence and eyewitness testimony of events. The family dynamic was such that the grandparents, including the defendant grandfather, were the custodial guardians for the minor. The case was significant because the defendant was found to lack capacity and therefore, could not be tried for the matter. I participated in the defendant's judicial commitment, as is required. His commitment resulted in his temporary placement in an inpatient facility and then his release back to his home, where again the child was living. I felt compelled and responsible to follow up with this matter with the Department of Social Services and Family Court in an effort to provide protections for minor. In the end, I felt the systems were not in place to provide adequate support.

(d) While in private practice, I represented a husband in a simple and uncontested divorce proceeding. The wife did not appear for the hearing and there were no assets to divide. At the hearing to have the final order issued, I appeared with my client. The Family Court judge called me to the bench and privately explained that I had failed to plead a significant part of my ask and I would need to amend my pleadings and re-appear at a later date. I was mortified not only to have made such an error, but also to have made such an error before a judge I greatly respected. Of course, my primary concern was for my client and that I had potentially disappointed him. The judge graciously allowed me to explain the situation to my client and did not embarrass me in front of him. I left the bench and told my client that I had made a mistake and would have to correct it before he would be granted his divorce. I returned his fee and finished the matter for free. From this experience, I saw through new eyes the power and influence of a judge and I will be forever impacted by her compassion and willingness to use the situation as a teaching experience.

(e) While in private practice, I was co-counsel on a very contentious and lengthy Family Court divorce matter that involved allegations of adultery, a dispute over custody of several children, and asset value and distribution. I am sure for attorneys that practice primarily in this area, the case would not have been so controversial but for me, it was my first experience with the regular and intense communications from my client and opposing counsel arguing almost daily on the regular decisions couples must make about their status and their children. At what I thought was the final divorce hearing where my client would predictably receive an award of support and custody, opposing counsel presented evidence for the first time, which was only that day provided by his client that changed everything. On top of the emotionality of the case, it was the requirement to change and pivot and renegotiate the case at the last moment that stayed with me.

Judge McCulloch reported she has not personally handled any civil or criminal appeals.

Judge McCulloch reported that she has held the following judicial office(s):
Richland County Probate Judge – 1999 through the present - elected
The Probate Court has jurisdiction for all estate matters, the appointment and oversight of guardianships for incapacitated adults, the appointment and oversight of conservatorships for incapacitated adults and minors, approval of minor settlements under $25,000.00, approval of wrongful death and survivor settlements prior to filing, trust and estate litigation, litigation involving powers of attorney, commitments for emergency mental health treatment and chemical dependency treatment, non-emergency judicial commitments, and the issuance of marriage licenses.

Judge McCulloch provided the following list of her most significant orders or opinions:
(a) In re Est. of Kay, 423 S.C. 476, 816 S.E.2d 542 (2018). This case was an appeal from the Laurens County Probate

Court under estate file number 2007-ES-30-208, an appeal of the decision by The Honorable Frank R. Addy, 2012-CP-30-258, an appeal of South Carolina Court of Appeals decision 2016-5414, and before the Supreme Court of South Carolina, 2016-002337. I was invited by the South Carolina Supreme Court to sit as a substitute justice for this Supreme Court argument. It involved many different aspects of probate administration of an estate complicated by real estate issues; heirs in disagreement; and a question of appropriate attorney fees and personal representative commission. It was a significant experience and a humbling opportunity.

(b) In the Matter of Carter, 2002. I presided over the first and, so far, only jury trial in the Richland County Probate Court. Under South Carolina law, parties typically litigate without a jury but may request a jury trial in the Probate Court or the Court of Common Pleas upon removal. Although it was technically a Will challenge case, it was very complex and complicated by a multitude of variables. The case involved issues of race, class, capacity, abuse and neglect, and criminal charges. The litigants conducted their respective arguments, aggressively presenting issues for me as presiding judge. At every turn, there was a challenging legal issue about evidence admission, testimony, and courtroom conduct. After a week of trial and testimony, the jury returned their emotional verdict at midnight on Friday. The case reverberated for years.

(c) In the matter of the Estate of Julius Clarence Dreher, Jr. estate number 1997-ES-40-880, appellate review citation Dreher v. Dreher, 370 S.C. 75, 634 S.E. 2d 646 (2006). This case required the interpretation and application of the elective share statute and a revocable inter vivos trust. My order, attached as one of my writing submissions, held that while the spouse is entitled to her elective share claim, the assets of the trust, left primarily to the decedent's children who were not the children of the surviving spouse, should not be included in the calculation of the elective share amount. I also found the statute regarding elective share to be unconstitutional. The Supreme Court of South Carolina later reversed my interpretation of the elective

share statute at that time. The statute has since been amended.

(d) In the Matter of Dhillon, 2014. This was a very legally complex case that also involved a myriad of family and geographic complications. It required determinations of intestate heirs, common law spouse and elective share claims. Factually, two women claimed to be the decedent's wife. One woman claimed to be his wife from an alleged marriage in India who had a child with the decedent. Another woman claimed to be his common law spouse in South Carolina who had two children with the decedent. The case involved contradictory legal, religious, cultural, and family issues. The conflicting testimony from the decedent's parents and the women who believed they were married to the decedent were emotionally and legally demanding. The order in this case is included as my second writing submission.

(e) In the Matter of Sumter, 2002. The main question of disputed rights of inheritance was "Is he the Decedent's brother or is he the Decedent's son?" This matter was extremely interesting because it required extensive review of family records, court documents, the United States census, a very broken family tree, and a mildewed family Bible, and genealogical tracking back to the 1930's. This case was a sociological powerful study of how families changed names and relationships to save reputations to survive, about how children were raised in rural areas in the 1950's, and how secrets were kept and documented. The file should become a book.

Judge McCulloch reported the following regarding her employment while serving as a judge:

(a) I taught group fitness classes at Columbia Athletic Club, Gold's Gym and MUV fitness from 1999 through 2019. I was considered hourly and my supervisor was Lisa Dye.

(b) In the summer of 2011, I taught a class on probate, trusts, and estates as an adjunct Professor for Midlands Technical College, Paralegal Program. I was considered part time. My supervisor was Bill McSorley.

(9) Judicial Temperament:
The Commission believes that Judge McCulloch's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge McCulloch to be "Qualified" in the evaluative criteria of constitutional qualifications, professional and academic ability, reputation, physical health, mental stability, and experience; and "Well Qualified" in the evaluative criteria of ethical fitness, character, and judicial temperament. The Committee noted: "Needs more experience outside probate cases, but has a good understanding of the judicial system and will make an excellent judge;" and "Qualified."

Judge McCulloch is married to Joseph Matthew McCulloch Jr. She has one child.

Judge McCulloch reported that she was a member of the following Bar and professional associations:
(a) SC Bar – member from 1990 through the present.
(b) Richland County Bar – member from 1998 through the present.
(c) SC Association of Counties – member from 1999 through the present, serving on the Legislative Committee since approximately 2009.
(d) SC Association of Probate Judges – President 2003-2004, Chair or Co-Chair of Legislative Committee from 1999 through the present, and member from 1999 through the present.
(e) National College of Probate Judges – member from 1999 through the present and Executive Committee member from 2017 through the present.
(f) South Carolina Supreme Court, Probate Court Judges Advisory Committee, member since 2002 and Chair since 2009.
(g) South Carolina Partners in Crisis – Co Chair from 2003 through 2013.
(h) South Carolina Vulnerable Adult Task Force – member
(i) South Carolina Suicide Prevention Coalition – member

(j) National Center for State Courts, member of Expert Panel to develop a judicial response protocol to address abuse, neglect, and exploitation in guardianship and conservatorship cases in 2018 and 2019.
(k) Inns of Court – member from 2019 through the present.

Judge McCulloch provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Midlands Technical College, Paralegal Advisory Board
(b) Girls Scouts – Women of Distinction 2017
Judge McCulloch further reported:
Growing up and attending public schools in Richland County has enabled me to be sensitive to the issues and concerns faced by many in the community. While I have been fortunate in my life, I have also experienced the impact of my parents' divorce, abuse by a stepparent, financial struggles, family members struggling with addiction and mental health issues, and complicated family relationships. I know how those events can affect the choices we make and I know the impact the judicial system can have upon an individual's life. As a result, I will obey the Judge's Oath by listening courteously and impartially and will decide the matters before me with fairness and civility and rule only after careful and considerate deliberation.

(11) Commission Members' Comments:
The Commission commented that Judge McCulloch has an excellent reputation as a jurist in the Probate Court. They noted she often is asked to serve in a number of capacities and they appreciate her public service.

(12) Conclusion:
The Commission found Judge McCulloch qualified and nominated her for election to Circuit Court, Fifth Judicial Circuit, Seat 2.

THURSDAY, JANUARY 13, 2022

S. Boyd Young
Circuit Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Young meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Young was born in 1974. He is 47 years old and a resident of Columbia, South Carolina. Mr. Young provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999. He was also admitted to the Georgia Bar in 2005.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Young.

Mr. Young demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Young reported that he has made $137 in campaign expenditures for flyers and envelopes.

Mr. Young testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Young testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Mr. Young to be intelligent and knowledgeable.

Mr. Young reported that he has taught the following law-related courses:

(a) I have lectured and taught at the National Criminal Defense College annually since 2009. It is a two-week trial advocacy program for criminal defense attorneys with various levels of experience.
(b) I have lectured and taught at the National College of Capital Voir Dire annually since 2007. It is a program dedicated to teaching constitutional voir dire requirements to attorneys.
(c) In 2010, I founded a public defender training program for South Carolina, and it has since been turned into a mandated training program for all new public defenders. I continue to teach and lecture in the program.
(d) I am on the National Association of Criminal Defense Attorneys, Capital Committee where I serve as Co-Chair. I put on an annual continuing legal education seminar regarding capital defense.
(e) I participate annually in the South Carolina Bar Mock Trial competition.
(f) In 2009 South Carolina Solicitors and defense lawyers received a joint grant to host training programs for capital cases. I managed the defense lawyer training and over the course of three years held multiple training events around the state. This was a joint effort to combat South Carolina's near 80% reversal rate in capital cases.

Mr. Young reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Mr. Young did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Young did not indicate any evidence of a troubled financial status. Mr. Young has handled his financial affairs responsibly.

The Commission also noted that Mr. Young was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Mr. Young reported that he is not rated by any legal rating organization.

Mr. Young reported the following military service:
May 1993 – February 5, 1996. United States Navy, Midshipman. Honorable Discharge, February 5, 1996.

Mr. Young reported that he has never held public office.

(6) Physical Health:
Mr. Young appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Mr. Young appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Mr. Young was admitted to the South Carolina Bar in 1999. He was admitted to the Georgia Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

(a) 1999-2000 I was hired as a law clerk to A. Victor Rawl, Circuit Court Judge in Charleston, SC. My duties included assisting Judge Rawl with both criminal and civil matters throughout South Carolina.

(b) 2000-2005 I was hired at the Charleston County Public Defender's Office. I was an assistant public defender for five years and promoted to senior trial attorney. I handled all levels of criminal cases.

(c) 2005-2008 I joined the newly formed Georgia Capital Defender Office in Atlanta where I handled trial level capital cases throughout the state of Georgia.
(d) 2008-2017 I returned to South Carolina to help form the Capital Trial Division for the South Carolina Commission on Indigent Defense. I was initially hired as the Deputy Attorney of the office.
(e) 2017-Present I have served as the Chief Attorney of the Capital Trial Division. I supervise two other attorneys, a paralegal, and numerous interns and externs. We handle trial level death penalty cases throughout the state and have been directly responsible for saving South Carolina over $1 Million annually.

Mr. Young reported the frequency of his court appearances during the past five years as follows:
(a) Federal: None
(b) State: Monthly

Mr. Young reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 1%;
(b) Criminal: 97%
(c) Domestic: 1%
(d) Other: 1%

Mr. Young reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 50%
(b) Non-jury: 50%

Mr. Young provided that during the past five years he most often served as chief counsel.

The following is Mr. Young's account of his five most significant litigated matters:
(a) State v. Timothy R. Jones, Jr. This was a death penalty trial in Lexington, SC in 2019. The case is currently pending in the South Carolina Supreme Court for direct review. This was the longest, most complicated death penalty case in recent history. This case was significant for a multitude of reasons, but I think it was an important example of how our mental health facilities

and social institutions fail to protect our most vulnerable citizens. While there were several open Department of Social Services investigations, Mr. Jones continued to spiral out of control and it eventually resulted in the killing of five innocent children. I was lead counsel for Mr. Jones. The trial was tremendously impactful on me, both as a person and a lawyer.

(b) Kenneth Simmons v. State, 416 S.C. 584, 788 s.E.2d 220 (2016). A Post Conviction Relief case in which I became involved based on my knowledge and experience with DNA evidence. My representation at Mr. Simmons' PCR resulted in a reversal of his conviction, and ultimately Mr. Simmons pleaded guilty for a reduced sentence. The Solicitor in the case had presented false DNA results implicating Mr. Simmons. The case demonstrates the necessity of attorneys and judges being well educated on the forensic issues that impact jury trials.

(c) State v. Todd Kohlhepp. A 2017 case involving a serial killer from Spartanburg. Mr. Kohlhepp was charged with seven murders and the kidnapping and sexual assault of a woman found chained in a storage container on his property. This case demonstrated that early and adequate representation for the accused leads to better outcomes for all involved. Because of my early involvement I was able to ensure that all of Mr. Kohlhepp's personal property went into receivership, resulting in the victims' ability to recover, monetarily, some small part of their losses. Through the early cooperation of Mr. Kohlhepp, and with the consent of the victims, we were able to negotiate life without parole sentences for Mr. Kohlhepp - saving the State significant expense and the victims the emotional impact of a long, drawn out process. I was lead counsel for Mr. Kohlhepp.

(d) State v. Crystal Johnson. A murder case out of Spartanburg in 2016. Ms. Johnson was already in prison serving a sentence for child neglect when the Sheriff identified her as a suspect in a double murder that occurred several years prior. The State's intention to seek the death penalty was announced at a press conference. Once warrants were drafted I was able to get involved and conduct a thorough investigation. I was able to prove that Ms. Johnson was not involved in the murders. Additionally, I was able to uncover the identity of the actual murderer which I forwarded to the Solicitor's Office. This case

is important to show why a thorough investigation is necessary, how devastating a rush to judgement can be, and why attention to detail is crucial in the administration of justice.

(e) State v. John Edward Weik. This was a 2016 death penalty retrial in Dorchester County. Mr. Weik was tried, convicted, and given the death penalty. His sentence was affirmed in 2004. The PCR Judge found that his counsel was deficient for failing to investigate and present Mr. Weik's extensive mental health history to the jury. Weik v. State, 409 S.C. 214, S.E.2d 757 (2014). I was able to provide the Solicitor with proof that Mr. Weik was schizophrenic. He then received an offer to plead to life without parole which he accepted. The case is significant because it demonstrates the value of the appointment of qualified counsel in complicated cases to avoid costly retrials.

Mr. Young reported he has not personally handled any civil or criminal appeals.

Mr. Young further reported the following regarding unsuccessful candidacies:
In 2020 I was screened as a candidate for Circuit Court, At Large, Seat 12. I was found to be well qualified but was not selected as a final candidate by the Committee.

(9) Judicial Temperament:
The Commission believes that Mr. Young's temperament would be excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Mr. Young "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee noted: "Excellent criminal experience! Very little civil experience- is willing to come up to speed on civil."

Mr. Young is married to Laura W. Young. He has two children.

Mr. Young reported that he was a member of the following Bar and professional associations:

(a) South Carolina Association of Criminal Defense Lawyers - Member
(b) National Association of Criminal Defense Lawyers – Capital Trial Committee – Co-chair
(c) South Carolina Public Defender Association – Board Member
(d) Richland County Bar Association - Member

Mr. Young provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Recognized by the Red Cross as a Platelet Donor
(b) I run an annual charity yard sale at my house to support children with an incarcerated parent at Christmas.
(c) My wife worked with Achieve Columbia – a group dedicated to providing support services to at risk youth in local schools – which resulted in us getting an educational guardianship for a minor and having her live with us for her last two years of High School, there was a recognition by Achieve Columbia.

Mr. Young further reported:

I had the great fortune of clerking for a Judge that was respected by all parties that came before him. He taught me how to maintain poise even when others could not, the value of always being prepared, and treating others with dignity and respect no matter the circumstances. I have spent my career as a trial lawyer in courtrooms across South Carolina applying these lessons. I have appeared in front of great jurists, and some not so great, but we have always managed to get along and get the work done. I have managed some of the most complex cases in South Carolina and maintained a case budget that saves the citizens of South Carolina money. At the same time, I have maintained good relationships with not only opposing counsel, but also with many of the victims in cases that I was defending. If selected, I will make a good addition to the South Carolina Judiciary.

(11) Commission Members' Comments:

The Commission commented that Mr. Young is a very capable lawyer with extensive experience in criminal law. They also noted that his demeanor would serve him well as a circuit court judge.

(12) Conclusion:
The Commission found Mr. Young qualified and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 2.

The Honorable Brian M. Gibbons
Circuit Court, Sixth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Gibbons meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Gibbons was born in 1966. He is 55 years old and a resident of Chester, South Carolina. Judge Gibbons provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Gibbons.

Judge Gibbons demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Gibbons reported that he has not made any campaign expenditures.

Judge Gibbons testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Gibbons testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Gibbons to be intelligent and knowledgeable.

Judge Gibbons reported that he has taught the following law-related courses:

(a) I have presented at the 2010 SC Bar Program "Bridge the Gap" for new lawyers as Part of a panel dealing with Family Court
(b) National Business Institute-"What Family Court Judges want you to know" May 2010 and May 2012 Panel
(c) SC Rules of Family Court 2/08, 2/10
(d) SC Bar-Rules, Rules, Rules Seminar
(e) I have also presented and moderated at the Family Court Bench/Bar seminars Broadcast statewide in December 2010 and 2011
(f) SCAJ Convention-Participated in a panel discussion on Family Court Matters in 2009
(g) Solicitors Solicitors/Public Defender's Convention- I have presented and served on a panel presentation for various issues
(h) Since 2014 I have taught as an adjunct professor at the Charleston School of Law from May to July, teaching Family Law and Advanced Torts

Judge Gibbons reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Gibbons did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Gibbons did not indicate any evidence of a troubled financial status. Judge Gibbons has handled his financial affairs responsibly.

The Commission also noted that Judge Gibbons was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Gibbons reported that his last available rating by a legal rating organization was a BV rating. He did not provide the name of the legal rating organization.

Judge Gibbons reported that he has not served in the military.

Judge Gibbons reported that he has held the following public office:
All appointed Town/City attorney positions from 1994 through May 2005. These were all appointed positions. I have never been subject to a penalty and have always timely filed ethics reports as a judge.

(6) Physical Health:
Judge Gibbons appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Gibbons appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Gibbons was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:
(a) Associate-Hamilton, Hamilton & Delleney, PA- August 1992 through December 1993
(b) Partner- Hamilton, Delleney & Gibbons, PA-1994-May 25, 2005
(c) City Attorney- Chester- 1994-2000
(d) Town Attorney- Great Falls- 1997-May 2005
(e) Town Attorney- Fort Lawn- 1998- January 2005
(f) Prior to being elected to the Bench, I was involved in a general practice law firm. I primarily practiced in the areas of Family

Law, Criminal, and Civil litigation for almost (13) years prior to being elected to the Bench. I have represented clients in civil litigation in Common Pleas and Magistrate Courts-both plaintiff and defense. I have represented many criminal defendants ranging in seriousness from DUI offenses to Armed Robbery. Being from a small, rural county, I was able to practice law in many different areas, which I believe has trained me to be a good judge who understands all the different areas of practicing law, thus ensuring fairness and justice for litigants, defendants, and lawyers.

Judge Gibbons reported that he has held the following judicial office(s):

(a) May 2005-Elected to Seat One of the Family Court, Sixth Judicial Circuit
(b) February 2007-Re-Elected to Family Court
(c) February 2013 Re-Elected to Family Court
(d) May 2013- Elected to the Circuit Court, Seat One, Sixth Judicial Court, serving continuously since
(e) February 2016 Re-Elected to the Circuit Court

Judge Gibbons provided the following list of his most significant orders or opinions:

(a) Pittman v. Pittman, 407 S.C. 141, SC Supreme Court opinion 27352
(b) State v. Simpson, 425 S.C. 522, SC Supreme Court opinion 27937
(c) Huck v. Avtex Commercial, SC Court of Appeals opinion 5500
(d) Hensley v. SCDSS, SC Supreme Court opinion 27941
(e) SC Public Interest Foundation v. Calhoun County Council, SC Supreme Court opinion 28008

Judge Gibbons reported the following regarding his employment while serving as a Judge:

I have been an adjunct professor at the Charleston School of Law since 2014 teaching Family Law and Advanced Torts. These classes are in the summer months in the evenings as to not conflict with my Court schedule.

(9) Judicial Temperament:
The Commission believes that Judge Gibbons's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification found Judge Gibbons to be "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Judge Gibbons brings to the bench a degree of wisdom, thoughtfulness, and common sense that reflects his significant experience as both a Family Court Judge and Circuit Court Judge. His substantial involvement in his community and his long tenure as a jurist are compelling evidence of his deep commitment to public service. He is an excellent Circuit Court Judge."

Judge Gibbons is married to Lorena Crouch Gibbons. He has three children.

Judge Gibbons reported that he was a member of the following Bar and professional associations:
(a) SC Bar Association, former member of the YLD Board
(b) South Carolina Trial Lawyers Association, Sixth Circuit Representative 1997-2005
(c) South Carolina Conference of Family Court Judges 2005-2013
(d) South Carolina Circuit Judges Association
(e) National Conference of Juvenile and Family Court Judges 2005-2013
(f) Chester County Bar- Sec/Treas
(g) Municipal Attorneys Association

Judge Gibbons provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Chester Rotary Club-Past President, Paul Harris Fellow
(b) Chester YMCA-Past President
(c) Chester/Fairfield Citadel Club-Past President, Secretary and Treasurer

(d) Blackstock Bluegrass Inc.- Past President
(e) The Citadel Alumni Association
(f) Richard Winn Academy- Board Member
(g) Palmetto Boys State Staff for 38 years
(h) Board of Deacons, Chester ARP Church
(i) Elder- Chester ARP Church

Judge Gibbons further reported:
I have always been very involved in my church and community. I have coached all of my children in their various sport activities. I have been actively involved with the American Legion Palmetto Boys State program for the past 38 year. I love helping people. I continue to serve as a Junior High Youth Group leader at my church. I am currently serving as Elder in the Chester Associate Reformed Church.

(11) Commission Members' Comments:
The Commission commented that Judge Gibbons has a wonderful reputation among the attorneys who appear before him. They cited his positive BallotBox comments, and noted that his temperament in the courtroom should serve as an example for other judges to emulate.

(12) Conclusion:
The Commission found Judge Gibbons qualified and nominated him for re-election to Circuit Court, Sixth Judicial Circuit, Seat 1.

The Honorable Frank Robert Addy Jr.
Circuit Court, Eighth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Addy meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Addy was born in 1967. He is 54 years old and a resident of Greenwood, South Carolina. Judge Addy provided in his application that he has been a resident of South Carolina for at

least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Addy.

Judge Addy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Addy reported that he has not made any campaign expenditures.

Judge Addy testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Addy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Addy to be intelligent and knowledgeable.

Judge Addy reported that he has taught the following law-related courses:
(a) "Dual Diagnosis" October 9, 2001
SC Association of Probate Judges
Presentation addressed the problematic practical and procedural issues concerning stabilization and treatment of mentally ill/chemically dependent individuals.
(b) "New Probate Judge's School"
SC Court Admin. and SCAPJ, January 10, 2013 & March 15, 2007

Planned topics, organized speakers and materials, and moderated the 2003 New Probate Judge's School. Personally addressed topics of ethics and estate taxation at the 2003 and 2007 schools.

(c) "Therapeutic Commitments – Judicial Issues and Supplemental Proceedings"
SC Association of Probate Judges, August 6, 2004
Lecture on the jurisdictional validity of commitment orders throughout the state and between states with discussion of supplemental proceedings due to non-complaince.

(d) "General Probate Issues"
Greenwood County Bar, September 30, 2004
Presentation geared toward general practitioner. Presentation discussed recent changes in the law, disclaimers, omitted spouse and elective share petitions, and other matters related to probate jurisdiction.

(e) "Creditor's Claim Presentment in the Probate Court"
SC Morticians Assoc., October 24, 2004
Procedural law for presenting a claim against a decedent's estate.

(f) 13th Annual Probate Bench/Bar, Course Planner and Moderator
SC Bar CLE Division, September 16, 2005
I planned and moderated the 2005 Bench/Bar and was subsequently told that the attendance for the event surpassed all previous bench/bar conferences.

(g) "Temporary and Emergency Measures in Probate Proceedings"
SC Assoc. of Probate Judges, September 25, 2005
Procedural overview of Rule 65, SCRCP, governing temporary injunctions as compared to Section 62-3-607 governing emergency orders in the estate context and 62-5-310 governing appointment of emergency temporary guardians.

(h) "The Probate Process and Presentation of Creditors' Claims in South Carolina's Probate Courts"
SC Oncology Assoc., May 18, 2006
Presentation was a procedural overview of the process for probating an estate, presenting claims against an estate, and explanation of time limits involved.

(i) "Roundtable Discussion"
SC Assoc. of Probate Judges, August 4, 2006
Served as panel member and discussed recent issues / hypotheticals.

(j) "Recent Issue in the Probate Court"
Greenwood County Bar, February 23, 2007
Presentation discussed the Franklin and Brown cases concerning unauthorized practice of law and addressed competency issues when a client may be suffering from mental incapacity.

(k) "Probate Potluck" – Round Table Discussion
SC Assoc. of Probate Judges, September 12, 2007
Panel member for discussion of various probate topics.

(l) "Involuntary Mental Illness Commitments"
SC Summary Court Judges Assoc., May 6, 2008
Presentation on procedural and substantive law concerning involuntary commitments due to mental illness or chemical dependency.

(m) Panel Discussion
SC Public Defender's Assoc., September 27, 2010
Participated as a panel member to discuss issues commonly seen in general sessions court.

(n) "Motions Practice in Circuit Court"
SCDTTA Assoc., July 28, 2012
Judge Young and I gave a presentation on effective techniques in making motions in the common pleas context.

(o) "Top 10 things that annoy me…and probably other judges"
SC Bar Convention, January 24, 2014
Served as a panel member with two other circuit judges to discuss inefficiencies and other common problems frequently observed in the circuit court.

(p) "Judicial Panel Discussion"
2014 South Carolina Solicitor's Conference
Participated with other judges in discussed recent precedent and courtroom procedure at the annual Solicitor's meeting.

(q) "Petitions to Restore Firearm Rights"
SC Probate Judges Assoc., February 19, 2015
Presentation addressed the recent changed in the law permitting individuals who were previously

involuntarily committed to petition for restoration of their Second Amendment rights.

(r) "General Sessions Mental Health Commitments"
SC Public Defender's Assoc., September 21, 2015
Presented on the process of mental illness evaluations through DMH.

(s) "Judicial Panel Discussion"
2016 South Carolina Public Defender's Conference, September 26, 2016
Participated with other judges in discussed recent precedent and courtroom procedure at the annual Public Defender's meeting.

(t) "Adjudication of DUI Cases"
SCDPS, November 15, 2016
Panelist. Offered the circuit court's opinion concerning the means by which impaired driving cases are prosecuted and offered suggestions to reduce traffic injuries and fatalities on SC roads.

(u) Greenwood Bar – February 2, 2017
Presentation on the "Clementa Pinckney Uniform Partition of Heirs Property Act," closing arguments in light of State v. Beaty, and circumstantial evidence in light of State v. Pearson.

(v) SC Bar Leadership Academy, Greenville, SC – March 31, 2017
Presented to the YLD on work/life balance and professionalism.

(w) "Transition to the Circuit Court Bench: Advantages/Challenges of Probate Bench Perspective; Common Issues"
SC Association of Probate Judges – October 3, 2017
Judge Hocker and I presented on the above topic.

(x) "Tips from the Bench"
SC Bar CLE Division – November 3, 2017
Judges Hocker, Griffith and I gave practical practice suggestions as part of this CLE and also discussed recent case law including State v. Blackwell and State v. Wrapp.

(y) "DMH and Criminal Cases: Where we stand and what you need to know."
SC Bar Convention – January 19, 2018

Monique Lee of DMH and I presented on the forensics mental illness commitment process, offered suggestions in preparing orders, and gave guidance in conducting NGRI, GMBI, and competency evaluation hearings.

(z) Greenwood Rotary Club – February 27, 2018, guest speaker - topic was white collar crime.

(aa) "What do judges want to hear from victims and victim service providers?"
South Carolina Victim Assistance Network Annual Conference – April 10, 2018

Offered practical suggestions on how to represent victims' interests effectively in the Court of General Sessions.

(bb) "Court Rules – What Judges want you to know."
Newberry County Bar CLE – July 3, 2018

Addressed ODC complaints for appointed counsel, bench trials, and ongoing efforts to address the Langford decision.

(cc) "Handling Pressures of Judging"
Annual Judicial Conference – September 17, 2019

Judge Verdin, Dr. Donna Schwartz-Watts Maddox, and I presented to all Circuit and Family Court judges on the topic of maintain a healthy work/life balance and addressing the pressures of the bench.

(dd) "Judicial Panel Discussion"
2019 South Carolina Solicitor's Conference, September 23, 2019

Participated with other judges in discussed recent precedent and courtroom procedure at the Annual Solicitor's meeting.

(ee) "Tips in Contested Cases and Pro Se Litigants"
SC Association of Probate Judges, Webinar – November 20, 2020

(ff) "Trial Issues and Motions during COVID"
SC Bar CLE Division – Criminal Law Division, Webinar, January 8, 2021

Presentation focused on practicing during COVID and offered suggestions for aspects of the court's emergency operations which should be retained after the pandemic.

Judge Addy reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Addy did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Addy did not indicate any evidence of a troubled financial status. Judge Addy has handled his financial affairs responsibly.

The Commission also noted that Judge Addy was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Addy reported that he is not rated by any legal rating organization.

Judge Addy reported that he has not served in the military.

Judge Addy reported that he has held the following public office: Probate Judge for Greenwood County, Elected June, 1999 – April, 2010

(6) Physical Health:
Judge Addy appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Addy appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Addy was admitted to the South Carolina Bar in 1993.

He gave the following account of his legal experience since graduation from law school:
(a) Eighth Circuit Solicitor's Office

September, 1993 – February, 1997
- Prosecuted all types of felony and misdemeanor cases, including homicides.
- Promoted to Deputy Solicitor during my tenure and successfully reduced the backlog in the county for which I was responsible from 20 pages to 6 pages.

(b) Sheek, Addy & Medlock, PA
March, 1997 – February, 1998
- Upon the passing of my father, I engaged in general private practice, including personal injury, domestic and criminal cases. I was not responsible for financial matters for the firm.

(c) Chief Public Defender for Greenwood and Abbeville Counties
February, 1998 – June, 1999
- Responsible for defending clients charged in general sessions as well as juvenile court. Oversaw operation of office and defended all manner of criminal cases.
- At the time, the Public Defenders' Office was a contract position, meaning that I was essentially self-employed. As such, I handled all administrative and financial management of the office.

(d) Probate Judge for Greenwood County
June, 1999 – April, 2010
- Responsible for contested hearings concerning all aspects of the court's jurisdiction.
- Managed the case docket and substantially reduced delinquency in pending cases.
- Also served as Special Referee for civil matters referred to me for trial or hearing.
- Financial matters of the office were limited to weekly deposits to the treasurer's office of any fees collected.

(e) Greenwood Clerk of Court
June, 2003 – August, 2003
- Upon the retirement of Greenwood's Clerk and per state law, I assumed the role of acting clerk of court until the Governor made an appointment. Technically, I supervisory responsibility both from an administrative and financial perspective. However, the finances of the office were linked with the local treasurer's office, so accounting responsibility was minimal.

(f) Acting Circuit Court Judge
September, 2006 – 2008
- Appointed by the Chief Justice while Greenwood's resident judge was recovering from a serious illness.

(g) Eighth Circuit Drug Court Judge
August 18, 2008 – February, 2019
- Appointed by the Chief Justice to serve as judge for the Eighth Circuit Drug Court program. Preside over and supervise drug court participants throughout their participation. Worked with the Solicitor in establishing the program and crafting the model.
- Although I am still technically involved with the program, Probate Judge Travis Moore was appointed to preside due to logistical issues when I was appointed as Criminal Chief Administrative Judge for the 11th Circuit for years 2019 and 2020.
- Administrative and financial management is overseen solely by the 8th Circuit Solicitor's Office.

(h) Resident Circuit Judge, Eighth Judicial Circuit, Seat 1
April 16, 2010 – Present
- Preside over the circuit court, a court of general jurisdiction. The Court addresses all manner of civil and criminal cases.
- I have been treasurer for the SC Association of Circuit Judges since August 22, 2012. As such, I handle all financial affairs (dues collection, remittances, accounting, conference financial planning, honoraria, etc.) for the association. Management of the Association is primarily through the President, Judge Carmen Mullen, although she does call executive meetings periodically if specifically required under the by-laws.

Judge Addy reported that he has held the following judicial office(s):
Probate Judge for Greenwood County, Elected
June, 1999 – April, 2010
- Responsible for contested hearings concerning all aspects within the court's jurisdiction under Title 62.
Acting Circuit Court Judge, Appointed
September, 2006 – 2008
Eighth Circuit Drug Court Judge, Appointed

August 18, 2008 – February, 2019
- Appointed by the Chief Justice to serve as judge for the Eighth Circuit Drug Court program. Jurisdiction limited per the Chief Justice's order.

Resident Circuit Judge, Eighth Judicial Circuit, Seat 1, Elected
April 16, 2010 – Present
- Court of general, state-wide jurisdiction except as to domestic or probate matters. The Court addresses all manner of civil and criminal cases.

Judge Addy provided the following list of his most significant orders or opinions:

(a) State v. Karlita Phillips, 2014-GS-01-212, 213, affirmed 2017-UP-469 This homicide case was strange in that the State alleged Phillips seduced a young adult and convinced him to murder her husband, yet he ultimately shot the twin 7 brother of the intended victim, mistaking him for Phillips' husband. Preliminarily, much of the State's case relied upon statements by the non-testifying shooter given to third persons which provided motive and implicated Phillips, but ultimately the shooter did testify at trial. Ms. Phillips was convicted and the conviction was affirmed. Interestingly, the events of this homicide were recounted in an episode of the TV series "Deadly Divorce."

(b) Rose v. SCDPPP, 429 S.C. 136, 838 S.E.2d 505 (2020). Although not earth-shaking from a legal point of view, I am very proud of my work in this case and the role I played in Mr. Rose ultimately getting his case heard. By way of background, Mr. Rose went up for parole in 2001. Due to the Parole Board's erroneous understanding of the law, PPP concluded that he did not receive sufficient votes to be granted parole. *See* State v. Barton, 404 S.C. 395, 745 S.E.2d 110 (2013). Throughout the subsequent years, Mr. Rose sought relief from the circuit courts and the ALJ, and every time he was denied a substantive hearing or any relief. In short, no court would listen to him. Ultimately, one of his petitions

was docketed for a CPNJ term over which I was presiding. Although I realized that he was required to pursue his action through the ALJ, I ordered that PPP conduct an investigation in to the results of the 2001 parole hearing and recommended that the ALJ hold a formal hearing on his petition. Ultimately, the ALJ concluded that Mr. Rose was correct, that he had received the requisite number of votes in 2001, and that he should have been paroled that year. The South Carolina Supreme Court ultimately affirmed the ALJ, and Justice Kittredge had some very kind things to say about my appreciating the catch-22 in which Mr. Rose found himself. In my mind, this case is an example of how important it is for a judge to actively listen to all litigants, especially the *pro se*, and the obligation of judges to make sure that a party is not continually and dismissively shuffled from forum to forum in search of relief. After the Supreme Court's ruling, Mr. Rose was ultimately released from SCDC 19 years after he had been granted parole.

(c) State v. Andrew Lee Harrison, 402 S.C. 288, 741 S.E.2d 727 (2013). Mr. Harrison was found guilty of leaving the scene of an accident involving death, and a substantial sentence was imposed. Counsel for Harrison argued that the penalty provisions of Section 56-5-1210 were unconstitutional under the Eighth Amendment, and I disagreed. On appeal and citing recent statistical evidence, the Supreme Court affirmed finding no Eighth Amendment violation and that the penalty provisions of the statute granted broad discretion under the Eighth Amendment. In commenting on my statements at sentencing, the Supreme Court stated that the court's "statements at sentencing are the very embodiment of proportionality…." The case also served to outline the appropriate procedure for a trial court when faced with statistical, intrajurisdictional comparisons between sentencing statutes.

(d) State v. Damien L. Ritter, 2019-GS-32-2887 to 2893. This was a case I recently tried in June, 2021. Mr.

Ritter was charged with the execution slayings of two persons and the attempted murder of a third. In the preceding two years, I addressed numerous motions, including multiple hearings under Franks v. Delaware, 438 U.S. 154 (1978). Although the pandemic delayed trial, at the request of the parties, I retained jurisdiction so that a judge familiar with the case could also preside at trial. Because the State intended to call 50 witnesses, we started early and broke late each day, finishing the substantive part of the case in 5 days. Mr. Ritter was ultimately convicted on all counts. Everyone's efforts on this case shows how a case can move expeditiously and efficiently yet still afford every protection of a defendant's rights, and it also demonstrates the importance of judges willingly assuming individual responsibility for resolving the most difficult cases.

(e) Young v. Keel, 431 S.C. 554, 848 S.E.2d 67 (Ct. App. 2020) This case presented the novel question of whether a person who has had his conviction expunged under the YOA Act for an offense requiring sex offender registry must still register as a sex offender. In construing the applicable statutes strictly and literally, I ruled that sex offender registry was still required, finding that none of the explicit statutory provisions for removal from the registry were met. Although the result is counterintuitive, the issue in this case demonstrates the importance of our courts giving due deference and effect to the decisions of the General Assembly and the importance of judges applying the law as written. The Court of Appeals affirmed my ruling.

Judge Addy reported no other employment while serving as a judge.

Judge Addy further reported the following regarding unsuccessful candidacies:

I sought Seat 2 of the Eighth Circuit Court in 2009. I was found qualified and nominated but withdrew prior to the election.

(9) Judicial Temperament:
The Commission believes that Judge Addy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification reported Judge Addy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee stated in summary: "Judge Addy has a long judicial record as a Probate Judge and Circuit Court Judge, and he continues to approach his professional challenges with the same level of energy and involvement that characterize his wide range of service to his local community. The Committee found noteworthy his humility, his energetic commitment to resolving legal disputes with compassion and thoughtfulness, and his deep respect to the judicial profession. The State is fortunate to a person of Judge Addy's experience and talent as a Circuit Court Judge."

Judge Addy is married to Kelly Sprouse Addy. He has two children.

Judge Addy reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar, admitted November 15, 1993
(b) South Carolina Probate Judge's Association, President 2005-2006, Vice President 2004-2005, Secretary 2003-2004, Member 1999-2010
(c) South Carolina Circuit Judge's Association, Treasurer, August 22, 2012 - present
(d) American Bar Association - periodically throughout the last 11 years (not currently a member)
(e) Chairperson, Advisory Committee to the Chief Justice, 2001-03
(f) Circuit Court Liaison to SCDMH, 2014 – present. Appointed by Chief Justice to oversee and address issues concerning mental illness commitments to DMH from the Courts of General Sessions.

(g) SC Access to Justice Commission, Circuit Court Representative (appointed by Chief Justice) – February, 2021 to present

Judge Addy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Greenwood Masonic Lodge AFM #91 (since 1998)
(b) Links at Stoney Point (social and pool membership)
(c) (c)Greenwood Country Club (social, pool, and tennis membership)
(d) Greenwood Cotillion Club
(e) Rotary Club of Greenwood (since 2018)
(f) 2003 Executive of the Year, Emerald Chapter, IAAP
Judge Addy further reported:

I remain honored to have been entrusted with this responsibility for the last 11 years. Although many judges command obedience, respect has to be earned, and having earned the respect of the bench and bar is truly my greatest accomplishment.

In my time on the bench, I have tried every case imaginable, from minor car wrecks to medical malpractice, from larceny to murder, and every case I have tried or handled contains one constant: I have endeavored to treat those appearing before me with the utmost respect. The average citizen may appear in court only once in their life, and they are in court because something bad has happened to them. Accordingly, a judge must treat each case as the most important case they are handling because, to any individual member of the public, their case is exactly that. I take genuine pride in my reputation for patience, deliberation, and courtesy, and I shall endeavor to continue to exhibit those qualities while serving the people of our state. When I last sought reelection, I wrote: "At its core, the justice system is nothing more than a means of resolving disputes – judges are merely problem solvers." At the time I wrote this, no one anticipated the pandemic which dramatically affected all of us and especially our court system. In the last 16 months, through innovation, creativity, and hard work, we learned how to solve problems, adjust operations, and continue to provide a forum for resolution of disputes in our state.

For the last 2 years, I served as Chief Administrative Judge (Criminal) in the 11th Circuit, and because of the hard

work of all stakeholders, the 11th Circuit was one of the first circuits to transition to videoconferencing. By doing so, we prevented the backlog of cases in the 11th from growing as dramatically as compared against other circuits. Significantly, many of the changes forced upon us during the pandemic should become permanent, such as remote video court for non-dispositive criminal matters, settlement hearings, and practically any hearing which does not require a jury. Simply stated, the pandemic forced us to become more efficient and to abandon many of our arguably anachronistic court rituals; in doing so, doing justice became more accessible, affordable, and efficient. These changes have been beneficial to all concerned and should continue.

This job is not for the faint of heart, and the obligations of our judiciary should not be entrusted in those who fail to appreciate the requisite level of dedication, demeanor, and diligence required of a judge. Having served as a judge in one capacity or another for the last 22 years, I remain honored and humbled to serve our citizens and to do so with a full appreciation of the rigors of this job, and I sincerely appreciate the trust shown to me by the members of the General Assembly.

(11) Commission Members' Comments:
The Commission was impressed with the comments from members of the Bar about Judge Addy's judicial temperament and his ability to control the courtroom with both his voice and actions.

(12) Conclusion:
The Commission found Judge Addy qualified and nominated him for election to Circuit Court, Eighth Judicial Circuit, Seat 1.

The Honorable Perry H. Gravely
Circuit Court, Thirteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Gravely meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Gravely was born in 1960. He is 61 years old and a resident of Pickens, South Carolina. Judge Gravely provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Gravely.

Judge Gravely demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Gravely reported that he has not made any campaign expenditures.

Judge Gravely testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Gravely testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Gravely to be intelligent and knowledgeable.

Judge Gravely reported that he has taught the following law-related courses:
(a) I lectured at the South Carolina Solicitors' Association Annual Conference (September 21, 2015) in Myrtle Beach, S.C. on issues relating to criminal appeals on a panel with other Circuit Judges.

(b) I lectured at the S.C. Summary Court Judges Association Conference (May, 2016) in Hickory Knob State Park on the Ethical Dilemma of Dealing with Sovereign Citizens and other Difficult Parties.

(c) I lectured at the New Magistrates' Orientation School (July 29, 2016) in Columbia, S.C. on issues relating to jury trials, sanctions, jury charges and appeals in Criminal and Civil cases.

(d) I lectured at the S.C. Defense Trail Attorneys' Summer Meeting (July 30, 2016) in Asheville, N.C. on various topics relating to civil trials and motions.

(e) I lectured at the Magistrate and Municipal Court Meeting (August 24, 2018) in Liberty, S.C. on issues relating to bond requirements.

(f) I spoke at the S.C. Clerk's Conference (September 26, 2018) in Greenville, S.C. on topics relating to issues with e-filing, role as Chief Administrative Judge and State Opioid Litigation.

(g) I spoke at the State Probate Judges' Conference (October 9, 2018) in Clemson, S.C. on topics relating to ethics and applicable provisions of the Code of Judicial Conduct.

(h) I lectured at the Annual CLE by Greenville County Bar (February 8, 2019) in Greenville, S.C. on a panel with other judge on topics relating to criminal trials, scheduling and post-conviction relief.

(i) I spoke at the Virtual Upstate Summary Court Judges' Association (May 28, 2020) in Anderson, S.C. on a panel on Magistrate's Appeals in Circuit Court.

(j) I spoke on a panel at the Virtual Local Government Attorneys' Association Conference (November 20, 2020) in Columbia, S.C. on the future of court proceedings after COVID.

(k) I spoke on a panel with other judges at the Virtual Annual CLE by Greenville County Bar (February 5, 2021) on issues relating to Civil Court and efiling.

(l) I was a guest lecturer for Dr. David Alvis' Virtual Constitutional Law Class at Wofford College on Significant Supreme Court Opinions. (April 28, 2020 and March 4, 2021)

(m) I have spoken to various classes and school groups at Local High Schools and Elementary Schools about law related topics and my role as a circuit judge on numerous occasions.

Judge Gravely reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Gravely did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Gravely did not indicate any evidence of a troubled financial status. Judge Gravely has handled his financial affairs responsibly.

The Commission also noted that Judge Gravely was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Gravely reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV-Preeminent.

Judge Gravely reported that he has not served in the military.

Judge Gravely reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Gravely appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Gravely appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Gravely was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

(a) Graduated law school, June, 1986.

(b) Leatherwood, Walker, Todd and Mann, P.A. Greenville, S.C. Associate (1986-1992). Practiced insurance defense litigation, family laws and general litigation in State Circuit Courts, Summary Courts and Federal Court. No administrative or financial management.

(c) Acker, Welmaker and Johnson, P.A., Pickens, S.C. Associate (1992-1993). Practiced in insurance defense litigation, family law, summary courts, general litigation, criminal defense, criminal prosecution for municipal courts, estate planning, estate litigation, real estate, business and corporate law. No administrative or financial management.

(d) Acker, Welmaker, Johnson and Gravely, P.A., Pickens, S.C. Partner (1993-1995). Practiced in insurance defense litigation, family law, summary courts, general litigation, criminal defense, criminal prosecution for municipal courts, estate planning, estate litigation, real estate, business and corporate law. Limited administrative and financial management. No management of trust accounts.

(e) The Gravely Law Firm, P.A., Pickens, S.C. Owner/Sole Practitioner (1995-2015). Practiced insurance defense litigation, family law, summary courts, general litigation, criminal defense, estate planning, estate litigation, real estate, business and corporate law. In charge of all administrative and financial management, including trust accounts.

(f) City of Pickens- Part-time Municipal Court Judge (2003-2015). Handled criminal matters before Municipal Court, bench trials, jury trials, bonds, warrants, preliminary hearings and matters related to these duties. No management of financial matters or trust account. Administrative management over staff and office.

(g) Circuit Court Judge, Thirteenth Circuit (2015-Present). No management of financial matters or trust account. Administrative management over staff and office.

Judge Gravely reported that he has held the following judicial office(s):

(a) Municipal Judge, City of Pickens from 2003-2015. Appointed Part-time. Limited jurisdiction for criminal matters.
(b) Appointed as Special Referee in numerous civil cases involving foreclosures, partition actions, property disputes and Estate Matters from 2005-2015.
(c) Circuit Judge, Thirteenth Judicial Circuit. Elected 2015 to present. Unlimited jurisdiction.

Judge Gravely provided the following list of his most significant orders or opinions:
(a) Chemgard, Inc. v. Haynes, 2015-CP-23-03546. Order granting Preliminary Injunction. Issued on July 17, 2015.
(b) Van's Camp, LLC v. State of South Carolina, et.al. 2013-CP-23-06719. Order granting Summary Judgment in favor of Defendants. Issued on July 8, 2016.
(c) Rouse v. State, 2015-CP-23-0995. Order granting PCR filed on March 29, 2018 based on Motion to Reconsider after initially filing an Order of Dismissal. The South Carolina Court of Appeal denied Appellant's Petition for Writ of Certiorari as of February 17, 2021. Appellant Case No. 2018-000627.
(d) White v. Green, et.al. 2016-CP-37. Order granting easement from Non-Jury Trial. Issued April 23, 2018. Affirmed in unpublished opinion of S.C. Court of Appeals. (No. 2021-UP-083-Filed March 17, 2021.)
(e) Gilreath v. Lewis, et.al. 2017-CP-23-4367. Order for Sanctions. Issued June 12, 2018.

Judge Gravely reported no other employment while serving as a judge:

(9) Judicial Temperament:
The Commission believes that Judge Gravely's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Gravely to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of

ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Gravely is married to Kathryn Coleman Gravely. He has four children.

Judge Gravely reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Greenville County Bar Association
(c) Pickens County Bar Association
(d) American Bar Association
(e) Wofford Legal Society
(f) Haynsworth / Perry Chapter of the American Inns of Court

Judge Gravely provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) BSA Scout Troop 51-Scoutmaster
(b) Preservation of Southern Appalachian Music- Board Member, Secretary
(c) Wofford Legal Society-organizer
(d) Active Pickens Partnership-organizer
(e) South Carolina Judicial Golf Invitational Classic- Board Member
(f) Pickens County Historical Society, Member
(g) Grace United Methodist Church, Pickens, S.C., Member

Judge Gravely further reported:

As an attorney, I practiced law in many different areas, including criminal, civil and probate and handled matters in Magistrate's Court, Municipal Court, Federal Court, Probate Court, General Sessions, Common Pleas and various regulatory agencies. I represented individuals, businesses, Plaintiffs, Defendants, Government agencies and served as a part-time prosecutor in Municipal Court. I also served as a Municipal Judge (obviously not at the same time as serving as prosecutor.) My vast experience in many different areas of the law has helped prepare me for being a Circuit Judge. Because of these experiences, I am aware of the challenges presented by the Court

system and the obstacles that parties and their attorneys must overcome to get their cases heard.

During the COVID Pandemic over the past 17 months, a portion of which I served as the Chief Administrative Judge for Civil for the Thirteenth Circuit, I have worked closely with the clerks' offices in Greenville and Pickens Counties to conduct hearings and address scheduling issues. Through our team effort and hard work, these counties are well positioned to move forward after the pandemic and have remained current on most civil matters involving Motions and Non-Jury hearings. Because of the numerous WebEx hearings held, Court Administration selected me to conduct a pilot program for the Virtual Courtroom which allowed the public to view Court proceedings and make it easier to schedule hearings. This procedure was ultimately adopted by the South Carolina Court Administration for the entire state. The Virtual Courtroom has been a great benefit for handling most matters before the Court.

As a Judge, I was appointed to handle the "Polar Express" State Grand Jury case involving a meth conspiracy throughout the upstate and at the time was the largest ever State Grand Jury case with 65 defendants. The Chief Justice has also appointed me to handle all South Carolina Opioid Litigation consisting of 46 different cases throughout the state and will be pending for many years to come. Both of these matters have provided me with invaluable experience in handling complex matters and quite frankly has made me a better judge.

My involvement in the community, as a Judge and lawyer, has allowed me to stay grounded even as I sit on the "lofty" bench and the experiences have helped me empathize with parties and the struggles they have to deal with on a daily basis.

One of my primary principles as a judge is to treat every party, lawyer, witness and Courtroom staff with respect and allow all parties the opportunity to be heard. It is important to give every party the opportunity to have a fair and impartial hearing on their cases regardless of his or her position or status in life. I believe that throughout my judicial career, I have followed these principles.

(11) Commission Members' Comments:
The Commission commented that Judge Gravely has an outstanding reputation among those attorneys who practice before him. They noted his excellent judicial temperament and demeanor and appreciate his service to the bench and the bar.

(12) Conclusion:
The Commission found Judge Gravely qualified and nominated him for re-election to Circuit Court, Thirteenth Judicial Circuit, Seat 1.

The Honorable Alex Kinlaw Jr.
Circuit Court, Thirteenth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Kinlaw meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Kinlaw was born in 1952. He is 69 years old and a resident of Greenville, South Carolina. Judge Kinlaw provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kinlaw.

Judge Kinlaw demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kinlaw reported that he has not made any campaign expenditures.

Judge Kinlaw testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kinlaw testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Kinlaw to be intelligent and knowledgeable.

Judge Kinlaw reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Kinlaw reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Kinlaw did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kinlaw did not indicate any evidence of a troubled financial status. Judge Kinlaw has handled his financial affairs responsibly.

The Commission also noted that Judge Kinlaw was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Kinlaw reported that he is not rated by any legal rating organization.

Judge Kinlaw reported that he has not served in the military.

Judge Kinlaw reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Kinlaw appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Kinlaw appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Kinlaw was admitted to the South Carolina Bar in 1978.

He gave the following account of his legal experience since graduation from law school:
(a) 1978 -1980 Legal Services of Western Carolina
(b) 1980-1981 Greenville County Public Defender's Office
(c) 1982-2009 Private Practice with Office at 309 Mills Avenue Greenville South Carolina (Personal Injury, Family Law and Criminal Law) - I was a sole practioner and handled all management and fiscal responsibilities while in private practice.
(d) 2009-2018 – Family Court Judge Thirteenth Judicial Circuit
(e) 2018-Present – Circuit Court Judge Thirteenth Judicial Circuit

Judge Kinlaw has held the following judicial offices:
Family Court, Thirteenth Judicial District, Seat 6.
Circuit Court, Thirteenth Judicial District, Seat 4.

Judge Kinlaw reported no other employment while serving as a judge.

Judge Kinlaw further reported the following regarding unsuccessful candidacies:
(a) A Family Court Seat in 2008
(b) A Circuit Court Seat in 2012

(9) Judicial Temperament:
The Commission believes that Judge Kinlaw's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualifications found Judge Kinlaw "Qualified" in the evaluative criteria of constitutional qualification, physical health, and mental ability; and "Well-Qualified" in the areas of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Kinlaw is married to Yvette Wiggins Kinlaw. He has two children.

Judge Kinlaw reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association Member 1978
(b) Donald J. Sampson Bar Association Member 1985

Judge Kinlaw stated that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Alpha Phi Alpha Fraternity, Inc.
(b) Sigma Psi Pi Fraternity

Judge Kinlaw further reported:
I have really strived to make all litigants feel comfortable during their time in my Courtroom. No matter what the issues are, litigants deserve to be treated with dignity and respect.

(11) Commission Members' Comments:
The Commission commented that Judge Kinlaw has an outstanding reputation as a jurist. Members noted his prior experience as a Family Court Judge, fairness, and respect for those who appear in his courtroom as just some of his attributes that have ably served him in discharging his responsibilities as a Circuit Court Judge.

(12) Conclusion:
The Commission found Judge Kinlaw qualified and nominated him for re-election to Circuit Court, Thirteenth Judicial District, Seat 4.

The Honorable William A. McKinnon
Circuit Court, Sixteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge McKinnon meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McKinnon was born in 1973. He is 48 years old and a resident of Rock Hill, South Carolina. Judge McKinnon provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge McKinnon.

Judge McKinnon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McKinnon reported that he has not made any campaign expenditures.

Judge McKinnon testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McKinnon testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge McKinnon to be intelligent and knowledgeable.

Judge McKinnon reported that he has given the following law-related lecture:
I have lectured at the 2008 SCAJ Annual Convention about Email Subpoenas to Third-Party Internet Service Providers

Judge McKinnon reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge McKinnon did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McKinnon did not indicate any evidence of a troubled financial status. Judge McKinnon has handled his financial affairs responsibly.

The Commission also noted that Judge McKinnon was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge McKinnon reported that he is not rated by any legal rating organization.

Judge McKinnon reported that he has not served in the military.

Judge McKinnon reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge McKinnon appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge McKinnon appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge McKinnon was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

(a) Law Clerk to the Hon. Joseph F. Anderson, Jr., Chief Judge of the United States District Court for the District of South Carolina (2001-2002).
(b) Law Clerk to the Hon. Andrew J. Kleinfeld, Circuit Judge, United States Court of Appeals for the Ninth Circuit (2002-2003).
(c) Covington & Burling, Washington, DC, (2003-2004). 100% litigation with a nation-wide practice, split approximately 50/50 between complex corporate litigation (representing defendants) and white collar criminal defense, including defense of securities violations.
(d) Lewis, Babcock & Hawkins, Columbia, SC (2004-2006). 100% civil litigation, including complex civil cases in the federal and state courts of South Carolina, and appeals in both the federal and South Carolina appellate courts. My practice included all aspects of civil litigation, and was approximately 2/3 plaintiff-side and 1/3 defense-side.
(e) Solo Private Practice, Columbia, SC (2006-2007). 100% civil litigation, almost entirely a single plaintiff-side trust litigation matter involving a prominent family and a significant amount of money.
(f) McGowan, Hood & Felder, LLC, Rock Hill, SC (2007-2016). 85% civil litigation, which was entirely plaintiff-side (excepting defense of other lawyers on ethics charges), and 15% criminal defense. My civil practice

consisted of about 50% medical malpractice work and the remainder was complex civil litigation in the federal and state courts, including appeals. My criminal defense work was in the state court system only. I also assisted other lawyers with ethics issues, sometimes pro bono and sometimes for a fee. The criminal defense work dropped off significantly in the final eighteen months or so because there were less appointed cases referred to the private bar.

(g) Assistant Solicitor, Sixteenth Circuit Solicitor's Office (2015-2018). I started part-time in 2015 prosecuting DUIs, and closed my private practice and went full time in 2016. After joining the office full-time, my practice was 100% prosecution of criminal offenses in the general sessions court.

(h) Circuit Judge, Sixteenth Judicial Circuit (2018-present)

I have not been involved in administrative or financial management of any of the firms I have practiced with, other than my solo private practice, where I billed hourly and did not have any client funds (I only billed for work performed).

Judge McKinnon reported that he has held the following judicial office(s):
Elected as a Resident Circuit Judge, Sixteenth Judicial Circuit of South Carolina in 2018, and continue to serve in that office. This is a court of general jurisdiction over criminal and civil matters.

Judge McKinnon provided the following list of his most significant orders or opinions:

(a) Home Builders Association of South Carolina v. State. Bench trial judgment for Defendants, rejecting challenge to an impact fee imposed on certain new homes in York County. Affirmed by unpublished opinion, Home Builders Ass'n of S.C. v. State, No. 2020-000612, 2021 WL 914200 (S.C. 2021).

(b) In re May 20th, 2021 Meeting of the York County Grand Jury. Order addressing reported grand juror misconduct.

(c) Garris v Lexington School District One. Bench trial involving allegations of FOIA violations by a school board. Currently on appeal.

(d) Burgoon v Davis et al. Order denying motion to dismiss in a complicated interstate trust matter which also included personal jurisdiction, ripeness and venue as issues.
(e) Saul v Sinyard. Order finding the circuit court lacked jurisdiction to partition property which was already under a family court order to be sold as part of divorce proceedings.

Judge McKinnon reported no other employment while serving as a judge:

Judge McKinnon further reported the following regarding unsuccessful candidacies:
I was a candidate for the circuit court on two prior occasions; both public hearings were in 2014. I was screened out of the JMSC for a Sixteenth Circuit resident judge seat but another candidate was selected (I withdrew prior to the actual vote), and I was not screened out of the JMSC for an at-large seat.

(9) Judicial Temperament:
The Commission believes that Judge McKinnon's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification found Judge McKinnon to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health and mental stability; and "Well-Qualified" in the evaluative criteria of ethic fitness, professional and academic ability, character, reputation, experience and judicial temperament. The committee stated in summary, "Though his record of scholarship is formidable, one could not tell from Judge McKinnon's humble and conscientious approach to his work as a judge. He is clearly a man who is always eager to learn more, yet he tempers his intellect with wisdom and common sense. His industriousness and avowed love for his job bring credit not only to his work, but the judicial profession generally."

Judge McKinnon is married to Ellen Angelina Whitley McKinnon. He has one child.

Judge McKinnon reported that he was a member of the following Bar association:
York County Bar

Judge McKinnon provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) National Rifle Association – Firearm Safety and Pistol Instructor
(b) Westminster Presbyterian Church – Formerly a Deacon and now a Ruling Elder

Judge McKinnon further reported:

I previously served as a Deacon and as a Ruling Elder at Westminster Presbyterian Church in Rock Hill, and expect to rotate back on to the Session (elder board) this year. My job as a deacon was "emergency care" of congregational members. I spent a lot of time assisting, counseling, and praying with people struggling with some very difficult circumstances. I do think this experience changed me. I think that as a result of this work, I am more able to put myself in the shoes of litigants, victims, and defendants. Additionally, I have significant experience with students, having been a teacher and volunteer with the youth group at my church, experience which has given me significant insight into how youth are impacted by difficult family situations.

Finally, I think my wide range of prior experience helps me be more effective as a judge. I have worked at a firm with over 300 lawyers in one office, and also been a solo practitioner. I've appeared in Magistrate's Court a few times, and filed cert petitions with the US Supreme Court. I've been a law clerk in a trial court and an appellate court. I've argued about every type of motion that exists. I both defended criminal clients and served as an assistant solicitor. I think this breadth of experience helps me better relate to, and work with, all of the various lawyers we have in the Sixteenth Circuit and our state, as well as the members of the public who come before me as litigants or defendants.

(11) Commission Members' Comments:
The Commission commented that Judge McKinnon appears to be in an elite group among judges in regards to his exceptional temperament.

(12) Conclusion:
The Commission found Judge McKinnon qualified and nominated him for re-election to Circuit Court, Sixteenth Judicial Circuit, Seat 1.

The Honorable Daniel Hall
Circuit Court, Sixteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Hall meets the qualifications prescribed by law for judicial service as a Circuit Court judge.
Judge Hall was born in 1954. He is 67 years old and a resident of York, South Carolina. Judge Hall provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988. He was also admitted to the North Carolina Bar in 1988.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hall.

Judge Hall demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hall reported that he has not made any campaign expenditures.

Judge Hall testified he has not:
(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hall testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Hall to be intelligent and knowledgeable.

Judge Hall reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Hall reported that he has published the following:
Clergy Confidentiality: "A Time to Speak and a Time to Be Silent," by Lynn Buzzard and Dan Hall, 1988, Christian Management Association.

(4) Character:
The Commission's investigation of Judge Hall did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hall did not indicate any evidence of a troubled financial status. Judge Hall has handled his financial affairs responsibly.

The Commission also noted that Judge Hall was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Hall reported that he is not rated by any legal rating organization.

Judge Hall reported that he has not served in the military.

Judge Hall reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Hall appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Hall appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Hall was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:
(a) Sixteen Judicial Circuit Solicitor's Office, 1988-1990
(b) Sole Practitioner, 1991-1999, General practice with focus on personal injury and criminal defense – Responsible for all management including trust accounts.
(c) Municipal Judge, York, South Carolina – 1993-1999
(d) Sixteenth Judicial Circuit Solicitor's Office, Assistant Solicitor, 1999-2011
(e) Sixteenth Judicial Circuit Public Defender's Office, Assistant Public Defender, June 2011-August 2014
(f) Sixteenth Judicial Circuit Resident Judge – January 1, 2015-present

Judge Hall reported that he has held the following judicial office(s):
(a) Sixteenth Judicial Circuit Resident Judge - January 1-present.
(b) Municipal Judge – City of York, South Carolina – 1993-1999
Appointed by the York City Council
Signed criminal warrants, set bonds and held preliminary hearings for General Sessions matters occurring in city limits. Presided over plea court, bench trials and jury trials for criminal or traffic charges in which the statutory penalty was no greater than 30 days in jail or the fine was not more than $200

Judge Hall provided the following list of his most significant orders or opinions:

(a) Morningstar v. York County, 2013CP46246.
South Carolina Court of Appeals Unpublished Opinion No. 2018-UP-250

(b) State v. James Baldwin, 2018GS1200733.
This was a ten day murder trial with a number of significant evidentiary rulings.

(c) State v. Leigh Ann Deel, 2018GS4602211
This was an order quashing nine hundred indictments submitted to the York County
Grand Jury by the solicitor and acted upon in a ten hour period. The Court ruled this was an unnecessary and unreasonable burden on the grand jury.

(d) Dolbert v. Jeff Carlson, 2020CP1001917.
This was a complex LLC dissolution case with a very lengthy hearing on a number of motions including Partial Summary Judgment, Temporary Restraining Order and Motion to Dismiss.

(e) State v. Christian Mark Cutler, 2019GS2308746.
This was a Domestic Violence First Degree trial in which the Court ordered a bifurcation of the trial in order to comply the South Carolina Supreme Court's ruling in State v. Cross, 832 SE2nd 281(2019).

Judge Hall reported no other employment while serving as a judge.

Judge Hall further reported the following regarding unsuccessful candidacies:

(a) Republican Primary Candidate for Solicitor, Sixteenth Judicial Circuit – June, 1996
(b) Candidate for Judge, Sixteenth Circuit Family Court – 1998 – withdrew
(c) Candidate for Judge, Circuit Court At-Large, Seat 9, March 2006 – Qualified but not nominated
(d) Candidate for Judge, Circuit Court At-Large, Seat6, January 2009 – Qualified and Nominated, but withdrew prior to February election
(e) Candidate for Judge, Circuit Court At-Large, Seat 8, January 2010 – Qualified but not nominated

(f) Candidate for Judge, Circuit Court At-Large, Seat 9, January 2011 – Qualified and Nominated, but withdrew prior to February election
(g) Candidate for Judge, Circuit Court At-Large, Seat 16. January 2012 – Qualified and Nominated, but withdrew prior to February election

(9) Judicial Temperament:
The Commission reviewed the BallotBox survey responses for Judge Hall and the allegations about his improper judicial temperament that were raised in a complaint filed with the Commission. Judge Hall's written response, as well as his testimony at the public hearing, was that while he disagrees with this criticism, he will continue to work on having a more sensitive and polite demeanor. The Commission noted that an overwhelming percentage of the BallotBox respondents found Judge Hall to be well-qualified in the evaluative criteria of judicial temperament.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification found Judge Hall "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Judge Hall brings to the bench a wide range of professional experience, both legal and non-legal. This experience is reflected in his admirable work ethic, his dogged independence, and his determination to treat all who come before him fairly and without preference. The Committee believes that Judge Hall is well-qualified to serve as a Circuit Judge."

Judge Hall is married to Cathleen McCreight Hall. He has four children.

Judge Hall reported that he was a member of the following Bar and professional associations:
(a) York County Bar Association – Treasurer, 1992
(b) SC Bar Association

(c) NC Bar Association

Judge Hall provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations: Filbert Presbyterian Church – Clerk of Session

(11) Commission Members' Comments:
The Commission addressed concerns regarding bias and temperament. Judge Hall responded to the concerns that were raised, and the Commission was satisfied with both his written response to the complaints and his testimony during the public hearing. In addition, Judge Hall assured the Commission that he will continue to improve his temperament and refrain from showing any bias to attorneys or litigants.

An affidavit was filed against Judge Hall by Solicitor Kevin Brackett, and the Commission reviewed the documents submitted by the Solicitor. Judge Hall testified in response to the complaint and provided a written response, which the Commission also reviewed. Upon review of the complaint, the oral and written responses, and the documents provided, the Commission does not find a failing on the part of Judge Hall in the nine evaluative criteria, and further finds that the complainant was not credible in light of the overwhelming percentage of positive BallotBox survey responses in support of Judge Hall.

A separate affidavit was also filed against Judge Hall by Mrs. Daisy Neal. The Commission reviewed the documents submitted by Mrs. Neal and heard testimony from Mr. and Mrs. Neal. Judge Hall provided a written response to the affidavit, which the Commission also reviewed. Upon reviewing the complaint, the written response, and the documents provided, the Commission does not find a failing on the part of Judge Hall in the nine evaluative criteria.

(12) Conclusion:
The Commission found Judge Hall qualified and nominated him for re-election to Circuit Court, Sixteenth Judicial Circuit, Seat 2.

THURSDAY, JANUARY 13, 2022

FAMILY COURT
QUALIFIED AND NOMINATED

The Honorable Michael H. Murphy III
Family Court, First Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, First Judicial Circuit, Seat 2, 2 candidates applied for this vacancy, and 1 candidate withdrew before the Commission voted. Accordingly, the name and qualification of 1 candidate is hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Murphy meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Murphy was born in 1970. He is 51 years old and a resident of Summerville, South Carolina. Judge Murphy provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Murphy.

Judge Murphy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Murphy reported that he has made $490.04 in campaign expenditures for paper, printing and postage.

Judge Murphy testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Murphy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Murphy to be intelligent and knowledgeable.

Judge Murphy reported that he has taught the following law-related courses:

(a) I have taught one semester of Business Law at Limestone College. The course was held at the Defense Finance and Accounting Service (DFAS) building in North Charleston, South Carolina.

(b) Throughout my twenty years as a judge advocate officer I have taught numerous courses on such subjects as Rules of Engagement (ROE), Standard Rules for the Use of Force (SRUF), Law of Armed Conflict, Code of Conduct, Detainee Operations, Ethics, Military Justice (State and Federal), Investigations, Domestic Operations, Equal Opportunity (EO), Sexual Harassment Assault Response Prevention (SHARP), and other topics.

Judge Murphy reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Murphy did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Murphy did not indicate any evidence of a troubled financial status. Judge Murphy has handled his financial affairs responsibly.

The Commission also noted that Judge Murphy was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Murphy reported that his last available rating by a legal rating organization, Martindale-Hubbell, was 4.4/5.0 Peer Reviews Distinguished for High Professional Achievement.

Judge Murphy reported the following military service:
Yes. Current rank: 06/Colonel. Current M-day soldier (not full time).
(a) South Carolina Army Reserve National Guard, 1989-1995, 1997-present
(b) Mississippi Army Reserve National Guard, 1995-1997
(c) DD214s (3) attached as Exhibit A. Honorable.

Judge Murphy reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Murphy appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Murphy appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Murphy was admitted to the South Carolina Bar in 1998.

He gave the following account of his legal experience since graduation from law school:
(a) Wern Law Firm, North Charleston, SC
Associate, May 11, 1998 to November 1999

Personal injury attorney. Pursued recovery for clients involved in auto accidents, slip and falls, dog bites and other personal injuries.

(b) Ninth Circuit Solicitor's Office, Moncks Corner, SC
Assistant Solicitor, January 1999-March 2001
Prosecuted Misdemeanors and Felonies ranging from Forgery to Murder in General Sessions Court. I also prosecuted juvenile cases in family court during this time when the need arose.

(c) Steinberg Law Firm, Goose Creek and Summerville, SC
Associate, March 2001-March 2007
Trial attorney, Personal Injury, Worker's Compensation, Social Security Disability, Domestic (to include Juvenile Defense), and Criminal Defense

(d) Quattlebaum and Murphy, LLP, Summerville, SC
Partner, March 2007-Decmber 31, 2007
Trial attorney, Personal Injury, Worker's Compensation, Social Security Disability, Domestic (to include Juvenile Defense), and Criminal Defense

(e) Murphy Law Firm, LLC, Summerville, SC
Partner, January 1, 2008 - December 31, 2010
Trial attorney, Personal Injury, Worker's Compensation, Social Security Disability, Domestic (to include Juvenile Defense), and Criminal Defense

(f) Solo Practitioner
Contract attorney, September 2011 - 2014

i. Berkeley County Department of Social Services. Represented DSS in Abuse and Neglect Cases. October 2011 to December 2001. Moncks Corner, SC
ii. First Circuit Solicitor's Office. Prosecuted misdemeanors crimes in Dorchester County Magistrate court and later cases in Orangeburg County General Sessions Court. January 2012 to June 2012; October 2013 to March 2014. Summerville and Orangeburg, SC

(g) Vannoy and Murphy, Moncks Corner, SC
Partner, January 1, 2014, to present
Trial attorney, Personal Injury, Worker's Compensation, Social Security Disability, Domestic(to include Juvenile Defense), and Veteran Disability.

(h) South Carolina Army Reserve National Guard. May 23, 1989, to present. Current position is military judge.

Judge Murphy further reported regarding his experience with the Family Court practice area:

Divorce. I have extensive experience in divorce cases. Since I left the Ninth Judicial Circuit Solicitor's Office and joined Steinberg Law Firm, I developed and have grown an extensive family law practice. I have represented clients either as a Plaintiff or Defendant counsel and only as sole counsel. All grounds of divorce have been pursued or defended. I have argued and defended hundreds of motions in front of judges to include emergency motions, expedited motions, motions to compel, motions to quash, and other motions that arose prior to the hearing on the merits. I have resolved numerous divorces through agreement or contested trials. On several occasions, I have effectuated service on hard to locate defendants and if required, service through orders of publication. Finally, I have represented several clients either in separate support and maintenance actions and property settlement agreements.

Equitable Division of Property. As part of the divorces described above, numerous clients possessed substantial real and personal property and investment accounts. I have actively engaged in the discovery process, to include subpoenas, depositions, and written discovery, to get a clear picture of the adverse party's' financial position to properly advise my client. I have also responded to the same request from the opposing party. I have drafted quit claim deeds, qualified domestic relations orders, and other transfer of ownership documents upon agreement or decision by judges to effectuate the equitable division of property. Further, I have drafted numerous orders dividing military spousal benefits.

Child custody. A substantial number of child custody issues arise during the divorce process above. On several occasions' pleadings addressed such allegations of habitual drunkenness, physical cruelty, and other areas of unfitness as a parent. On most occasions, my clients received either sole custody or primary custody of their child(ren). On occasions, although my clients were not awarded custody by the court initially, this changed either prior to or at the merits hearing.

Further, I have represented single mothers, as well as, non-custodial fathers. Representation of single mothers arose in situations where the non-custodial father would not return the child or a prior agreement between the parties was no longer

applicable, such as the other party engaging in excessive alcohol or drug use. For non-custodial fathers, I have sought either custody of their minor child or visitation rights. This usually has occurred when the custodial mother, although allowing visitation before, suddenly stopped visitation.

Adoption. I have handled several termination of parental rights (TPR) cases followed by the adoption of the minor child(ren). My representation included contested and non-contested cases. On occasions I have defended TPR cases with, if successful, had a follow-on request for adoption. These cases were either privately brought or brought by the Department of Social Services. At the time of this submission, I have three (3) TPR/adoption cases pending.

Abuse and Neglect. For abuse and neglect, I previously was a contract attorney with the Department of Social Services. I handled abuse and neglect cases through Berkeley County at the Probable Cause Hearing, First Call Merits Hearing, Merits Hearing, Intervention Hearings, and Permeancy Planning Hearing, either by agreement or contested. I worked extensively with the case workers in the preparation of the case and advised the caseworkers during the investigation.

While in private practice, I have defended numerous clients in actions brought by the Department of Social Services. As above, all stages of a DSS cases were handled (Probable Cause Hearing, First Call Merits Hearing, Merits Hearing, Intervention Hearings, and Permeancy Planning Hearing). Further, I have attended numerous settlement conferences, and foster care review board meetings at local DSS offices and represented numerous clients subject to a DSS safety plan.

Juvenile Justice. When I was with the Solicitors Office Ninth Judicial Circuit, I prosecuted juvenile cases to include all status offenses and non-status offenses. When I entered private practice, I continued to practice juvenile justice but on the defense side.

I have represented juveniles on status offenses and non-status offense, to include armed robbery, burglary, criminal sexual conduct, truancy, incorrigible and runaway, to name a few. Representation included appearances at detention hearings, adjudications hearings and disposition hearings. On several occasions, I have represented juveniles at probation revocation hearings.

Other: I also represent clients in cases against the South Carolina Department of Social Services (child support enforcement division), child support modifications, child support arrears cases, and request for child support cases. I also have represented clients on rule to show cause cases. I have pursued and defended rule to show cause matters.

The frequency of my appearance before a family court judge is significant with my case load being eighty-five percent (85%) family law. I routinely appear in Charleston County, Berkeley County, and Dorchester County, with occasional appearances outside of the tri-county area. Prior to COVID-19 on average, I appeared in Family Court ten (10) to fifteen (15) times per month, if not more.

Judge Murphy reported the frequency of his court appearances prior to his service on the bench as follows:
(a) federal: 5% (Administrative Hearings)
(b) state: 95%

Judge Murphy reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) civil: 5%
(b) criminal: 5% (Juvenile Proceedings in Family Court)
(c) domestic: 85%
(d) other: 5%

Judge Murphy reported the percentage of his practice in trial court prior to his service on the bench as follows:
(a) jury: 0%
(b) non-jury: 100%

Judge Murphy provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Murphy's account of his five most significant litigated matters:
(a) Buchwalter case. The Buchwalter case is a fault-ground divorce and child custody case. The case started on an emergency basis as the wife was in the process of relocating

the minor children to Georgia. Once notified that she would be leaving as evidenced by her packing the car with her and the children's belongings, faced with extreme time constraints, an ex-parte order was requested and granted preventing the wife from removing the children from South Carolina. Further, the ex-parte order granted my client temporary custody of the minor children to include a non-biological child. At the time of service of the pleadings and ex-parte order, the wife had the children in the car packed up and was in the process of leaving for Georgia. We successfully stopped her relocation of the children to the State of Georgia, and received ex-parte custody of the children. This began as a highly contested case with numerous parties involved, to include opposing counsel, guardian ad litem and biological father of my client's stepdaughter. The matter ended by agreement with my client retaining custody of all children, to include his stepdaughter under the de facto custodian principle. This matter arose after my redeployment from Kosovo and was my first contested action upon reentering private practice after a year-long overseas deployment.

(b) Gage case. The Gage case involved child custody. The parties were not married so initial custody resided with the natural mother. I have represented Mr. Gage on several occasions during the years 2014 to 2020. In 2014, I represented Mr. Gage in the pursuit of visitation rights. I was successful but the case ended in a dismissal as both parties did not appear at the Final Hearing. Fast forward several years with Mr. Gage making substantial positive changes in his life. We filed an action requesting sole custody of the minor child of the case due to the mother engaging in frequent illegal drug use and having the minor child in an unsafe environment due to the exposure to criminals and criminal activity. This case involved a total of four (4) temporary hearings to include an emergency hearing. The parties in this case operated under four (4) temporary orders. Mr. Gage in this action first shared joint-custody (week on/week off) of the minor child, but after several change of circumstances motions, Mr. Gage was awarded sole custody of the minor child with the biological mother receiving visitation at Mr. Gage's discretion on a final basis. Mr.

Gage, as mentioned previously, made substantial positive changes in his life, and through perseverance this fact became known to the court ending in full custody for Mr. Gage.

(c) Estes case. The Estes case did not begin well for my client. Prior to my representation, an order was issued against my client for criminal contempt that had her in custody at the local detention center. Ms. Estes was married but her husband was not the biological father of her child. She left the marriage and took her biological child with her out of state to Louisiana. There existed a court order in place preventing this which gave rise to the criminal contempt noted above. Her now ex-husband received custody of her child under this court order. I filed a motion requesting that the order be vacated, and custody returned to my client. We were successful. Thus began a highly contested child custody case. The action included several motions; a rule to show cause petition, appointment of a guardian ad litem, mediation, and settlement negotiations throughout. At the conclusion of the case, my client was allowed to return to the State of Louisiana with her minor child with her ex-husband receiving visitation rights.

(d) Karabees case. I have represented Mr. Karabees on numerous occasions. The first representation included a protection from domestic abuse action with a corresponding Department of Social Service Abuse and Neglect matter. The matters were resolved through reconciliation of the parties and the return of the minor child to the parties. Unfortunately, there was a breakdown of the marriage with the wife filing against Mr. Karabees seeking sole custody of their child. This matter was resolved by agreement where the parties shared custody of the minor child. While operating under this order, Ms. Karabees relocated out of state with the minor child. An action was filed seeking the return of the minor child. During the pendency of the action, Mr. Karabees was arrested for a serious criminal charge. Due to his pending criminal charge, the mother was no longer allowing his visitation with the minor child. We filed an action seeking divorce and return of the child. Numerous orders were issued to include an ex-parte order granting Mr. Karabees custody as the child was not returned to South

Carolina initially. The matter was eventually resolved with the parties agreeing to share custody of the minor child. Recently, another action was filed wherein the ex-wife sought emergency sole custody of the minor child. At the emergency hearing the relief requested by Ms. Karabees was denied with attorney fees awarded to my client. The matter is still pending.

(e) Al-Dujail trial: During my deployment to Iraq, I was an attorney advisor for Iraq High-Tribunal (IHT). The IHT was responsible for trying the former regime of Iraq to include the former President Saddam Hussein. As part of this process, the Regime Crime Liaison Office (RCLO) advised the IHT to the point where they were able to conduct the first trial on October 19, 2005. Besides Saddam Hussein, the case involved several co-defendants, Barzan Ibrahim al-Tikriti, Taha Yassin Ramadan, Awad Hamed al-Bandar Al-Sa'dun, Abdullah Kadhem Roweed Al-Musheikhi, Mizher Abdullah Roweed Al-Musheikhi, Ali Daeem Ali, Mohammed Azawi Ali. During that time, I was present and actively engaged in conducting detainee operations, setting up defense counsel visits, administrative hearings, interrogations, and witness interview. I worked hand in hand with all branches of the military, federal agencies to include US Attorneys, FBI, DEA, ATF, US Marshals Services, and the US State Department to include Embassy Staff. Further, I advised the Commanding General (CTF-134) and subordinate Commanders for Detainee Operations in Iraq on legal issues surrounding the detention of Saddam Hussein and high-ranking member of the former Iraq Ba'ath Party Regime in U.S. Custody. I oversaw High Value Detainee (HVD) operations for the RCLO. My responsibilities included scheduling all High Value Criminal (HVC) and High Value Detainee (HVD) defense counsel visits for 64 individuals, actively participating in weekly high-risk defense attorney pick-ups at Entry Control Point (ECP) 1 at Route Irish. I further planned, coordinated, and participated in innumerable air and convoy missions required to move the defendants, their international attorneys, RCLO staff, IHT Judges and Investigators between various detention centers and court facilities located near Camp Victory, Baghdad International Airport and the International Zone. I acted as

the primary interface between CTF 134, U.S. Marshalls, other U.S. Police/Intelligence Agencies, Iraq Security Forces, and civilian attorneys representing defendants being held for various war crimes, genocides, and crimes against humanity.

Judge Murphy reported he has not personally handled any civil or criminal appeals.

Judge Murphy reported that he has held the following judicial office(s):

(a) Associate Municipal Judge, Town of Summerville. Appointed. January 2015 to January 2019. Traffic and criminal cases within the municipality of Summerville. Jurisdiction over cases include a fine not exceeding $500.00 or imprisonment not exceeding 30 days, or both. Also, conducted preliminary hearings, bond hearings, jury trials, bench trials, and issued arrest and search warrants.

(b) Part-time Magistrate. Dorchester County. Appointed. September 23, 2020, to present. Jurisdiction includes all criminal offenses subject to the penalty of a fine, as set by statute, but generally, not exceeding $500.00 or imprisonment not exceeding 30 days, or both. Further, responsible for setting bail, conducting preliminary hearings, and issuing arrest and search warrants. Civil jurisdiction when the amount in controversy does not exceed $7,500.00. Routinely preside over rule to vacate and eviction proceedings.

(c) Certified Military Judge pursuant to Article 26 of the Uniform Code of Military Justice and South Carolina Code §25-1-2455. Appointed. May 3, 2019, to present.
Title 10 federal jurisdiction: Except as otherwise expressly provided, special courts-martial may try any person subject to the code for any noncapital offense made punishable by the code and, as provided in this rule, for capital offenses, to include dishonorable discharge, dismissal, confinement for more than 1-year, hard labor without confinement for more than 3 months, forfeiture of pay exceeding two-thirds pay per month, or any forfeiture of pay for more than 1 year.
South Carolina jurisdiction: A military judge presides at all general and special courts-martial and has the same

authority as a South Carolina Circuit Judge in General Sessions Court. Maximum punishment includes (1) dismissal, or dishonorable or bad-conduct discharge; (2) confinement of not more than twelve months; (3) a fine of not more than forty days' pay; (4) reduction of enlisted personnel to the lowest pay grade; (5) forfeiture of pay and allowances not to exceed forty days' pay; (6) a reprimand; (7) any combination of these punishments.

Judge Murphy did not provide a list of his most significant orders or opinions:

Judge Murphy reported the following regarding his employment while serving as a judge:

(a) South Carolina Army Reserve National Guard. May 23, 1989, to present. Current position is military judge.
Responsibilities: Serve as a Military Judge for the South Carolina National Guard. Ensure Special and General Courts-Martial are in strict compliance with the South Carolina Code of Military Justice. Report on all criminal legal actions in the state and coordinates legislative amendments to the Military Code. When not in conflict with judicial duties, provide legal assistance to mobilizing Soldiers, specifically providing wills, powers of attorney, and other necessary documents. Screen mobilizing Soldiers to ensure fitness for deployment with no adverse legal consequences and, when appropriate, assist Soldiers in removing legal impediments to mobilization. Support deploying Soldiers and family members on such collateral issues as USERRA, SCRA, and Family Care Plans. Provide legal advice and assistance to Commanders and Soldiers as needed during DOMOPs. Maintains personal legal and military qualifications.
Supervisor: Brigadier General Jeffrey A. Jones
1 National Guard Road
Columbia, SC 29201
Phone: (803) 299-4215

(b) Vannoy and Murphy. Partner, January 1, 2014, to present.
Responsibilities: Trial attorney in the areas of personal injury, worker's compensation, social security disability,

domestic (to include Juvenile Defense), and veteran disability.
Supervisor: None

(c) Murphy's Law of South Carolina, Inc. January 1, 2011. Owner. I formed this entity after I left Murphy Law Firm, LLC (Question ten). General practice law firm handling legal cases in the areas of personal injury, worker's compensation, social security disability, domestic (to include juvenile defense), criminal defense, veterans' disability and contract work. Former names: Murphy's Law of Summerville, LLC and Murphy's Law of South Carolina, LLC

Judge Murphy further reported the following regarding unsuccessful candidacies:
Yes. Summerville Town Council District Four (4). The general election occurred in 2007.

(9) Judicial Temperament:
The Commission believes that Judge Murphy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Murphy "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Judge Murphy is a well-rounded candidate with strong juvenile practices. He is an excellent problem solver [with] an excellent [track] record of performing under high pressure situations."

Judge Murphy is married to Karin Elizabeth Murphy. He has three children.

Judge Murphy reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar;
(b) Dorchester County Bar;

(c) Berkeley County Bar; and
(d) Military Member South Carolina Bar

Judge Murphy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) National Guard Association (State and Federal)(Life Member)
(b) Military Officers Association of America (Life Member)
(c) Citadel Alumni Association (Life Member)
(d) Citadel Brigadier Foundation
(e) Summerville Citadel Club
(f) Veterans of Foreign Wars (VFW) , Post 3137," Post on the Coast, Post judge Advocate. (Life Member)

Judge Murphy further reported:
I am honored to be considered for a family court judgeship.
Except for a short period of time after birth and attendance at law school out of state, I have called South Carolina home, namely Dorchester County. All of my primary education occurred in Dorchester County. This was followed by The Citadel.
My early life experiences, followed by military service, professional degrees, marriage and fatherhood, developed an individual with humility, confidence, honor, integrity, knowledge, experience, and calmness. Since May 11, 1998, I have acquired the knowledge and experience to positively shape the lives of children and families throughout South Carolina. I look forward to continuing this path as a family court judge.

(11) Commission Members' Comments:
The Commission commented that Judge Murphy has a proven track record of hard work as a part-time magistrate, colonel and military judge with the National Guard, and in his private practice. He has displayed an intelligence and calm temperament that will serve him well on the bench.

(12) Conclusion:
The Commission found Judge Murphy qualified and nominated him for election to Family Court, First Judicial Circuit, Seat 2.

THURSDAY, JANUARY 13, 2022

The Honorable Vicki J. Snelgrove
Family Court, Second Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Snelgrove meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Snelgrove was born in 1957. She is 64 years old and a resident of Aiken, South Carolina. Judge Snelgrove provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1982.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Snelgrove.
Judge Snelgrove demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Snelgrove reported that she has made $45.00 in campaign expenditures to J.D. Davis for assistance with the technology of her application.

Judge Snelgrove testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Snelgrove testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Snelgrove to be intelligent and knowledgeable.

Judge Snelgrove reported that she has taught the following law-related courses:

1994 Hot Tips- family law; Checking the Title of Property Awarded to Your Client; conveying the importance of making sure that you client is getting property free and clear of unknown liens

1992-1996 Presented at South Carolina Trial Lawyers Association Convention-Family Law division presenting case updates on various topics- alimony, child support and custody

1996 Hot Tips-Family Law; Putting Your Client to Work- Ideas for allowing your client to put together information to help his or her own case

2001 Hot Tips; family law- When Do You Do QDRO When You are Not Dividing the Plan? Explanation of a then recent case on the issue of whether ERISA Plan Participants can change the identity of a surviving spouse benefit, even if the spouse consents. Includes the test of Hopkins.

2002 Hot Tips; Family law; Guardian ad Litems for adults in Family Court; suggests that it can be problematic to appoint a GAL for an adult without any evidentiary hearing as to that adult's incompetency. Includes sample notice of motion and motion for appointment of special guardian and/or special conservator and relevant statutes.

2003 Hot Tips; family law; Ideas on How to Divide Investment Assets After Filing. Suggestions on what to do with assets that have changes since the filing of the action.

2005 Hot Tips; family law; Refresher on Checking Your Title. Emphasizes the usefulness of checking title to any property your client may receive in an agreement.

2006 Hot Tips; family law; My Cheat Sheet. Offers a "cheat sheet" strategy for organizing and updating critical case facts and issues.

2007 Hot Tips; family law; cannot recall topic of presentation

2007 Horry County Family Law meeting; family law; UCCJEA v. UCCJA; compare the two statutes and point out the differences.
2008 Hot Tips; family law; Cannot recall topic of presentation
2008 Course Planner for the SC Bar Family Law Meeting seminar
2009 SideBar!; Family law; Discuss important Family Court cases of the last year with Jan Warner
2012 Family Court Bench/Bar
2013 SC Bar Convention
2013 Hot Tips; family law; cannot recall topic
2014 Hot Tips; family law; cannot recall topic
2015 Hot Tips; family law; cannot recall topic
2016 Hot Tips; family law; cannot recall topic
2017 Hot Tips; family law; cannot recall topic
2018 Hot Tips; family law; cannot recall topic
2019 Hot Tips; family law; cannot recall topic
2019 Family Court Bench/Bar- Things I can tell a Family Court Judge that you cannot and things I can tell a family court lawyer that you cannot; presented with my daughter who is family court attorney
2020 Hot Tips; family law; cannot recall topic

Judge Snelgrove reported that she has published the following:
SC Family layers Toolkit- First Edition-evidentiary objections
SC Client Handbook- First Edition; Board of Editors

(4) Character:

The Commission's investigation of Judge Snelgrove did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Snelgrove did not indicate any evidence of a troubled financial status. Judge Snelgrove has handled her financial affairs responsibly.

The Commission also noted that Judge Snelgrove was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Snelgrove reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Snelgrove reported that she has not served in the military.

Judge Snelgrove reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Snelgrove appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Snelgrove appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Snelgrove was admitted to the South Carolina Bar in 1982.

She gave the following account of her legal experience since graduation from law school:
1982-2010 Johnson, Johnson, Whittle and Snelgrove, Attorneys, P.A.
1982-1985a general practice of domestic relations; real estate and personal injury
1985-2010exclusively domestic relations
Though I had signature authority on General account and the Trust account, I did not perform any management of those accounts

Judge Snelgrove reported that she has held the following judicial office(s):
July 8, 2010 to present- Family Court; elected by the General Assembly in 2010.

Judge Snelgrove provided the following list of her most significant orders or opinions:
(a) Whitney Lynn Moore v. Arthur Rose Moore, 414 S.C. 490, 779 SE2d 533 (2015)

(b) Christopher Emanuel v. Jane Doe, 2014-DR-02-1847
(c) Haltiwanger v. Haltiwanger, 2018-DR-02-640
(d) Judy Harriett-Brandt v. Donald M. Brandt, Unpublished opinion; Appellate Case No. 2013-002279
(e) Brown v. Odom, 425 S.C. 420, 823 2d 183 (Ct. App. 2018)

Judge Snelgrove reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Snelgrove's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Snelgrove to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the remaining evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee commented that Judge Snelgrove has "excellent qualifications and temperament." The Committee found Judge Snelgrove to be overall "Well Qualified."

Judge Snelgrove is married to Von P. Snelgrove. She has two children; one is deceased.

Judge Snelgrove reported that she was a member of the following Bar and professional associations:
(a) SC Bar Board of Governors- 1998-2000
(b) Family Law Section Council- President 2007-2008

Judge Snelgrove provided that she was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Snelgrove further reported:

I am fascinated by the work we do on the Family Court bench. I attend seminars that provide information that may be different than what I have been doing; I make every attempt to self-analyze by own biases and life experiences. I make every effort to self correct;

I ask colleagues for honest feedback. I listen to persons who are willing to share their own Family Court experiences and try to view the experience from the eyes of a litigant. I try to find relevant ways to communicate with juvenile defendants- movies, music, dance, books, etc.

(11) Commission Members' Comments:
The Commission commented that Judge Snelgrove upholds the ideals of the judiciary. They noted that she is well-prepared and has an excellent demeanor.

(12) Conclusion:
The Commission found Judge Snelgrove qualified and nominated her for re-election to Family Court, Second Judicial Circuit, Seat 1.

Thomas M. Bultman
Family Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Bultman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Bultman was born in 1953. He is 68 years old and a resident of Sumter, South Carolina. Judge Bultman provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Bultman.

Judge Bultman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Bultman reported that he has not made any campaign expenditures.

Judge Bultman testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Bultman testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Bultman to be intelligent and knowledgeable.

Judge Bultman reported that he has taught the following law-related courses:

(a) Trying The Equitable Distribution Case: A Bench Bar Conference. Friday, June 10, 1988, USC School of Law, Columbia, South Carolina: Ethical Considerations in Family Court

(b) Domestic Practice; "Hot Tips From The Experts" Rides Again. Friday, May 15, 1992, at the USC School of Law, Columbia, South Carolina: Dependency Exemption: Is It Really Worth Fighting For?

(c) Domestic Practice; Hot Tips From The Experts. Friday, May 6, 1994, at the USC School of Law, Columbia, South Carolina: Compelling Settlements in the Family Court

(d) Domestic Practice; The Continuing Saga of "Hot Tips From The Experts." Friday, July 21, 1995, at the USC School of Law, Columbia, South Carolina: Registration of Delayed Birth Certificates

(e) Domestic Practice; Hot Tips From The Experts. Friday, August 23, 1996, at the USC School of Law, Columbia, South Carolina: Compelling Settlements in the Family Court

(f) Domestic Practice; Hot Tips From The Experts. Friday, September 12, 1997, at the USC School of Law, Columbia, South Carolina: Compelling Settlements in the Family Court
(g) Domestic Practice; Hot Tips From The Experts. Friday, August 28, 1998, at the USC School of Law, Columbia, South Carolina: Validity of Foreign Divorce Decrees
(h) Hot Tips From The Best Domestic Practitioners. Friday, September 24, 1999, at the USC School of Law, Columbia, South Carolina: Reducing or Terminating Alimony – A Case Review
(i) Hot Tips From the Coolest Domestic Law Practitioners. Friday, September 23, 2005, at the USC School of Law, Columbia, South Carolina: Domestication of Foreign Adoption Decrees
(j) 60 Tips To Build A Successful Family Law Practice. Friday, April 22, 2006, at the USC School of Law, Columbia, South Carolina: Billing Practices and Other Suggestions to Consider

Judge Bultman reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Bultman did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Bultman did not indicate any evidence of a troubled financial status. Judge Bultman has handled his financial affairs responsibly.

The Commission also noted that Judge Bultman was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Bultman reported that his last available rating by a legal rating organization, Martindale-Hubbell, was B V or Distinguished. Judge Bultman reported that in the 2008, 2011,

2012, 2013, 2014, 2015, and 2016 editions of Super Lawyer Magazine, he was recognized as Super Lawyer Family Law.

Judge Bultman reported that he has not served in the military.

Judge Bultman reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Bultman appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Bultman appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Bultman was admitted to the South Carolina Bar in 1978.

He gave the following account of his legal experience since graduation from law school:
(a) Richardson, James & Player, 1978 to 1987, General Practice
(b) Part-Time Assistant Solicitor, Third Judicial Circuit, 1983 to 1987
(c) Bryan Law Firm, 1987 to February 2018, emphasis on Family Law, but also practiced Social Security and VA Disability; and before I was elected as a Family Court Judge, I was the law firm's managing partner.

Judge Bultman reported that he has held the following judicial office(s):
(a) Elected by the South Carolina General Assembly as Family Court Judge, Third Judicial Circuit, Seat 1, in a joint session which took place on February 10, 2018. The current term for this position ends on June 30, 2022. I filled the unexpired term of Family Court Judge George M. McFaddin, Jr. who became a Circuit Court Judge.
(b) The Family Court's exclusive jurisdiction is provided in S.C. Code Ann. §63-3-530.

Judge Bultman provided the following list of his most significant orders or opinions:

(a) South Carolina Department of Social Services v. McKenzie, 2019-UP-374 (December 2019)

(b) Crabtree v. Crabtree, 2021-UP-111 (April 7, 2021)

(c) Reginald Perry vs. Jennifer Olsen (Docket Number 2018-DR-43-1304), Family Court, Third Judicial Circuit, Sumter County. This was an initial custody action involving the mother and father, who were not married. I granted the parties joint custody with father, Reginald Perry, being designated as primary placement parent, and mother, Jennifer Olsen, being designated as secondary placement parent. Mother, Jennifer Olsen, has appealed my decision to the South Carolina Court of Appeals. The South Carolina Court of Appeals has not yet rendered its decision.

(d) Christopher A. Clampitt vs. Stacy T. Clampitt and Third Party Defendants CKMN, Inc., Sarah K. Black and Christopher Jon Clampitt (Docket Number 2017-DR-32-1901), Family Court, Eleventh Judicial Circuit, Lexington County. This Lexington County Family Court case was one of the oldest on the docket. It took nine days to try and every issue was contested, except that Plaintiff and Defendant wanted the children's guardian ad litem to be fully compensated for his services. The guardian ad litem's fee was $92,000.00. The virtual "Reconsideration" Motion Hearing was conducted on Friday, June 25, 2021. I expect Plaintiff, Christopher A. Clampitt, to file an appeal with the South Carolina Court of Appeals.

(e) Ronnie Gainey vs. Tamara Gaylord (Docket Number 2020-DR-14-130), Family Court,
Third Judicial Circuit, Clarendon County. The issue involved was whether there was a common law marriage. This is the first common law marriage case at which I presided after the South Carolina Supreme Court issued it decision in the case of Stone v. Thompson, 428 S.C. 79, 833 S.E.2d 266 (2019), which abolished common law marriage prospectively and which changed the burden of proving common law marriage for those cases not affected by the prospective ruling.

Judge Bultman reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Bultman's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Bultman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Bultman is married to Marsha Short Black Bultman. He has two children.

Judge Bultman reported that he was a member of the following Bar and professional associations:
(a) Sumter County Bar Association
(b) South Carolina Bar Association

Judge Bultman provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Sumter Rotary Club
President 1993-1994, President Elect 1992-1993, Secretary 1991-1992, Board of Directors 1988-1991, Treasurer 1983-1988, and Paul Harris Fellow
(b) South Carolina Bar, Pro Bono Service Award 1989
(c) Quixote Club (formerly Sunset Country Club)
(d) Thalian Club

Judge Bultman further reported:
(a) Until I was elected as a Family Court Judge, I was a certified fellow in the American Academy of Matrimonial Lawyers since May 16, 1992. During that time frame I served as treasurer, secretary, vice-president, and president of the South Carolina Chapter of the American Academy of Matrimonial Lawyers. I have tried numerous Family Law cases, as well as handling appeals to the South Carolina Appellate Court in Family Law cases.

(b) My knowledge of South Carolina Family Law, as well as my judicial temperament, I believe have been beneficial to the lawyers and parties who have appeared before me.

(11) Commission Members' Comments:
The Commission commented that Judge Bultman has an excellent judicial temperament and they are thankful for his service as a judge. They commented on his stellar reputation amongst the family court bar and the litigants who appear before him.

(12) Conclusion:
The Commission found Judge Bultman qualified, and nominated him for re-election to Family Court, Third Judicial Circuit, Seat 1.

The Honorable Cely Anne Brigman
Family Court, Fourth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Brigman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Brigman was born in 1961. She is 60 years old and a resident of Darlington, South Carolina. Judge Brigman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Brigman.

Judge Brigman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Brigman reported that she has not made any campaign expenditures.

Judge Brigman testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Brigman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Brigman to be intelligent and knowledgeable.

Judge Brigman reported that she has taught the following law-related courses:

In the Best Interest of a Child: 2020 Annual Guardian ad Litem Training and Update January 31, 2020. She served on a panel of Family Court Judges addressing the judge's perspective and expectations of Guardians ad Litem.

Judge Brigman reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Brigman did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Brigman did not indicate any evidence of a troubled financial status. Judge Brigman has handled her financial affairs responsibly.

The Commission also noted that Judge Brigman was punctual and attentive in her dealings with the Commission, and the

Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Brigman reported that she is not rated by any legal rating organization.

Judge Brigman reported that she has not served in the military.

Judge Brigman reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Brigman appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Brigman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Brigman was admitted to the South Carolina Bar in 1986. She gave the following account of her legal experience since graduation from law school:

(a) Greene, Lockemy and Bailey 1986 – 1989. I was an associate attorney. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions and limited criminal defense. I also performed residential real estate closings. I was not involved with administrative or financial management of this firm. I did not manage the trust account.

(b) Baker Law Firm 1989 – 2004. I practiced as an associate attorney. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court. I was not involved with administrative or financial management of this firm. I did not manage the trust account.

(c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I served as Chief

Magistrate. I left this position upon my election to the family court bench in 2015.

(d) McDougall and Self May 2004 until November 2009. I practiced as an associate. My practice was limited to Family Court litigation. I was not involved in financial or administrative management nor did I manage the trust account.

(e) Jebaily Law Firm November 2009 until June 2015. I practiced as an associate, limited to Family Court litigation and some matters in probated court. I was not involved with financial or administrative management nor did I manage the trust account.

Judge Brigman further reported the following regarding unsuccessful candidacies:

(a) In 2011, I was a candidate for a Family Court seat for the Fourth Judicial Circuit. I came out of screening but withdrew prior to the election. The seat was filled by Hon. Salley H. McIntyre.

(b) In the fall of 2012, I was a candidate for Family Court At Large Seat 4. I was found qualified but did not come out of screening.

(c) In 2015, I was a candidate for Family Court, Fourth Judicial Circuit, Seat 1. I was elected by the General Assembly.

Judge Brigman provided the following list of her most significant orders or opinions:

(a) The cases I presided over in Magistrate's Court did not require written orders.

(b) Annie R. Jackson v. Sammy Lee Jackson, Louise Jackson, and Walter Williams,

   a. 432 S. C. 415, 853 S. E. 2d 344 (S.C. Ct. App. 2020)

(c) Alisha Rudick v. Brian Rudick, Appellate Case No 2016-002169 (S. C. Ct. App. August 21, 2019)

(d) Christopher K. Maddaloni v. Jacqueline Pidanick, Unpublished Opinion No. 2019-UP-337

(e) South Carolina Department of Social Services v. Jessica Rownd and Christopher Bass, Unpublished Opinion No. 2018-UP-371

Judge Brigman reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Brigman's temperament is and would continue to be excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Brigman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee did not have related or summary comments.

Judge Brigman is married to Gregory Wendell Brigman. She has two children.

Judge Brigman reported that she was a member of the following Bar and professional association:
South Carolina Bar Association

Judge Brigman provided that she was not a member of the any civic, charitable, educational, social, or fraternal organizations:
Judge Brigman further reported:
I have thoroughly enjoyed my service on the Family Court bench and would be honored to serve another term.

(11) Commission Members' Comments:
The Commission members noted that Judge Brigman's BallotBox comments and reference letters establish that she has an outstanding reputation as a jurist.

(12) Conclusion:
The Commission found Judge Brigman qualified and nominated her for re-election to Family Court, Fourth Judicial Circuit, Seat 1.

THURSDAY, JANUARY 13, 2022

Eugene P. Warr Jr.
Family Court, Fourth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Fourth Judicial Circuit, Seat 3, 1 candidate applied for this vacancy. Accordingly, the names and qualifications of 1 candidate is hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Warr meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Warr was born in 1959. He is 62 years old and a resident of Lamar, South Carolina. Mr. Warr provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Warr.

Mr. Warr demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Warr reported that he has not made any campaign expenditures, other than postage for letters mailed to the Judicial Merit Selection Commission.

Mr. Warr testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Warr testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Warr to be intelligent and knowledgeable.

Mr. Warr reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Warr reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Warr did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Warr did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Warr was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Warr reported that he is not rated by any legal rating organization.

Mr. Warr reported that he has not served in the military.

Mr. Warr reported the following account of his tenure in public office:

University of South Carolina Board of Trustees, Trustee for the Fourth Judicial Circuit, Elected May 2003 by South Carolina Legislature. I am still serving presently having been re-elected in 2004, 2008, 2012, 2016 and 2020. I have annually filed a State Ethics Commission report and I have always been timely with my filings.

(6) Physical Health:

Mr. Warr appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Warr appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Warr was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

From March 1982 through November 1985 (when I was sworn into the bar) I worked at the Saleeby, Cox and Bledsoe law firm located in Hartsville, SC as a law clerk. The majority of my work for Saleeby, Cox and Bledsoe was during the summer and between the fall and spring semesters. I worked as a clerk for the SC Senate Judiciary Committee during my second year of law school which was the fall of 1983 and spring of 1984.

November 1985 through July 1989 – I was an associate attorney at the Saleeby, Cox and Bledsoe law firm. During my years at the Saleeby firm I handled many different areas of practice including personal injury, criminal, workers compensation, civil litigation, probate matters, real estate and domestic.

In July 1989 I left the Saleeby firm and joined with then solo practitioner David M. Beasley (both of us grew up in Lamar, SC) to form the firm of Beasley and Warr in Hartsville, SC. Later, attorney John M. Ervin III joined our firm. In 1993 James H. Lucas and Fred W. Auman, III left the Saleeby firm and joined our practice. In 1994 Beasley was elected Governor and left the

practice of law. During the years from 1989 to 1994 I practiced primarily in the areas of personal injury, real estate, probate, domestic law and I was regular counsel to Carolina Bank & Trust Company. I also handled general civil litigation matters. In 2005 H. Thad White Jr. joined our firm. In 2009 Fred W. Auman III left our office and began a solo practice. Our firm has been known as Lucas, Warr & White since 2009.

For approximately the past fifteen (15) years I have steadily increased my practice in Circuit Court mediation and serving as special referee in non-jury matters. I have heard many civil matters as special referee and in recent years I have mediated many cases in primarily Darlington County and Florence County. Otherwise, I still do some personal injury practice, real estate, probate, general civil litigation and business formation and transactions. I remain as regular counsel to Carolina Bank & Trust Company which I have done since 1989. I have not been a practitioner in the Family Court for the past several years, but I have approximately thirty years of experience in Family Court matters.

From 1989 to 1994 I jointly managed our firm's regular and trust accounts with David Beasley. After Beasley left the practice I became the office manager as to financial management and management of trusts accounts. I continue that role currently at Lucas, Warr & White.

Mr. Warr further reported the following in regards to his experience with the Family Court practice area:

My experience in the Family Court began as soon as I was admitted to the South Carolina Bar in 1985. I began at that time to handle divorce and child custody matters. Additionally, I was frequently appointed to represent parties in DSS cases and to serve as a guardian in those matters. I have handled a few adoptions but I have not been involved in an adoption for many years. As to equitable distribution, I believe I am capable not just from my legal experience, but also I was an accounting major in college and I have business experience outside of the practice of law. In the DSS appointments I received for many years I handled a variety of matters dealing with abuse and neglect of minor children and juveniles who had experienced trouble. I have represented parents accused of neglecting or abusing children and I have often served as guardian for children in DSS

cases and in child custody disputes. Through the years I handled many divorce cases which at times were contested as to divorce, child custody and equitable distribution.

I have not been a practitioner in Family Court for the past several years. However, I do have about thirty years of experience in the Family Court.

I have in recent years heard a wide variety of cases as special referee. I believe I have learned a good deal about dealing with emotional parties and anger between litigants. Serving as special referee has also given me experience in ruling on matters during a hearing, handling objections and dealing with other unpredictable matters which arise.

I have combined my service as special referee with an increasing case load as Mediator. I mediate many different types of matters pending in the Circuit Court and I believe I do so efficiently.

Mr. Warr reported the frequency of his court appearances during the past five years as follows:

(a)	Federal:	I have not appeared in Federal Court in the past five years. In the earlier years of my legal career when I practiced more heavily in general civil litigation I appeared a fair number of times in Federal Court.
(b)	State:	In the past five years I have been to trial in only one jury trial (automobile accident) as we now settle many matters at mediation. I have appeared in many non-jury matters such as on motions and I have appeared on a regular basis before a special referee or Master-in-Equity. I have handled many foreclosure matters for a banking client before a special referee or Master-in-Equity in the past five years.

Mr. Warr reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a)	Civil:	20%;

(b) Criminal: 0%
(c) Domestic: 0%;
(d) Other: 80%
-Real Estate
-Special Referee
-Medation
-Probate
-Business formation/transactions

Mr. Warr reported the percentage of his practice in trial court during the past five years as follows:
(a) Jury: 5%;
(b) Non-jury: 95%

Mr. Warr provided that during the past five years he most often served as sole counsel.

The following is Mr. Warr's account of his five most significant litigated matters:

(a) Henry Wesley Beasley v. Al Dawson
(This case involved a boating accident at Lake Marion. The Defendant was operating a boat and struck the Plaintiff who was swimming near a dock and seriously injured him. The case involved issues about boating, water safety and negligence and was tried to a jury in Florence County and then settled before the jury returned to the courtroom with a verdict.)

(b) Beulah Robinson and Susan Jordan v. Gena Poole Davis and Pepsi-Cola Bottling Company
(In this case, which I tried with my mentor James C. Cox, Jr. of the Saleeby, Cox and Bledsoe firm in Hartsville, the Plaintiffs were seriously injured when a drunk driver hit a large truck which then hit the Plaintiffs. The jury returned an award for the Plaintiffs against the Defendants which I was told at the time in 1990 was the largest civil jury verdict ever in Darlington County, but I am not certain that is true.)

(c) Wright and Gadsden v. Colleton County
(In this case a young man twenty-one years of age was killed while traveling as a passenger with his father when they were struck at night by a Colleton County Deputy Sheriff who was traveling at a very high rate of speed with no blue

light or siren. The jury in Colleton County returned a favorable verdict in favor of Plaintiff. I tried this case with attorney Paul N. Siegel of Walterboro. Colleton County filed an appeal, but the Court of Appeals affirmed the decision. Wright v. Colleton County (S.C. App. 2014) Appellate Case No. 2012-212865, (Unpublished Opinion No. 2014-UP-011).

(d) Progressive Home Builders, Inc. v. Grace Hucks and Window Works, Inc.
(This construction dispute went to a non-jury trial in Florence County. My client Window Works, Inc. won its cross-claim against Hucks for payment of a substantial amount for windows and doors it provided for a large, upscale house. Hucks filed an appeal, but the Court of Appeals affirmed the decision. Progressive Home Builders, Inc. v. Hucks (S.C. App. 2013) Appellate Case No. 2010-181289, (Unpublished Opinion No. 2013-UP-057).

(e) In the Matter of the Estate of Nathaniel Welch Morrisette, Jr.; 2014-CP-40-02769
(Many parties were involved in this probate matter which was a dispute over the validity of Morrisette's Will. I represented two of the named beneficiaries in the disputed Will. The estate was large in value and highly contested. It began in Probate Court in Richland County and was moved to Common Pleas.)

Mr. Warr reported that he has personally handled three civil appeals:

(a) Wright v. Colleton County, Appeal from Colleton County, Court of Appeals Affirmed January 8, 2014, Appellate Case No. 2012-212865, (Unpublished Opinion No. 2014-UP-011).

(b) Progressive Home Builders, Inc. v. Hucks, Appeal from Florence County, Court of Appeals Affirmed January 30, 2013, Appellate Case No. 2010-181289, (Unpublished Opinion No. 2013-UP-057).

(c) Gertrude Wrenn v. Chester County Hospital, Case was dismissed on Defendant's Motion. On an appeal to the Court of Appeals that decision was Reversed and the case then settled prior to trial, (1987-CP-12-00161A).

Mr. Warr reported that he has not personally handled any criminal appeals.

Mr. Warr reported that he has not held judicial office; "however, I have served as special referee on hundreds of cases over the last twenty years approximately."

(9) Judicial Temperament:
The Commission believes that Mr. Warr's temperament would be excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Warr "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. There was no summary or related statement from the Committee.

Mr. Warr is married to Cassandra Anderson Warr. He has two children.

Mr. Warr reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar;
(b) Darlington County Bar (President 1999-2000);
(c) Pee Dee Chapter of the American Inns of Court.

Mr. Warr provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Pee Dee Chapter - American Inns of Court
(b) Lamar Civitan Club

Mr. Warr further reported:
I was raised in a rural community in Darlington County. We lived on the farm where my father and grandfather also were raised. My mother also grew up in a farm family not far away in Florence County. As a child I had all of my grandparents near me and I was regularly with them. My parents both grew up working hard on the farm and that was expected of me also.

When I was eight years old I was told my time to work in the tobacco field had arrived. I was excited about it until I actually got started. The difficulty of the work and the heat all day was extremely tough, but it made me realize life is not easy and every day would have its challenges. My father often gave me serious tasks to handle at a young age. Out of necessity, I learned how to be self disciplined.

My father Preston Warr farmed, operated an agricultural retail business, operated a tobacco sales warehouse, served in the state House of Representatives and for twenty-five years served as a part-time Magistrate in Darlington County. I was with him on many occasions as he handled a wide variety of issues and conflicts. Obviously, I am favorably biased toward my father, but he was an outstanding Magistrate who could read people and he was always courteous and kind to them. Although he retired from that position over twenty-five years ago, I still hear stories from people who were in law enforcement and others with civil matters who tell a story about appearing in Magistrate Court with my father. He settled many disputes and seemed to have an almost magical way of helping fighting neighbors or family members in a dispute to forgive, reconcile and move on.

I believe my father was a good listener and always treated even the most difficult people with respect and courtesy. On occasion I saw him change a hostile litigant into a cooperative and contrite person by simply treating that person with patience and listening or maybe telling that person a story that somehow related to them.

My mother also had great impact on me as to how to treat others. She was a very outgoing person who loved other people and she held my two sisters and me to a high standard in our behavior and conduct toward others. I learned many great lessons from wonderful parents and they no doubt largely shaped who I am today.

If I am elected to a judicial position, I would do my best to do my duty to our state and its citizens, and also to honor the way I was taught by my parents as I saw how they conducted their lives.

As a lawyer practicing since 1985, I have experienced representing many types of people. I have had clients who were clearly good, honest people trying to live in the right way and I have had clients who were not honorable or honest. I have represented them all to the best of my ability and I have learned much about human behavior from these experiences. I also noticed

many years ago that when people are going through a divorce it is usually the worst time of their lives. Often as a lawyer you see people in Family Court who are not in their normal state of mind due to their anxiety, fear and worry about what is about to happen with their lives, children, and with their finances. I believe a Family Court judge should consider these factors and understand that people in this difficult stage in life need patience from the bench and they need to know they will be fairly heard. Many other matters that come before the Family Court are similar in that the participants are appearing about a matter that is of critical significance in their lives. Participants in any type of matter, witnesses, lawyers and court personnel all deserve a patient, caring and hopefully wise judge. I would strive every day to live up to that standard.

I have seen good and bad in many people. I have been through many types of storms in life with these people and I believe I have the balanced perspective which is needed to serve as a judge.

I believe my life's experiences and the blessing of being raised by hard working parents who demanded a lot from me have prepared me for effective service as a judge.

(11) Commission Members' Comments

The Commission commended Mr. Warr for his excellent BallotBox survey results and were impressed with his reputation among the Bar and his demeanor before the Commission.

(12) Conclusion:

The Commission found Mr. Warr qualified and nominated him for election to Family Court, Fourth Judicial Circuit, Seat 3.

The Honorable C. Vance Stricklin Jr.
Family Court, Fifth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Stricklin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge. Stricklin was born in 1969. He is 52 years old and a resident of Columbia, South Carolina. Judge Stricklin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Stricklin.

Judge Stricklin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Stricklin reported that he has not made any campaign expenditures.

Judge Stricklin testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Stricklin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Stricklin to be intelligent and knowledgeable.

Judge Stricklin reported that he has taught the following law-related courses:
I have been the co-planner and moderator for Hot Tips for approximately the past ten+ years. The program is designed for short presentations covering a wide variety of Family Court topics. In addition to planning this program, I have presented and have focused on the issue of alimony for over a decade. I have also been

a presenter at the Family Law Essentials CLE held by the South Carolina Bar. The program provides the basics to typically new lawyers or lawyers new to the practice of Family Law. My presentations have been on the substantive and procedures of Temporary Hearings. On multiple occasions, I have been a course planner and speaker at the South Carolina Bar Convention, covering a variety of Family Court topics. For example, one year I arranged for a professor from Wake Forest University to speak on her analysis of studies dealing with custody and visitation issues. All Family Court Judges were required to attend the convention CLE. The South Carolina Bar also had a sister program to Hot Tips called Cool Tips. I spoke at these programs as well on a variety of Family Court issues. In 2019. I spoke at the Horry County Bar CLE on the issue of alimony that included an emphasis on the recent tax law changes impacting the Family Court. I have also been a presenter at the South Carolina Bar Bench Bar CLE. I have taught at the new Judges School on the substantive and procedures of Temporary Hearings. I have been a presenter at the South Carolina Association of Justice Seminar (formally SCTLA). On average, I would estimate that I have been involved with at least two seminars per year for the past ten to fifteen years. In addition to working on seminars involving Family Law issues, shortly after completing law school, I taught one or two paralegal courses at Orangeburg-Calhoun Technical College.

Judge Stricklin reported he has published the following:

(a) South Carolina Family Lawyer's Toolkit Third Edition, published in 2017. I was one of the primary editors who helped with publication along with providing substantive materials on a number of topics. I also assisted in the publication of the first two editions.

(b) "The Temporary Hearing' a chapter in Family Law Essentials: A Primer for Private Practice Before the Family Court in South Carolina, published in 2018. Ben Stevens was the editor for the book and used my materials from my presentations at the 2014 and 2015 Family Law Essentials Seminars to draft this chapter.

(c) I have provided articles and materials for almost every CLE referenced above

(d) I have had at least two requests to republish my alimony materials that I have prepared and updated over the past ten years. I do not recall the publications.

(e) I was asked and agreed to assume the editorial duties for Marital Litigation in South Carolina Substantive Law by Professor Emeritus Roy T. Stuckey. To date, I have done limited work on the publication.

(4) Character:

The Commission's investigation of Judge Stricklin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Stricklin did not indicate any evidence of a troubled financial status. Judge Stricklin has handled his financial affairs responsibly.

The Commission also noted that Judge Stricklin was punctual and attentive in his dealings with the Commission, and the Commisson's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Stricklin reported that his last ratings by legal rating organizations as,

(a) Martindale-Hubbell: BV rating

(b) Super Lawyers – Family Law since (at least) 2013

(c) Legal Elite of the Midlands by Columbia Business Monthly, since (at least) 2014

Judge Stricklin reported that he has not served in the military.

Judge Stricklin reported that he has never held public office other than judicial office:

(6) Physical Health:

Judge Stricklin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Stricklin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Stricklin was admitted to the South Carolina Bar in 1994.

He gave the following account of his legal experience since graduation from law school:

(a) Richland County Public Defender's Office, November 1994 until June 1995. I almost exclusively represented juveniles charged with criminal offenses in the Family Court. My job also required me to work on some other cases like probation violations and to assist with legal research.
(b) Moore Taylor Law Firm (The firm has had various names in the past as partners have joined and left the law firm). I joined the firm as an associate in June 1995. I became a partner approximately five years later. After going into private practice, I worked almost exclusively with Family Court cases. Primarily, I represented individuals in domestic cases, involving divorce, custody, visitation, health insurance, college expense cases, equitable distribution and support (alimony and child support). I have also handled adoptions and South Carolina Department of Social Services cases. Earlier in private practice, I worked on some magistrate cases, probate cases and various administration issues related to our retirement plan, case management system, hiring and overall function of the firm. I was Managing Partner for two years. All of the partners are responsible for overseeing the accounts of the firm.
(c) Family Court Judge, March 24, 2020 to present.

Judge Stricklin reported that he has held the following judicial office(s):
Family Court Judge, March 24, 2020 to present. I was elected in February 2020. Jurisdiction in South Carolina Family Court as established by law.

Judge Stricklin provided the following list of his most significant orders or opinions:

(a) Brooklyn Danko v. John Danko, 2018-DR-40-2437

(b) SCDSS v. Shanice Gillie, Tyrone Weeks, Sr., 2019-DR-40-4065
(c) Craig Gallivan vs. Lisa Estabrooks, 2016-DR-40-2110; 2020-DR-40-1558; 2020-DR-40--0532
(d) Nicole Christine Johnson vs. Robert Dale Johnson, 2020-DR-40-2880 (UCCJEA)
(e) SCDSS v. Shanaya C. McRae, D'Eamte S. Pearson, 2019-DR-40-4260

Judge Stricklin reported no other employment while serving as a judge.

9) Judicial Temperament:
The Commission believes that Judge Stricklin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee reported that Judge Stricklin is "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well respected with excellent qualifications."; and "Well qualified."

Judge Stricklin is married to Carolyn Newsham Stricklin. He has three children.
Judge Stricklin further reported:
I was fortunate to grow up in a safe, supportive middle class family that promoted religion, citizenship and honorable values. My mother was a school teacher and my father was a tire salesman. I graduated from Dreher High School, went to Winthrop College on a full scholarship and returned to Columbia for law school. I feel fortunate to call Columbia, South Carolina home and I would like to give back to my community. I could have continued in private practice, but feel the call of public service. I have handled almost every type of case possible in Family Court. Juvenile cases, DSS cases, divorce, custody, visitation, child support, alimony, contempt and dealt with all the ancillary matters that come from these cases. I have tried all of the above and worked hard to resolve

the cases when possible to help clients avoid or at least limit the emotional and financial expense that comes with litigation.

My wife and I will celebrate our 27th wedding anniversary this year. We have twins in college and a rising freshman in college so we have first-hand experience with raising children. We have prepared our finances to allow me to be a judge. I know my character and demeanor are appropriate for the Court. My knowledge and experience are part of my strengths to offer to the bench. While in private practice, I had other lawyers retain me to arbitrate cases, essentially paying me to act as the judge for their cases. I am honored to serve in this role for the State of South Carolina.

Judge Stricklin reported he is a member of the following Bar organizations:

(a) South Carolina Bar Association
(b) South Carolina Bar Association Family Law Section Council, member since 1998
and chair from 2004-2005 and 2013-2014
(c) Lexington County Bar Association, President 2002
(d) Richland County Bar Association
(e) American Bar Association
(f) South Carolina Association of Justice

Judge Stricklin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Dreher Booster Club; various positions over the past four years, including secretary
(b) St. Joseph's Church; Eucharistic Minister

(11) Commission Member' Comments:
The Commission commented that Judge Stricklin has brought to the bench exactly what he brought to the Bar and he is upholding the ideals of the judiciary while being an exemplary family court judge.

(12) Conclusion:
The Commission found Judge Stricklin qualified, and nominated him for re-election to Family Court, Fifth Judicial Circuit, Seat 1.

THURSDAY, JANUARY 13, 2022

The Honorable Gwendlyne Young Jones
Family Court, Fifth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Jones meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Jones was born in 1962. She is 59 years old and a resident of Irmo, SC, South Carolina. Judge Jones provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jones.

Judge Jones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jones testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jones testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Jones to be intelligent and knowledgeable.

Judge Jones reported that she has taught the following law-related courses:

(a) I have made presentations at the Family Court New Judge's School Orientation for the past eleven years on the topics of: "Family Court Judge from a New Judge's Perspective", "How to Handle a Domestic Custody Trial", and "Juvenile Procedure"
(b) I have made presentations at the Family Court Bench and Bar on the topics of: "Self-represented Litigants", "Case law updates, and "Operating under the Covid-19 Pandemic".
(c) I have served on a judge's panel conference for the NBI Judicial Forum.
(d) I have served on a panel sponsored by Delta Sigma Theta Sorority, Incorporated involving Human Trafficking.
(e) I have served on a panel involving domestic relations overview for a church-sponsored activity at New Directions.
(f) I made a presentation at the South Carolina Black Lawyers' Annual Retreat on family law update.
(g) I participated on a panel regarding juvenile delinquency and compliance at the Department of Juvenile Justice and various schools.

Judge Jones reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jones did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Jones did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Jones was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Jones reported that she is not rated by any legal rating organization.

Judge Jones reported that she has not served in the military.

Judge Jones reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Jones appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Jones appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Jones was admitted to the South Carolina Bar in 1989.

She gave the following account of her legal experience since graduation from law school:

(a) 1989-1995: Richland County Public Defender's Office: Responsible for the representation of indigent persons in jury trials, guilty pleas, bond hearings, preliminary hearings and probation violations.
(b) 1994-1995: Supervisor of the Juvenile Division of the Richland County Public Defender's Office: Responsible for overseeing two other attorneys in the public defender's office. Duties included representing indigent persons in Family Court in bench trials, guilty pleas, probation violations, waivers and detention hearings.
(c) 1992: Interim Chief Public Defender for the Richland County Public Defender's Office. Responsible for the management of fifteen attorneys and support staff; presenting budget to County Council and maintaining an active caseload of approximately two hundred and fifty cases.
(d) 1995-2010: Solo Practitioner, Law Offices of Gwendlyne Young Smalls. Practiced in Family Court throughout the State of South Carolina involving juvenile defense, divorces, abuse and neglect, adoptions, child custody and child support matters. Also practiced in General Sessions, United States District Court for South Carolina and

Magistrate Courts throughout the state handling criminal defense matters.

(e) 1995-1996: Kellogg Contract with South Carolina Department of Social Services. Responsible for the litigation of termination of parental rights cases for five counties.

Judge Jones reported that she has held the following judicial office(s):

Yes. I was elected to the Fifth Judicial Circuit Family Court Seat 4 on February 3, 2010. I am currently in the same position, having been re-elected in 2016.

Family court is a court of limited jurisdiction to hear and determine actions involving the validity of marriages, divorce, separate maintenance, adoptions, termination of parental rights, child custody, child abuse/neglect, protection of vulnerable adults, juvenile delinquency and other matters as provided by law.

Judge Jones provided the following list of her most significant orders or opinions:

(a) Tommy Baker v. Marrion Baker, 2012-DR-28-0506
(b) Maureen Weirick v. Daniel Canto, 2011-DR-40-1190
(c) Marcus Duncan v. Marjorie Metellus Duncan, 2009-DR-40-0003
(d) Saswati Samaddar v. Abhijit Samaddar, 2009-DR-40-3928
(e) Jesse Grannis v. Christopher Grannis, 2013-DR-40-1813

Judge Jones further reported the following regarding unsuccessful candidacies:

Yes. I ran for Richland County Family Court, Seat 1 in 2005. I was successfully voted out of screening as qualified and nominated; however, I did not win the election.

(9) Judicial Temperament:

The Commission believes that Judge Jones's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Jones "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Excellent qualification, well respected and compassionate"; and "Well qualified."

Judge Jones is married to Troy Manning Jones. She has five children.

Judge Jones reported that she was a member of the following Bar and professional associations:

(a) Member, John Belton O'Neall Inn of Court
(b) Member, Richland County Bar Association
(c) Member, South Carolina Women Lawyers Association
(d) Member, South Carolina Bar Association
(e) Member, South Carolina Conference of Family Court Judges
(f) Member, South Carolina Black Lawyers Association

Judge Jones provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Delta Sigma Theta Sorority, Incorporated
(b) Jack and Jill of America
(c) Member. Journey United Methodist Church

Judge Jones further reported:

My family, faith, legal career and education are all life experiences that have equipped me with the necessary tools to serve our state as a family court judge for the past eleven years. Since my initial election in 2010, I have suffered a great loss, losing both of my greatest cheerleaders, my parents. The loss of my parents has been my daily fuel, enabling me to be a judge that is knowledgeable, fair, exhibiting the appropriate demeanor and temperament toward any and every person that comes before me. I strive daily to uphold the principals which were strongly instilled in me by my parents. Growing up, I watched both of my parents serve and counsel those in need with compassion. With

that in mind, I am acutely aware that the decisions I make on a daily basis will strongly impact the lives of those that appear before me. I am passionate about issues that affect children and families and I am eternally grateful that the traits of honesty and fairness have propelled me forward to doing the very best I can do each and every day.

(11) Commission Members' Comments:
The Commission commented that Judge Jones enjoys a reputation of being fair, patient, and hard working with an excellent temperament.

(12) Conclusion:
The Commission found Judge Jones qualified, and nominated her for re-election to Family Court, Fifth Judicial Circuit, Seat 4.

The Honorable Usha J. Bridges
Family Court, Seventh Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Bridges meets the qualifications prescribed by law for judicial service as a Family Court judge.
Judge Bridges was born in 1960. She is 61 years old and a resident of Gaffney, South Carolina. Judge Bridges provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Bridges.

Judge Bridges demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Bridges reported that she has not made any campaign expenditures.

Judge Bridges testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Bridges testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Bridges to be intelligent and knowledgeable.

Judge Bridges reported that she has taught the following law-related courses:

(a) I have lectured at Orientation School for New Family Court Judges School from 2012 until present

(b) Lectured at trial lawyers

(c) Lectured at SCAJ Family Law Seminar, April 2011

(d) Spoke at South Carolina Bar Seminar, December 2014

Judge Bridges reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Bridges did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Bridges did not indicate any evidence of a troubled financial status. Judge Bridges has handled her financial affairs responsibly.

The Commission also noted that Judge Bridges was punctual and attentive in her dealings with the Commission, and the

Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Bridges reported that her last available rating by a legal rating organization was by Martindale-Hubbard, but she was unsure of the rating.

Judge Bridges reported that she has not served in the military.

Judge Bridges reported that she has never held public office other than judicial office

(6) Physical Health:
Judge Bridges appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Bridges appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Bridges was admitted to the South Carolina Bar in 1993.

She gave the following account of her legal experience since graduation from law school:

(a) April 1993-November 1993, Fletcher N. Smith & Associates, April 1993-November 1993; general law practice with emphasis on personal injury and family law;
(b) December 1993-June 1996, Cherokee County Public Defender; juvenile public defender for county and also served as Guardian ad Litem for the Department of Social Services cases;
(c) July 1996-July 2010 Private practice Usha J. Bridges, Attorney at Law – general practice emphasis on family law – practice included having a contract with Cherokee County as a juvenile public defender, a contract with the Governor's office to represent the volunteer guardian ad litem for abuse and neglect cases with DSS actions and also a part-time magistrate judge (from July 1999 until May 2010) for the City of Gaffney; and

(d) 2010-present sitting Family Court Judge, Seventh Judicial Circuit, Seat 3

Judge Bridges reported that she has held the following judicial office(s):
(a) Gaffney Municipal Judge, appointed (July, 1999-May 2010)
(b) Family Court Judge, Seventh Judicial Circuit, Seat 3 elected (July 2010 until present)

Judge Bridges reported no other employment while serving as a judge.

Judge Bridges further reported the following regarding unsuccessful candidacies:
I ran an unsuccessful bid for the Cherokee County School Board in 1994 or 1995. I filed a report with the State Ethics Commission.

(9) Judicial Temperament:
The Commission believes that Judge Bridges's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualifications reported Judge Bridges to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not have related comments.

Judge Bridges is married to Allie Bridges Jr. She has five children.

Judge Bridges reported that she was a member of the following Bar and professional associations:
(a) Commission on the Profession appointed October 6, 2011
(b) County Court Security Committee appointed March 28, 2012
(c) Family Court Docketing Committee appoint May, 2013

(d) Summary Court Judges Pilot Mentoring Program appointed March 31, 2014
(e) Family Court Advisory Committee appointed October 6, 2014
(f) Commission on Continuing Legal Education and Specialization reappointed May 25, 2021 for term which expires July 1, 2024
(g) South Carolina Bar

Judge Bridges provided that she was not a member of any civic, charitable, educational, social, or fraternal organization.

(11) Commission Members' Comments:
The Commission commented that Judge Bridges has set a great example of hard work and integrity. They noted her outstanding reputation among both court personnel and the legal community.

(12) Conclusion:
The Commission found Judge Bridges qualified, and nominated her for re-election to Family Court, Seventh Judicial Circuit, Seat 3.

The Honorable Mindy W. Zimmerman
Family Court, Eighth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Zimmerman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Zimmerman was born in 1980. She is 41 years old and a resident of Newberry, South Carolina. Judge Zimmerman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Zimmerman.

Judge Zimmerman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Zimmerman reported that she has not made any campaign expenditures.

Judge Zimmerman testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Zimmerman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Zimmerman to be intelligent and knowledgeable.

Judge Zimmerman reported that she has taught the following law-related courses:

(a) Hooking Fees: An Analysis of the Rules for Winning or Defending Against Attorney Fee Awards in Family Court. This was a one hour course recorded and offered online by the SC Bar
Taught May 15, 2015

(b) Family Court Case Law Update at the 2016 SC Solicitor's Association Annual Conference. This was a one hour lecture.

(c) Family Court: Temporary Hearings
This was a one hour course on preparing for and arguing at temporary hearings taught in person and sponsored by the Newberry County Bar.
June 7, 2017

(d) Preparing for Court: Attorney Fees
This was a similar course to Hooking Fees that was previously done for the SC Bar, but with updated case law and material. It was taught in person and sponsored by the Newberry County Bar. It was a one hour course.
July 14, 2017

(e) Preparing for Court: Using the GAL
This was a one hour course on how to communicate with the Guardian ad Litem and help use their investigation to best benefit your client. It was sponsored by the Newberry County Bar.
August 11, 2017

(f) Preparing for Court: Equitable Apportionment
This was a one hour course outlining the elements for equitable apportionment and how to best present your clients desired division of the marital estate. It was sponsored by the Newberry County Bar.
September 29, 2017

(g) Discovery in Family Court
This was a one hour course on use of the rules regarding discovery in Family Court, with a primary focus on cases involving South Carolina Department of Social Services.
September 29, 2017

(h) Preparing for Court: Support
This was a one hour course, sponsored by the Newberry County Bar, which gave advice on handling cases involving child support and spousal support.
October 6, 2017

(i) Eighth Circuit Tips from the Bench; What your Judges Want You to Know
This was a full day sponsored by the South Carolina Bar that involved various judges form different courts within our Judicial Circuit. I spoke for one hour about judicial pet peeves in Family Court.
November 3, 2017

(j) Preparing for Court: Odd Issues in Family Court
This was a one hour course sponsored by the Newberry County Bar that talked about various unusual issues that come before the Family Court, such as minor abortions.
December 18, 2017

(k) As Judges See It: Top Mistakes Attorneys Make in Family Court
This was a panel discussion. It was a full day (six hours) with numerous Family Court Judges answering questions for a moderator.
December 19, 2017

(l) Lessons From the Bench
This was full day conference involving multiple judges from different courts in our Judicial Circuit. It was sponsored by the Newberry County Bar. I was the moderator of the course and I taught one hour on ethics.
July 3, 2018

(m) Family Court Judges Conference
At the annual conference for the Family Court Judges, I was part of a panel of three judges that spoke on a new pilot program to assist juveniles who are involved with both the juvenile system and the abuse/neglect system simultaneously.
September 15, 2020

(n) I am currently scheduled to speak at the SC Bar's Hot Tips From the Coolest Domestic Law Practitioners Course offered September 24, 2021. My topic is Amaze Your Audience: Tips to Help you Advocate, Awe the Bench and Avoid Annoying Judicial Pet Peeves.

Judge Zimmerman reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Zimmerman did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Zimmerman did not indicate any evidence of a troubled financial status. Judge Zimmerman has handled her financial affairs responsibly.

The Commission also noted that Judge Zimmerman was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Zimmerman reported that her last available rating by the legal rating organization Martindale-Hubbell was Distinguished, and her last available rating by the legal rating organization Avvo was 8.1.

Judge Zimmerman reported that she has not served in the military.

Judge Zimmerman reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Zimmerman appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Zimmerman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Zimmerman was admitted to the South Carolina Bar in 2006.

She gave the following account of her legal experience since graduation from law school:

(a) November, 2006 to February, 2009: Assistant Solicitor with the Eighth Judicial Circuit Solicitor's office prosecuting criminal cases in Laurens and Newberry Counties. For two years, I handled primarily narcotics offenses in both Laurens and Newberry. During my last year with the Solicitor's Office, I handled general crimes, magistrate court appeals, and docket management for Newberry County.
(b) February, 2009 through the fall of 2016: In February of 2009, along with my law partner, Benjamin L. Shealy, I formed Zimmerman and Shealy, LLC. We handled real estate transactions, mortgage closings, magistrate's trial work, criminal trial defense, civil trial work, domestic relations trial work, and estate and probate matters. In

addition to maintaining my case load, I also supervised several associates and managed our firm's financial records.

(c) For the first year in private practice, I worked as a special prosecutor for the Eighth Judicial Circuit for the terms of General Sessions Court held in Newberry County. I also handled prosecution in juvenile cases in Newberry County during that time. After the end of this contract, I built a successful criminal defense practice.

(d) Our firm also represented the Department of Social Services on a contract basis off and on, and I have been involved in numerous cases of abuse and neglect of both children and vulnerable adults.

(e) In the fall of 2016, my law partner relocated out of state due to his wife work as a Lutheran Minister, resulting in need to dissolve our law firm. At the time, I was campaigning for my current judicial seat, thus an associate with our firm, W. Coleman Lawrimore, took over management of the firm. I continued the same case load in the same location, under the Lawrimore Law Firm. I worked in that capacity until I took this seat in March of 2017.

(f) March, 2017 to Present: Family Court, Eighth Judicial Circuit, Seat 2

Judge Zimmerman reported that she has held the following judicial office(s):

March, 2017 to Present: Family Court, Eighth Judicial Circuit, Seat 2. This is the same seat for which I now seek reelection.

In that capacity, I have had jurisdiction over matters involving domestic or family relationships. This includes cases concerning marriage, divorce, legal separation, custody, visitation rights, termination of parental rights, adoption, support, alimony, division of marital property, and change of name. In addition, I have jurisdiction to hearing juvenile delinquency matters.

Judge Zimmerman provided the following list of her most significant orders or opinions:

(a) Writing Sample 1 is the final order I drafted in the matter of Robert Jimenez v. Laurie Jimenez, Fourteenth Judicial Circuit, Beaufort County, Case Number 2018-DR-07-647.
(b) Writing Sample 2 is the final order I drafted in the matter of Hollyanne Elizabeth Aleo f/k/a Hollyanne E. Aniba v. Justin Aniba, Eighth Judicial Circuit, Greenwood County, Case Number 2017-DR-24-709.

Judge Zimmerman reported no other employment while serving as a judge.

Judge Zimmerman further reported the following regarding unsuccessful candidacies:

I was previously a candidate for At-Large Circuit Court Seat Number 9, during the Fall, 2014 Screening Process. I was determined to be Qualified, but not Nominated.

(9) Judicial Temperament:
The Commission believes that Judge Zimmerman's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification found Judge Zimmerman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in its summary statement: "Judge Zimmerman's boundless energy and enthusiasm for her work as a Family Court Judge was striking to the Committee. She has accepted and excelled at wide range of professional and community engagements while a Family Court Judge - all of which reflect an inexhaustible work ethic and a commitment to excellence. The Committee believes that Judge Zimmerman is an outstanding Family Court Judge."

Judge Zimmerman is married to Donald Franklin Zimmerman. She does not have any children.

Judge Zimmerman reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Newberry County Bar

Judge Zimmerman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

Prior to taking the bench, I was more involved in civic organizations, including the Newberry Business Alliance (Board Member from 2014-2017), Newberry Chamber of Commerce, South Carolina Jaycees. Since being elected, I have stepped back from this involvement in an effort to avoid potential conflicts. Newberry is a small town, and active involvement with these organizations puts me in contact with a great number of people who are likely to come to my courtroom.

Despite backing up from involvement, my husband and I both contribute to Mobile Meals, Goodwill, the Newberry County Animal Shelter, and various other charitable organizations.

Judge Zimmerman further reported:

My parents divorced when I was young, so I understand the prospective of the children who are impacted by my decisions. I understand how easy it is for the child to get lost in litigation. By this, I mean that parents can so easily get distracted by their own emotional needs and financial struggles. This can sometime keep them from seeing the impact that the litigation has upon their children. As a Family Court Judge, I am charged with protecting the best interest of the children involved in the litigation. Of course, each family's story is different, but I believe my personal experience gives me a unique understanding of why the Court must always keep a watchful eye towards the best interest of the child, even when others in the Courtroom loose that focus.

Both of my parents had only a high school education, and they worked entry level positions in manufacturing industries when I was a child. As I have grown, I have observed the impact of manual labor upon their minds and bodies. Throughout the years, my parents encouraged me to push myself and never shy away from opportunity. As a result, I worked multiple jobs and

studied hard to achieve my educational goals. I obtained my bachelor's degree from Wofford in only three years. I completed the courses necessary for my master degree and law degree at two different universities, which were approximately three and half hours' drive apart, almost simultaneously. I face every day now, on the bench, with that same drive that pushed me throughout my education. I work hard, and I never shy away from a challenging case or an opportunity to improve the profession.

I watched my parents work hard every day, which taught be the value of earning what you have. I believe that my background helps me relate to the litigants before me, since many of them come from the same working-class environment. I understand the struggles that come with that. I remember watching my parents make hard decisions with money, and I know that courts must always maintain reasonable expectations. My roots will always keep me grounded.

I am driven, dedicated, and determined, because in my life, anything less is simply unacceptable. I face every element of my life with self-motivation; however, I have never been afraid to watch and learn from those around me. This has served me well since taking this position. We have some tremendously talented people on the Family Court Bench, and each brings a diverse perspective. I love the fellowship shared amongst my brothers and sisters on the bench. More than anything, I love to learn from them. I am excited to see the creative ways that they tackle unique problems. I enjoy the open exchange of ideas that we have. I feel my mind expand. I am a much better person for the last few years of sharing with them, and I know that another term will only help me grow in so many positive ways. I believe that my continued experience and evolution not only benefits me, but it also helps me better serve my community.

(11) Commission Members' Comments:

The Commission praised Judge Zimmerman for her positive BallotBox comments and expressed their admiration for her quick acclimation to the bench. They thanked her for her balanced approach to running a courtroom and asked that she continue to serve the judiciary of South Carolina with the same enthusiasm.

(12) Conclusion:
The Commission found Judge Zimmerman qualified, and nominated her for election to Family Court, Eighth Judicial Circuit, Seat 2.

The Honorable Daniel E. Martin Jr.
Family Court, Ninth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Martin meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Martin was born in 1963. He is 58 years old and a resident of Charleston, South Carolina. Judge Martin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Martin.

Judge Martin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Martin reported that he has not made any campaign expenditures.

Judge Martin testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Martin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Martin to be intelligent and knowledgeable.

Judge Martin reported that he has taught the following law-related courses:

I have been a presenter at the Orientation School for New Family Court Judges for the last three (3) years. In 2018 and 2019 my presentation covered court rules. In 2020, my presentation covered court hearings.

I have spoken at CLE presentations and also at the South Carolina Judicial Conference.

At the 2020 annual Judicial Conference in Columbia, I spoke on the subject of Court security.

On January 20, 2020, I served on a CLE panel entitled "What Works." The subject I covered was "best practices" for attorneys coming before the family court.

I have spoken numerous times at the Charleston School of Law at the invitation of the Black Law Student Association and several of the professors. The discussions mostly centered on family law and the procedure for seeking judicial office.

On April 28, 2020, I hosted a webinar with the Charleston County bar to discuss new court procedures during the COVID-19 pandemic. More than 100 lawyers tuned in for the event. These are some of the most recent activities in which I lectured or spoke before members of the bar and judiciary.

Judge Martin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Martin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Martin did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Martin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Martin reported that he is not rated by any legal rating organization.

Judge Martin reported that he has not served in the military.

Judge Martin reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Martin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Martin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Martin was admitted to the South Carolina Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

1989 – 2011	Private Practice Law
1989 – 1993	Part-time Magistrate (Charleston County)
2011 – present	Family Court Judge (Charleston County)

Judge Martin reported that he has held the following judicial office(s):
From 1989 – 1993, I served as a Magistrate (part-time) for the County of Charleston. I was appointed to this position by the Governor after being recommended by my local state Senator and approved by the local delegation. This was a Court of limited jurisdiction that handled small claims, landlord tenant

disputes, claim and deliveries and bond court. The jurisdiction of the Court was peninsula Charleston.

Since 2011, I have served as a judge of the Family Court in the Ninth Judicial Circuit. I am a resident judge in Charleston County and occupy seat no. 1. I was elected by the South Carolina General Assembly in February, 2011. The jurisdiction of the Family Court is established by state statute.

Judge Martin provided the following list of his most significant orders or opinions:

(a) Adoptive Couple vs. Baby Girl, Birth Fathers and the Cherokee Indian Nation,
Case No. 2009-DR-10-3803
S.C. Appellate Case No.: 2011-205166

This action involved custody of a minor child of Cherokee Indian decent. The mother, a white female, and father, a native of the Cherokee tribe, had a child out-of-wedlock. (The child has since come to be widely known as Baby Veronica) The child was placed for adoption without the knowledge of the father. Unbeknownst to the biological father, the adoptive parent obtained physical custody shortly after the child's birth. After later becoming aware of the pending adoption action, the biological father and the Cherokee Indian Nation objected to the adoption. At the adoption hearing, the trial judge granted the biological father's counter petition for adoption. The child was placed with the father and both left South Carolina and moved to Oklahoma.

The adoptive parents appealed the case. A media storm brewed in South Carolina and Oklahoma. The South Carolina Supreme Court ultimately reversed the lower Court decision and remanded the case to Charleston County. I was assigned the case. At the first hearing, the Court approved the petition for adoption filed by the adoptive parents and issued a Decree of Adoption. The Court ruled that the child was to be returned to South Carolina immediately. Because the father failed to comply with my ruling, it was also necessary to issue orders to enforce the ruling. The unfolding situation drew national attention with governors of both South Carolina and Oklahoma getting involved. The

father, after exhausting efforts in the Oklahoma state court system, the Indian tribal court system and the federal court system, ultimately allowed the child to be returned with her legal parents to South Carolina.

(b) Keith Alan May vs. Denise Marie May
Case No. 2015-DR-10-3222
S.C. Appellate Case No.: 2017-000030

The order issued by me in this matter involved a motion to relieve a party from an order which approved the parties' agreement. The agreement contained inconsistent language which impacted whether one party would be obligated to pay the other $60,000 as their share in the marital home. I decided that the parties' agreement should be reformed and made the necessary adjustment to the agreement and final order. The former wife appealed the decision. The decision was affirmed.

(c) Harrison Shelby Nelson vs. Melissa Starr Nelson,
Case No. 2015-DR-10-1870
S.C. Appellate Case No.: 2017-000291

In this divorce case, the parties had resolved the child custody, visitation and support issues. The unresolved issues involved equitable distribution of significant marital assets and liabilities. After hearing all the testimony, the Court reached certain findings that the husband did not agree with. In his appeal, he challenged the Court's determination of his interest in property valued at more than a million dollars. He also asserted that my valuation of the marital home was incorrect. The wife also appealed my decision to grant a Rule 60(b) motion after the trial. The appellate court made a de novo review of the trial and all the evidence presented.

In the court decision, it agreed with my decision to grant the Rule 60(b) motion. In doing so, it directly quoted language that I put in my final order. The Court also agreed that my valuation of the husband's investment property and that the Court's valuation of marital home was within the range of the evidence presented at the final hearing. The final order was affirmed.

(d) SCDSS vs. Nina Ward and Benjamin R. Clayton, Sr.
Case No. 2016-DR-10-2327
S.C. Appellate Case No. 2016-002327

This case involved the termination of the parental rights of Nina Ward and Benjamin Clayton to their minor children. Actions involving the termination of parental rights are some of the hardest for family court judges to make. In most cases, the parents truly love their children. However, their love is sometimes not enough to keep the families together. The judge is always governed by the best interest of the children. In this matter, the parents failed to complete their drug treatment and other provisions required in their treatment plan. I determined that the best interest of the children demanded that the Defendant's parental rights be terminated. The parents appealed the case but the South Carolina Court of Appeals confirmed my decision.

(e) SCDSS vs. Teoshi Etoya Manigault White and Jawaan Frederick
Case No. 2018-DR-10-1582
S.C. Appellate Case No.: 2018-000888

In this case, the Father, Jawaan F. White, appealed my final order terminating his parental rights to his minor daughter. Again, determinations in such cases are always difficult. Based upon the evidence, I determined that the Father had failed to make any material contribution toward the support of his child and that it would be in the child's best interest that his parental rights to her be terminated. The father appealed. The appellate court affirmed my decision.

Judge Martin reported no other employment while serving as a judge.

(9) Judicial Temperament:
The Commission believes that Judge Martin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualifications found Judge Martin "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Judge Martin is leading the charge in

keeping Family Court moving forward during COVID and has developed some innovative methods for efficiencies in his dockets."

Judge Martin is married to Reba Z. Hough-Martin. He has two children.

Judge Martin reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) Charleston County Bar Association – former executive committee member
(c) SC Black Lawyers Association – former treasurer

Judge Martin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Alpha Phi Alpha Fraternity, Inc., - life member
(b) Sigma Pi Phi Fraternity – current Sire Archon Elect
(c) Prince Hall Mason – Nehemiah Lodge No. 51
(d) George Washington Consistory No. 162 (33rd degree Masons)
(e) Arabian Temple No. 139 (Shriners)
(f) South Carolina Aquarium – current Board member
(g) Coastal Carolina Boy Scouts – current Board member
(h) Avery Institute – current Board member
(i) James L. Petigru Inns of Court – current member

Judge Martin further reported:

Over the years, I've been an active participant in the Judicial Observation and Experience (JOE) program. Each summer, this program allows a number of law students to sit in our courtrooms and observe what actually takes place. I'm often surprised by the many questions asked by the students after each hearing. They always keep me on my toes. I've also presided over high school mock trial competitions here in the low country. While some young students appear before the Court facing miscellaneous criminal offenses, there are others pursuing their dreams of one day becoming a lawyer or a judge. The impact that a judge can have in both situations is not lost to me. I appreciate the honor of continuing to serve the people of South Carolina each day.

(11) Commission Members' Comments:
The Commission commended Judge Martin for his excellent BallotBox survey results and judicial temperament, and appreciates his outstanding service as a Family Court judge.

(12) Conclusion:
The Commission found Judge Martin qualified and nominated him for re-election to Family Court, Ninth Judicial Circuit, Seat 1.

The Honorable Michèle Patrão Forsythe
Family Court, Ninth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Forsythe meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Forsythe was born in 1973. She is 48 years old and a resident of Charleston, South Carolina. Judge Forsythe provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Forsythe.

Judge Forsythe demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Forsythe reported that she has not made any campaign expenditures.

Judge Forsythe testified she has not:
(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Forsythe testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Forsythe to be intelligent and knowledgeable.

Judge Forsythe reported that she has taught the following law-related courses:
(a) August 14, 2015. Alternative Dispute Resolution Issues in Family Court at the Charleston County Bar Association Family Law Seminar.
(b) October 16, 2016. Access to Justice Summit presentation on language access challenges in the legal system.
(c) November 12, 2016. Charleston School of Law Color of Justice Seminar on Judges and Diversity in South Carolina.
(d) January 21, 2017. South Carolina Bar "Hollywood Squares" Family Court Presentation during the South Carolina Bar Convention.
(e) February 13, 2017. Horry County Family Court CLE, Perspectives from the Bench.
(f) May 5, 2017. American Bar Association Family Law Spring Seminar. Assisted Reproductive Technology in the South.
(g) March 2, 2018. South Carolina Human Trafficking Task Force. Perspectives on Trafficking from a Family Court Judge.
(h) April 24, 2018. Horry County. Stay or Go. Human Trafficking Exercise with lawyers, law enforcement.
(i) May 2, 2018. South Carolina Department of Social Services. Discussion on Human Trafficking and Child Abuse and Neglect.
(j) July 20, 2018. South Carolina Department of Juvenile Justice. Discussion on Human Trafficking and Juvenile Justice.

(k) August 17, 2018. Family Law Essentials. Contempt Hearings and Advice from the Bench.
(l) September 19, 2018. Constitution Day. Septima Clark Academy. Speaker at the high school on the importance of the Constitution.
(m) October 23, 2018. Speaker at the Tri County Human Trafficking Task Force.
(n) October 25, 2018. Speaker at the Hilton Head Island Bar Association on Human Trafficking in South Carolina.
(o) December 11, 2018. Tri County Task Force Survivors Lunch. Introduction to Human Trafficking.
(p) February 2, 2019. Charleston County Bar Association. Judges Panel on What Works for Me.
(q) February 5, 2019. Horry County Family Bar Association. Language Differences and Cultural Differences. Working within the Hispanic Community in Family Law.
(r) April 10, 2019. South Carolina Family Court Judges Conference. An Introduction to Human Trafficking.
(s) April 13, 2019. The Links Charleston. Speaker on a panel regarding the perils of Human Trafficking.
(t) April 18, 2019. Charleston School of Law Latino Bar Association. Perspectives from a Hispanic Judge.
(u) May 31, 2019. Charleston School of Law. Human Trafficking GAL Project.
(v) June 25, 2019. Charleston School of Law Summer Honors Series. Perspectives from a Family Court Judge.
(w) August 6, 2019. Isle of Palms Methodist Church. Human Trafficking in South Carolina.
(x) December 6, 2019. Advanced Family Law Seminar South Carolina Bar. Speaker--"Show me the Money!" – Above–Guideline Child Support (and The Three Pony Rule).
(y) January 24, 2020. South Carolina Bar Convention. South Carolina and Human Trafficking—A Guardian ad Litem for Trafficked Youth in Family Court.
(z) January 31, 2020. Charleston County Guardian ad Litem Meeting. Perspectives from the Family Court Bench.
(aa) February 18, 2020. University of South Carolina School of Law. Gender and Violence Seminar.
(bb) February 21, 2020. University of South Carolina School of Law, South Carolina Law Review Symposium. Panel Discussion on Human Trafficking in South Carolina.

(cc) April 4, 2020. Charleston School of Law Professionalism Series.
(dd) June 6, 2020. Charleston School of Law Summer Honors Program. Human Trafficking in South Carolina.
(ee) September 15, 2020. South Carolina Family Court Judges Conference. Juveniles in South Carolina as Dually Involved Youth.
(ff) October 2, 2020. South Carolina Victim Advocates Training. Order of Protection—What You Need to Know.
(gg) November 13, 2020. Charleston Pro Bono Legal Services CLE. Human Trafficking.
(hh) February 05, 2021. Charleston County Bar Association. What Works for Me-From the Judge's Perspective.
(ii) February 5, 2021. Charleston School of Law, Law Review Symposium. Sexual Abuse and Sex Trafficking.
(jj) April 30, 2021. Charleston Air Force Base JAG Meeting. South Carolina Family Law—What a JAG Lawyer Needs to Know About South Carolina.
(kk) June 8, 2021. Charleston School of Law Professionalism Series. On Human Trafficking—What a Family Court Judges Knows.
(ll) June 18, 2021. South Carolina Victim Advocates. Orders of Protection—A Refresher.
(mm) June 28, 2021. Charleston School of Law Honors Program. Community Service as a Lawyer.
(nn) August 20, 2021. South Carolina Bar Family Law Essentials. Motions to Compel—What You Need to Know.
(oo) October 4, 2021. South Carolina State Court Judges Conference. What You Need to Know About Electronic Discovery.

Judge Forsythe reported that she has published the following:
(a) Michèle Patrão Forsythe, Lady Luck Smiles on Environmentalists in Mississippi, 9 S.C. Envt'l. L.J. 231 (Spring 2002)

(4) Character:
The Commission's investigation of Judge Forsythe did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Forsythe did not indicate any evidence of a troubled financial status. Judge Forsythe has handled her financial affairs responsibly.

The Commission also noted that Judge Forsythe was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Forsythe reported that her last available rating by a legal rating organization was:
(a) Super Lawyers Rising Star, 2013
(b) AVVO Rating 9.3/10 prior to my election in 2016.

Judge Forsythe reported that she has not served in the military.

Judge Forsythe reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Forsythe appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Forsythe appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Forsythe was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:
(a) In 2002, I was a law clerk pending bar results at Nexsen Pruet, LLC. I worked on various matters in legal malpractice defense, and personal injury defense.
(b) From late 2003 into 2004, I practiced as a contract attorney for Rosen Law Firm, LLC. I worked on various family law and business litigation matters.
(c) From 2004 to 2005, I practiced as an associate attorney with Hulsey Litigation Group, LLC. My responsibilities involved

legal research and writing regarding personal injury claims, business disputes, class action claims, including but not limited to mass tort cases. The majority of those matters were in Federal District Court, including the Federal District Court in Puerto Rico.

(d) In 2005, I practiced as a contract attorney with Grimball & Cabaniss, LLC. I handled all DSS appointments for DSS abuse and neglect cases for the law firm's office in Kingstree, South Carolina. I also handled minor settlement hearings in probate and circuit court, and worked on personal injury defense matters.

(e) From 2005 to 2006, I also practiced as a contract attorney with Savage & Savage, P.A. I divided my time between Grimball & Cabaniss, LLC and Savage & Savage, P.A. While working for Savage & Savage, P.A., I worked on personal injury cases, securities litigation, and criminal defense in both state and federal court. My responsibilities included legal research and writing, as well as court appearances.

(f) In 2006, I became an associate attorney with the law firm of Query Sautter Gliserman & Price, LLC. My practice was extremely diverse. I represented clients in Family Court regarding child custody, divorce, equitable distribution, abuse and neglect defense. I also represented clients in criminal defense matters in Summary Courts, Magistrate Courts, General Sessions, and the United States Federal District Court. I also represented clients in business litigation disputes, serving as chief counsel in trial of those cases. I represented clients in personal injury and wrongful death cases, serving as first or second chair during several trials. I wrote and co-wrote several appellate briefs for the South Carolina Court of Appeals and the South Carolina Supreme Court. I appeared before the United States Court of Appeal for the Fourth Circuit, on brief and oral argument.

(g) In 2008, I was certified as a Family Court Mediator and began mediating cases regarding child abuse and neglect, divorce, equitable distribution, spousal support, child custody, and child support. During the time, I was also appointed as a Guardian ad Litem by the Family Court in contested cases.

(h) In 2011, I became a partner in the practice which became known as Query Sautter Price & Forsythe, LLC, and ultimately became known as Query Sautter Forsythe, LLC. As my practice continued to evolve, I became involved in more appellate matters and represented clients in more complex litigation. I also had responsibility for management of the law firm, including employees, accounts payable and receivable, technology, and negotiating contracts with vendors.

(i) In 2014, I became the lead attorney for the Southern State Police Benevolent Association in the Charleston area. I routinely represented law enforcement officers in all matters associated with possible police misconduct, as was frequently tasked with responding to scenes with officer involved shootings.

(j) In February 2016, I was elected to the Family Court of South Carolina. For over five years, I have handled a variety of matters in the Family Court. I have also remained active in extra judicial work. I have worked on programs regarding language access in South Carolina, juvenile alternatives to incarceration and violence disruption, and domestic child sex trafficking and labor trafficking in South Carolina. I am also a member of the Family Court Bench Bar.

Judge Forsythe reported that she has held the following judicial office(s):

I presently serve on the South Carolina Family Court. I was elected on February 2, 2016 and commenced my term on July 1, 2016. The jurisdiction of the Family Court is determined by statute. There are no jurisdictional limits. The Family Court is tasked by statute to handle matters including, but not limited to marriage, divorce, children, child abuse and neglect, juvenile delinquency, child emancipation, child support, child custody, child visitation, child adoption, adult adoption, vulnerable adult abuse and neglect, domestic abuse orders of protection, alimony or separate support and maintenance, equitable apportionment, name changes, corrections of birth certificates.

Judge Forsythe provided the following list of her most significant orders or opinions:

(a) South Carolina Department of Social Services v. William David Cubbage, et al., 2019-UP-134 (S.C. Court of Appeals filed April 8, 2019).
(b) South Carolina Department of Social Services v. Ashley Joyner & Joshua Coker, 2018-DR-10-3134 (Order on Termination of Parental Rights and Permanency Planning Hearing Trial on January 28, 2019 to January 30, 2019)
(c) Kathryn C. Dennis v. Thomas J. Ravenel, Thomas J. Ravenel v. Haymaker Media, Incorporated, et al., 2018-DR-10-3671 (Order Vacating Order to Seal Record, June 7, 2019)
(d) Bostick v Bostick, 2017-DR-07-188 (Final Order and Decree of Divorce on a Trial on the Merits)
(e) South Carolina Department of Social Services v. Passio, 2016-DR-27-200 (Order on Permanency Planning Hearing Trial April 20, 2017)

Judge Forsythe reported no other employment while serving as a judge:

Judge Forsythe further reported the following regarding unsuccessful candidacies:
November 2018; did not screen out for Circuit Court, Ninth Judicial Circuit, Seat 2

(9) Judicial Temperament:
The Commission believes that Judge Forsythe's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Forsythe to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee noted: "Judge Forsythe has been instrumental in holding virtual Family Court hearings and trials. She has also sought the input of the attorneys who practice law before her to keep Family Court running smoothly."

Judge Forsythe is married to Charles Robert Forsythe. She has one child.

Judge Forsythe reported that she was a member of the following Bar and professional associations:

(a) The South Carolina Family Law American Inn of Court Charter Member 2021
(b) The James L. Petigru American Inn of Court 2009 to present
(c) The James L. Petigru American Inn of Court Executive Committee 2009-2015
(d) The James L. Petigru American Inn of Court Secretary 2009-2015
(e) Berkeley County Bar Association 2010-2013
(f) Charleston County Bar Association 2004 to present
(g) Charleston County Bar Association Executive Committee 2013-2016
(h) Charleston County Bar Association CLE Co-Chair 2013-2014
(i) Charleston County Bar Association CLE Chair 2014-2016
(j) Charleston County Bar Wellness Committee 2019 to present
(k) Charleston School of Law Moot Court Volunteer 2009, 2010, 2019, 2020
(l) Lawyer's Committee on Children's Rights 2010-2016
(m) South Carolina Association for Justice, Member 2003-2016
(n) South Carolina Bar, Member 2003 to present
(o) South Carolina Bar Resolution of Fee Disputes Board Ninth Circuit 2012-2016
(p) South Carolina Bar House of Delegates 2010-2014, 2015-2016
(q) South Carolina Bar Practice and Procedure Committee 2014-2018
(r) South Carolina Bar Lawyer Wellness Committee 2014-2018
(s) South Carolina Bar Lawyers Helping Lawyers Committee 2015
(t) South Carolina Bar Future of the Profession Committee 2015

(u) South Carolina Bar Ask-A-Lawyer Volunteer 2013-2014
(v) South Carolina Bar Mock Trial Judge 2014-2021
(w) South Carolina Bar Women's Lawyer Association 2020 to present
(x) South Carolina Supreme Court Lawyer Mentoring Program 2014 to present
(y) South Carolina Language Access Task Force, Chair 2016-2017
(z) National Council of Juvenile and Family Court Judges 2016-2019
(aa) South Carolina Family Court Bench Bar Committee 2018 to present
(bb) South Carolina Family Court Bench Bar Committee Dually Involved Youth Working Group 2019-2020
(cc) South Carolina Family Court Bench Bar Committee DSS Working Group 2018-2020
(dd) Tri-County Human Trafficking Task Force 2018 to present
(ee) South Carolina Law Enforcement Officers Human Trafficking Work Group 2019-2020
(ff) Supporting Opportunities for Survivors Working Group 2020 to present

Judge Forsythe provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) James Louis Petigru Inn of Court 2009 to present
(b) James Louis Petigru Inn of Court, Inn Secretary, 2009 to 2015
(c) James Louis Petigru Inn of Court, Outstanding Service Award, 2015
(d) The Benevolent Protective Order of Elks, 2014 to present
(e) Liberty Fellowship, 2019 to present
(f) YWCA Award Winner of Professional Services Award, 2019
(g) Boy Scouts of America Coastal Carolina Council, Board Member, 2019 to present
(h) The Formation Project, Board Member, 2020 to present

Judge Forsythe further reported:
I continue to be grateful for the opportunity to serve as a South Carolina Family Court Judge. It has been an opportunity not just to serve, but to also learn. I have seen the joys and sorrows of people in our community. I continue to dedicate my time and

efforts not just to my work on the bench, but also to my work on anti-human trafficking efforts and juvenile justice. My time on the Family Court has been one of the most rewarding experiences of my life, and continues to be an honor for which I am ever thankful.

(11) Commission Members' Comments:
The Commission was impressed with the comments from the members of the Bar about Judge Forsythe's work ethic, especially during the pandemic, as well as her obvious compassion and dedication to the children who are involved in domestic or juvenile matters before her.

(12) Conclusion:
The Commission found Judge Forsythe qualified and nominated her for re-election to Family Court, Ninth Judicial Circuit, Seat 3.

The Honorable Karen F. Ballenger
Family Court, Tenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Ballenger meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Ballenger was born in 1957. She is 64 years old and a resident of Seneca, South Carolina. She provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1987.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Ballenger.

Judge Ballenger demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Ballenger reported that she has not made any campaign expenditures.

Judge Ballenger testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Ballenger testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Ballenger to be intelligent and knowledgeable.

Judge Ballenger reported that she has taught the following law-related courses:

(a) I was an instructor in domestic law at Columbia Junior College in the paralegal program in the summer of 1988.

(b) I was a presenter at a conference held at the Sheraton in Columbia, South Carolina. The subject matter of the conference was legal issues relating to child abuse and neglect. The audience was lay guardians, Department of Social Service workers, and attorneys. To the best of my knowledge, the seminar was sponsored by the South Carolina Children's Law Center. I have not been able to locate any information as to the date of the course.

(c) Since becoming a judge, I speak on family court issues at the annual Oconee County Bar meeting every year.

Judge Ballenger reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Ballenger did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Ballenger did not indicate any evidence of a troubled financial status. Judge Ballenger has handled her financial affairs responsibly.

The Commission also noted that Judge Ballenger was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Ballenger reported that her last available rating by a legal rating organization, Martindale-Hubbell, was BV Distinguished.

Judge Ballenger reported that she has not served in the military.

Judge Ballenger reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Ballenger appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Ballenger appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Ballenger was admitted to the South Carolina Bar in 1987.

She gave the following account of her legal experience since graduation from law school:

(a) Kennedy, Price & Dial, Columbia, South Carolina, Associate, 1987 until June, 1988. My duties included research and drafting of pleadings and other legal documents; assisting in trial preparation, maintaining client contact; and a limited amount of real estate work. As an associate, I was not involved with administrative and financial management of the firm.

(b) Judicial Law Clerk, June 1988 to January 1990
The Honorable Carol Connor, Resident Circuit Judge for the Fifth Judicial Circuit. Judge Connor had recently been elected as circuit court judge, and she needed a law clerk of the summer. As Judge Connor's law clerk, my duties

included overseeing the docket, performing legal research, reviewing orders, and order preparation.

The Honorable Marion H. Kinon. After clerking for Judge Connor, Judge Marion Kinon asked me to serve as his law clerk for approximately 6 weeks while his law clerk was in training with the South Carolina National Guard.

The Honorable William Howard Ballenger. In October of 1988, the Honorable William Howard Ballenger, Resident Circuit Court Judge for the Tenth Judicial Circuit, offered me a position as his law clerk. During my time as Judge Ballenger's law clerk, he presiding over two death penalty cases. I was employed as Judge Ballenger's law clerk until January 1990.

(c) Ross, Stoudemire & Awde, P.A., Seneca, South Carolina, Associate, 1990. In July of 1992, I became a named partner in the firm – Ross, Stoudemire, Ballenger & Sprouse, P.A. I was with this firm until December 31, 1994. During this time, I had a general practice which included domestic; civil litigation; criminal (very limited); workers compensation and social security. I would estimate that approximately 60% of my practice during this time was domestic. I had very limited involvement with the administrative management of the firm. I had no involvement with the financial management of the firm.

(d) After leaving the above firm, I began a solo practice in Walhalla, South Carolina. Very shortly thereafter, I became a principal/partner in the firm of Ballenger, Fedder, Cain & Norton, L.L.P. I was with this firm until June of 1998. My practice during this time included domestic; personal injury; workers' compensation; probate; social security; civil and a very limited amount of real estate. I handled all of the administrative and financial responsibilities for my portion of the practice.

(e) From June of 1998 to 2001 (to the best of my recollection), I had an office in Walhalla, South Carolina. During this time, I had a general practice. However, the main focus of my practice was family court matters. As a solo practitioner, I had to handle all of the financial responsibilities of my practice.

(f) In 2001, I began practicing with the firm of Fedder, Norton, Ballenger and Enderlin, P.A. The area of my practice did not change. The majority of my practice was appearing in family court and handling domestic issues. Subsequently, Derek Enderlin left the firm and accepted a job with the Public

Defender's office, and Julie Mahon became a member of the firm. The firm's name changed to Norton, Ballenger and Mahon, P.A. on April 23, 2004 based on the records of the Secretary of State. Subsequently, Julie Mahon married and moved from Oconee County, South Carolina. Bradley Norton and I continued to practice in Walhalla, South Carolina. Then on or about July 11, 2011, Keith Denny became a named partner in the firm. The name of the firm was changed to Norton, Ballenger and Denny, P.A. During all of this time, the attorneys kept our finances separate (other than the joint financial responsibilities). Therefore, I was responsible for all of the financial responsibilities of my practice.

(g) On May 23, 2012, I had the honor of being elected as Family Court Judge for the Tenth Judicial Circuit. I have served in this position since that date.

Judge Ballenger reported that she has held the following judicial office(s):

Family Court, Tenth Judicial Circuit, Seat 2
Date of Election: May 23, 2012
Dates of Service: July 16, 2012 to the present
Jurisdiction: Family Court

Judge Ballenger provided the following list of her most significant orders or opinions:

(a) South Carolina vs. Michelle G and Robert Dale L, Anderson County. Issues: Termination of Parental Rights. This case is significant for me because it was the first case that I heard that was decided on appeal, and I was affirmed. South Carolina Department of Social Service v. Michelle G and Robert L, 407 S.C. 499, 757 S.E.2d 388 (2014).

(b) Melissa Caldwell Cromer vs. Aubrey Gene Cromer, Brian Cromer and Kevin Cromer, Anderson case, Issues: Divorce, Alimony, Equitable Division of Property and Attorney Fees. It was a seven day trial. The Wife appealed my decision. Based on the Remittitur dated July 31, 2019, the appeal was dismissed (Appellate Case No. 2019-000899).

(c) South Carolina Department of Social Services vs. Rosalinda Obregon-Mejia and Miguel Diaz-Duran vs.

Dulce Navarrete and Jane Doe and John Doe, Anderson, Issues: Termination of Parental Right. It was a five day hearing. This case was heard in the summer of 2017 before the use of WebEx and remote technology. The Defendants were incarcerated in a federal detention facility (in two different facilities in two different states). The Court had appointed the Defendant parents attorneys and Guardians. The parents could not speak the English language. The Defendant parents participated and attended the hearing telephonically with the assistance of the interpreter. There were two parties who intervened. There were eight attorneys involved in the case. The logistics of having a hearing with two non-English parties participating telephonically was very challenging. Defendant Rosalinda Obregon-Mejia appealed my decision. I was affirmed in an unpublished opinion. South Carolina Department of Social Services vs. Rosalinda Obregon-Mejia, Miguel Diza-Duran, et.al., Opinion No. 2018-UP-460 (S.C. Ct. App. Filed December 6, 2018). Defendant Miguel Diaz Duran also appealed my decision. I was affirmed in an unpublished opinion – South Carolina Department of Social Services vs. Rosalinda Obregon-Mejia, Miguel Diza-Duran, et.al., Opinion No. 2018-UP-459 (S.C. Ct. App. Filed December 6, 2018).

(d) South Carolina Department of Social Services vs. Rebecca Johnson, Dustin Trotter, Billy Miller and Joshua Jackson; South Carolina Department of Social Services vs. Dustin Trotter and Rebecca Johnson; Sharmon Rivera vs. SCDSS, Dustin Trotter, Rebecca Johnson and Billy Miller; and Benjamin Philip Hardy and Lauren Alice Hardy vs. Rebecca Johnson, Dustin Trotter and SCDSS, Oconee County, Issues: Termination of Parental Rights and Adoption. Four cases were consolidated for the sole purpose of trial. Nine attorneys were involved. It was a six day trial.

(e) Gregory Scott Merritt vs. Melissa Pearce Merritt, Anderson County, Issues: Custody and child related issues, Nine day trial.

Judge Ballenger reported no other employment while serving as a judge:

Judge Ballenger further reported the following regarding unsuccessful candidacies:
In 1999, I submitted an application for the Judge of the Family Court for the Tenth Judicial Circuit, Seat 2. I was found to be qualified for the position. I withdrew my application by letter dated January 21, 2001. The Honorable Timothy M. Cain was elected to the judicial office where he served admirably until he was elected to the federal bench.

(9) Judicial Temperament:
The Commission believes that Judge Ballenger's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Ballenger "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not include related or summary comments.

Judge Ballenger is not married. She has one child.

Judge Ballenger reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Oconee County Bar Association, President in 1996
(c) South Carolina Conference of Family Court Judges

Judge Ballenger provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Paul Hayne Circle (literary club). I am no longer a member.
(b) The Oconee County Assembly

Judge Ballenger further reported:

I was fortunate to grow up in an environment in which I learned important values by following the examples set by my parents. These values have served me well as a family court judge.

Becoming a family court judge has allowed me to continue to grow and serve my community in a field about which I am very passionate. Prior to my election as a judge, I had over 20 years of experience in family court issues. In looking back at my legal career, I firmly believe that there have been many opportunities and experiences that have unknowingly brought me to where I am today.

The past nine years of my life have without a doubt been the most rewarding years of my life. As a family court judge, I firmly believe that we are the face of the judiciary. Most citizens at one point in their life find themselves in front of a family court judge. For the litigants in my courtroom, it is probably one of the most painful and scary times of their lives. I constantly remind myself of that fact, and I always try to take that into consideration when I am on the bench.

A successful family court judge that can best serve their community is one who is passionate for family law; understands the intricacies of domestic law and can handle the unique challenges that exist in family court. These are the goals that I set for myself every day since having the honor of serving my state as a family court judge.

(11) Commission Members' Comments:

The Commission commented Judge Ballenger has endeared herself to the attorneys that appear before her while not being afraid to make the right ruling and the tough decisions.

(12) Conclusion:

The Commission found Judge Ballenger qualified and nominated her for re-election to Family Court, Tenth Judicial Circuit, Seat 2.

THURSDAY, JANUARY 13, 2022

The Honorable William Gregory Seigler
Family Court, Eleventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Seigler meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Seigler was born in 1974. He is 47 years old and a resident of McCormick, South Carolina. Judge Seigler provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Seigler.

Judge Seigler demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.
Judge Seigler reported that he has not made any campaign expenditures.

Judge Seigler testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Seigler testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Seigler to be intelligent and knowledgeable.

Judge Seigler reported that he has taught the following law-related courses:
Public Defender's Conference 2015

Judge Seigler reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Seigler did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Seigler did not indicate any evidence of a troubled financial status. Judge Seigler has handled his financial affairs responsibly.

The Commission also noted that Judge Seigler was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Seigler reported that he is not rated by any legal rating organization.

Judge Seigler reported that he has not served in the military.

Judge Seigler reported that he has held the following public office:
(a) Tri-County Public Defender (Edgefield, McCormick, Saluda), 2007-2008-position designated as part time. I represented any and all indigent defendants.
(b) Tri-County Public Defender (Edgefield, McCormick, Saluda), 2008-2014-full time under the Circuit Public Defender. I represented any and all indigent defendants.

(6) Physical Health:
Judge Seigler appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Seigler appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Seigler was admitted to the South Carolina Bar in 2000.

He gave the following account of his legal experience since graduation from law school:

(a) Law Offices of W. Greg Seigler, Inc., 2000-2010. Solo Practitioner with a general practice that focused on family law, but included criminal, probate, civil, and real estate. I was town attorney for several municipalities during this time. I was solely involved with the management of this entity.
(b) Chief Municipal Judge –Calhoun Falls (Abbeville County), 2005-2007;
(c) Tri-County Public Defender (Edgefield, McCormick, Saluda), 2007-2008-position designated as part time. I represented any and all indigent defendants.
(d) Tri-County Public Defender (Edgefield, McCormick, Saluda), 2008-2014-full time under the Circuit Public Defender. I represented any and all indigent defendants.
(e) Family Court Judge, Eleventh Circuit, Seat 1, May 28, 2014-current.

Judge Seigler reported that he has held the following judicial office(s):

(a) Family Court Judge, Eleventh Circuit, Seat 1, May 28, 2014-current, elected by the SC General Assembly. The Family Court has exclusive jurisdiction over all matters involving domestic or family relationships, including all cases involving marriage, divorce, legal separation, custody, visitation, termination of parental rights, adoption, support, alimony, division of marital property, name change, and minors under 17 charged with crimes.

(b) Chief Municipal Court Judge–Calhoun Falls (Abbeville County) 2005-2007, appointed by the mayor and town council. Municipal

Courts have jurisdiction over cases arising under ordinances of the town, and to all offenses subject to fines less than $500 or 30 days. The powers are identical to magistrates, except they have no civil jurisdiction.

Judge Seigler provided the following list of his most significant orders or opinions:

(a) Bradacs v SCDHEC-SCDHEC refused to issue an amended birth certificate
(b) Ball v Ball-separate support and maintenance trial involving conservatorship
(c) SCDSS v John and Jane Doe-termination of parental rights trial
(d) Barnes v Williams-parent vs grandparent custody trial
(e) In the Interest of Christopher H.-Appellate case number 2018-001257

Judge Seigler reported the following regarding his employment while serving as a judge:
Law Offices of W. Greg Seigler, Inc. 2005-2007. I was the sole practitioner and I was responsible for any and all operations of the entire firm.

Judge Seigler further reported the following regarding unsuccessful candidacies:
In 2012, I was a judicial candidate for Family Court At-Large Seat 2. I was found qualified and nominated but withdrew my candidacy prior to the election.

(9) Judicial Temperament:
The Commission believes that Judge Seigler's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Seigler to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Well Qualified." Additionally,

the report included a related comment as follows: "A veteran Judge w/ good temperament and experience."

Judge Seigler is married to Jennifer Price Seigler. He has three children.

Judge Seigler reported that he was a member of the following Bar and professional associations:
(a) SC Bar
(b) SC Family Court Judges Association

Judge Seigler provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) The Citadel Alumni Association-Life Member
(b) Mason/Mine Lodge 117
(c) National Wild Turkey Federation
(d) SC Wildlife Endowment

Judge Seigler further reported:
As I indicated in my sworn statement to the Commission, I have served as a municipal court judge, practiced privately in many areas to include extensive domestic relations, as Public Defender I represented indigent clients charged with offenses in all courts including family court, and I have now served eight years as a family court judge. I graduated law school twenty-two years ago last month and during those two plus decades I have been in family court in some capacity, my wife and I are in the process of raising our three sons ages 14, 13, and 11 who are becoming fine young men, and I am proud and humbled every day to serve this great state as a family court judge. I believe my experience both professionally and privately gives me the appropriate tools, temperament, and demeanor to continue to be a good judge. I strive to be fair and treat all persons who appear before me with patience, respect and fairness, and I hope I can continue to do so as a family court judge.

(11) Commission Members' Comments:
The Commission commented that Judge Seigler has an outstanding reputation in the S.C. Bar and noted the positive comments from the BallotBox surveys regarding Judge Seigler's treatment of parties that appear before him.

(12) Conclusion:
The Commission found Judge Seigler qualified, and nominated him for re-election to Family Court, Eleventh Judicial Circuit, Seat 1.

The Honorable Holly Huggins Wall
Family Court, Twelfth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Twelfth Judicial Circuit, 3 candidates applied for this vacancy, and 1 candidates withdrew before the Commission voted. Accordingly, the names and qualifications of 2 candidates are hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Wall meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Wall was born in 1973. She is 48 years old and a resident of Johnsonville, South Carolina. Judge Wall provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Wall.

Judge Wall demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Wall reported that she has made the following campaign expenditures:

(a) Stamps: $39.60
(b) Stationery: $272.85
(c) Office supplies: $93.00

Judge Wall testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Wall testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Wall to be intelligent and knowledgeable.

Judge Wall reported that she has taught the following law-related courses:

(a) I coached Mock Trial at Johnsonville Middle School and Johnsonville High School for 10 years.
(b) I taught two evenings at Law School for Non-Lawyers at the Southeastern Institute of Manufacturing and Technology in Florence, SC.
(c) I filled in last minute for an attorney at a Bridge the Gap seminar on equitable distribution.

Judge Wall reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Wall did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Wall did not indicate any evidence of a troubled financial status. Judge Wall has handled her financial affairs responsibly.

The Commission also noted that Judge Wall was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Wall reported that she does not have any legal ratings by any organizations.

Judge Wall reported that she has not served in the military.

Judge Wall reported that she has held the following public office:
(a) I was elected to the Florence County School District Five Board of Trustees in 2005 and continued to serve until I was appointed as Magistrate in 2019.
(b) I filed my report with the State Ethics Commission each year, but I believe I was late on two occasions and had to pay a $100.00 penalty on one occasion.

(6) Physical Health:
Judge Wall appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Wall appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Wall was admitted to the South Carolina Bar in 2000.

She gave the following account of her legal experience since graduation from law school:
(a) May 2000 – November 2000: Rubillo Law Firm, part-time associate, primarily Family Court.
(b) November 2000 – May 2018: Law Office of Wall, LLC. I was a sole practitioner focusing primarily on Family Court.

I handled all aspects of the administrative and financial management of my office, including trust accounts.

(c) May 2018 – April 2019: Folkens Law Firm, P.A. I was hired as an associate to Karl Folkens to practice Family Court and conduct Family Court mediations. I had no administrative or financial management duties at Folkens Law Firm.

(d) April 2019 to present: I was appointed as a part-time Magistrate for Florence County, holding Court in Florence and Johnsonville Magistrates' Offices. I am responsible for running the Johnsonville Magistrate's Office, to include managing the civil and criminal accounts.

(e) August 2019 to present: PeeDeeMediation, LLC. I am a certified Family Court mediator, conducting Family Court mediations in Florence, Horry, Georgetown, Richland, Lexington, Marion and Williamsburg Counties. I am responsible for all aspects of running this business. I have no trust account.

Judge Wall further reported regarding her experience with the Family Court practice area:

(a) Divorce and equitable division of property: I have handled hundreds of divorce and equitable distribution cases. Since 2000, I have handled cases involving divorce on grounds of one-year's separation, adultery, habitual intoxication, and physical abuse. I have handled equitable distribution cases of over a million dollars in the marital estate as well as complex cases where marital and non-marital assets were in dispute.

(b) Child custody: Since 2000, I have handled dozens to hundreds of contested complex child custody cases involving abuse, parental alienation, incorrigible children, grandparent custody, psychological parent custody and visitation, and other contexts of child custody cases.

(c) Adoption: Since 2000, I have handled dozens of adoptions, through DSS and through private actions. I have handled relative adoptions as well as nonrelative adoptions.

(d) Abuse and neglect: Since 2000, I have handled many abuse and neglect cases involving DSS. I have been appointed as guardian ad litem for the children in these cases as well as representing parents who have had their children removed from the home by DSS.

(e) Juvenile justice: Since 2000, I have represented five juveniles in DJJ cases.
(f) Before becoming a part-time Magistrate in April of 2019, I appeared several times per week in front of a Family Court Judge in Florence, Williamsburg, Horry, and Georgetown counties. Since April of 2019, I have been mediating contested Family Court cases one to two times per week in Florence, Williamsburg, Horry, Georgetown and other counties, both by judicial appointment and by selection of the attorneys.

Judge Wall reported the frequency of her court appearances prior to her service on the bench as follows:
(a) federal: none
(b) state: several times weekly

Judge Wall reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:
(a) civil: 10%
(b) criminal: 5%
(c) domestic: 85%
(d) other: I have been conducting Magistrate Court trials as Magistrate since April of 2019.
Judge Wall reported the percentage of her practice in trial court prior to her service on the bench as follows:
(a) jury: 0%
(b) non-jury: 100%, including sitting as a Magistrate for Magistrate Court bench trials.

Judge Wall provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Wall's account of her five most significant litigated matters:
(a) Whelan v. Whelan, Horry County Family Court; This was a custody matter where both parties alleged the other had a severe mental illness that would impact their ability to parent. This was significant case in that the opposing party had significantly more financial resources and I had to fight for primary custody of an infant and my client had very little

money for psychological experts. In March of 2019, the opposing party filed five motions seeking a change in primary custody, overbroad discovery rulings, and a motion to compel. I won all five motions and protected my client from abusive and overbroad electronic discovery, maintained primary custody, and defended my client from thousands of dollars in fees. This is also significant because the law is still catching up with technology and there was very little precedent as to how the judge would handle opposing counsel's discovery requests involving my client's cell phone and social media.

(b) Chavez v. Chavez, Florence County Family Court; This was a divorce, equitable distribution and custody matter. My client was a medical doctor with significant marital assets. His wife had always been a stay-at- home mom to their two little boys. While preserving my client's assets was important to my client, his major concern was having joint custody of his children. This was a difficult request as he was a doctor who worked long hours and she stayed at home. The generally accepted thinking is that she would have custody and he would have every other weekend for visitation. With the help of a private investigator, I was able to demonstrate that she allowed a babysitter to keep the children a large portion of the time that the children were with her and further demonstrate that my client actually spent more time with the children during his allotted periods of physical custody. We ended up settling the case in mediation and the wife was required to get a job that lowered my client's alimony award and my client got 50%-50% custody of his two boys on a week-to-week basis.

(c) Darcangelo v. Darcangelo a/k/a McCall, Georgetown County Family Court; This was a custody modification case. My client had been awarded custody of the minor child in a previous case. Very soon after she remarried, her new husband died tragically and she had a rough year and made some really bad choices. Her ex-husband filed for a change of custody. This is a significant case because I had to rehabilitate her, stave off her ex-husband's motions for temporary change of custody, and convince the judge that while a substantial change in circumstances had occurred that might normally warrant a change in custody, she had

remedies all of those issues before trial and therefore there was no longer a substantial change to warrant a custody modification. The judge agreed with me after a three-day trial and my client retained custody.

(d) Smith v. Smith, Horry County Family Court; This was a custody modification action. In their divorce case, these parties agreed for the wife to have custody of the three children. After several years had passed, the husband filed to modify custody based on six faults and character flaws he alleged the wife recently displayed and that these faults and flaws warranted a change in custody. He could prove each allegation. This case is significant because I had to go through the previous divorce case's depositions, orders, and discovery to demonstrate that while these traits and actions were indeed bad, they all existed at the time he agreed for my client to have custody in the first action. After a three-day trial, I was able to prove each and every allegation existed in the previous action where the husband agreed to give my client custody and therefore there was no substantial change of circumstances to warrant a custody transfer. The judge ruled in my favor and my client retained custody of her three children.

(e) Porter v. Porter, Williamsburg and Florence County Family Court; This was an action where I had to defend my client against allegations of molesting his two daughters. There are several reasons why she did this, none of which was because he was ever inappropriate with his children. I was involved in this case for four years and defended my client many times in court against DSS and his ex-wife. After four years, countless hearings, and a two-day trial my client's visitation was restored, the DSS case against him was unfounded and I defeated DSS's attempt to have him registered on the DSS registry for abuse and neglect

Judge Wall reported that she handled the following civil appeals:

(a) Doe v. Roe, 379 S.C. 291, 665 S.E.2d 182 (Ct. App. 2008).
(b) Doe v. Roe, Opinion No. 26779 (S.C. 3/1/2010) (S.C. 2010).

Judge Wall reported that she has not personally handled any criminal appeals.

Judge Wall reported that she has held the following judicial office(s):

I was appointed by Senator Leatherman as a part-time Florence County Magistrate in April of 2019. My main office is in Johnsonville, SC and I hold court in Johnsonville on Mondays, Wednesdays and Fridays. I travel to the Florence office to hold court each Tuesday and Thursday morning. I have jurisdiction in Florence County to sign arrest and search warrants. The Magistrate's Court has jurisdiction over crimes classified as misdemeanors, civil disputes up to $7,500.00 and all landlord-tenant disputes.

Judge Wall provided the following list of her most significant orders or opinions:

(a) As Magistrate, I have presided over many evictions during the past two years.
Evictions became very complicated during the Covid pandemic and some restrictions are still in place at this moment. While some believe there has been a moratorium on all evictions during the pandemic, that is not the case. There have been many eviction petitions and hearings for causes other than nonpayment of rent which is still permissible under the state, federal and CDC mandates.

(b) As Magistrate, I have presided over many restraining order petitions which are similar to Orders of Protection that fall within the Family Court's jurisdiction.

(c) As Magistrate, I have presided over civil contract disputes.

(d) As Magistrate, I have presided over many criminal bench trials.

(e) As Magistrate, I have presided over restraining order petitions and complaints between family members which are very similar to what appears before a Family Court Judge.

Judge Wall reported the following regarding her employment while serving as a judge:

As I am a part-time Magistrate, I also own PeeDeeMediation, LLC. I began this company during the summer of 2019 and I continue working for this business until the present. When contacted by the Court, attorneys, or parties, I schedule the mediations, send out the pre-mediation paperwork, conduct

mediations, and draft the memorandum of agreement, consent order, or Final Agreement.

(9) Judicial Temperament:
The Commission believes that Judge Wall's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee DeeCitizens Committee on Judicial Qualification found Judge Wall to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee had no related or summary comments.

Judge Wall is married to Derrick Allan Wall. She has two children.

Judge Wall reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Association of Trial Lawyers of America
(c) South Carolina Association of Justice
(d) South Carolina Women Lawyers Association

Judge Wall provided that she was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Wall further reported:
(a) I was named the 2008 LRE Lawyer of the Year.
(b) I have been preparing for this Family Court Judicial Seat for my entire adult life. My twenty-one years practicing Family law has given me the knowledge and experience to be a Family Court Judge. My thirteen years as a Family Court mediator has enabled me to work with and learn from Family Court practitioners from all over our state. I have spent thirteen years teaching, guiding, and demonstrating why it is better to resolve your case in mediation than resort to a contested Family Court trial. I have spent the last two years as a Magistrate training to be a judge for the occasions

when a trial is necessary. I have practiced mainly in a small town named Johnsonville, SC. While some may see this as a negative, I do not regret one second of my practice. Johnsonville is nine miles from five different counties. I was never relegated to one county for my practice. I routinely practiced in Florence, Williamsburg, Horry, Georgetown and Marion counties. My practice also took me to Charleston, Columbia, Lexington, York and Bamberg. I gained incredible insight and knowledge while traveling the state practicing Family law. I have represented people, real people. I have represented doctors with millions of dollars in assets and I have represented people with nothing but a child who meant everything to them. Every person that appears in Family Court is there for their most important reason. Family Court is not a corporate issue between two giants of industries. Family Court is everyday people fighting for their children, their marriage, their reputation, their retirement, and their life savings. Family Court matters. And I am ready.

(11) Commission Members' Comments:
The Commission commented that Judge Wall displayed great enthusiasm and temperament in her public hearing. The Commission also noted her vast experience in family court matters.

(12) Conclusion:
The Commission found Judge Wall qualified and nominated her for election to Family Court, Twelfth Judicial Circuit, Seat 3.

The Honorable Elizabeth Biggerstaff York
Family Court, Twelfth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Twelfth Judicial Circuit, Seat 3, 3 candidates applied for this vacancy and 1 candidate withdrew before the Commission voted. Accordingly, the names and qualifications of 2 candidates are hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge York meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge York was born in 1969. She is 52 years old and a resident of Florence, South Carolina. Judge York provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge York.

Judge York demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge York reported that she has not made any campaign expenditures.

Judge York testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge York testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge York to be intelligent and knowledgeable.

Judge York reported that she has taught the following law-related courses:
(a) I created a PowerPoint and lectured for the SC Bar video CLE "Yikes, I've Gotten a DSS Appointment."
(b) I have served on panel discussions for DSS in-house CLE programs.
(c) I created a PowerPoint and have given presentations to law enforcement on Title 63 of the SC Code.
(d) I created a PowerPoint and have given a presentation to new DSS caseworkers on Title 63 of the SC Code.
(e) Adjunct Professor, Business Law, Coker College.

Judge York reported that she has not published any books or articles.

(4) Character:
The Commission's investigation of Judge York did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge York did not indicate any evidence of a troubled financial status. Judge York has handled her financial affairs responsibly.

The Commission also noted that Judge York was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge York reported that her last available rating by a legal rating organization, Martindale-Hubbell, was Distinguished BV.

Judge York reported that she has not served in the military.

Judge York reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge York appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge York appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge York was admitted to the South Carolina Bar in 1994.

She gave the following account of her legal experience since graduation from law school:

(a) From 1994 until 1995, I was a law clerk to the Honorable Don S. Rushing, a Circuit Court Judge. During six months of the year term, he was Chief Judge for Administrative Purposes (Criminal) Charleston County.
(b) From 1995 until 1996, I was Assistant Solicitor for the Fourth Judicial Circuit, prosecuting cases in the General Sessions Court of Chesterfield, Darlington, Dillon and Marlboro Counties.
(c) From 1996 until 2004, I worked at the Law Firm of Jennings and Harris, located in Bennettsville, South Carolina. I began as an associate and became a partner around 2001. The firm had a general trial practice. My personal practice included a focus on the Family Court, although I practiced in all trial courts. I was also a contract attorney for the South Carolina Department of Social Services, handling abuse and neglect cases for Chesterfield County beginning in 1996. On or about 1998, I was also an adjunct professor with Coker College, where I taught Business Law through their adult program. Additionally, I became a certified mediator for the Family Court in 2002. I assisted with supervising personnel and utilized the trust account.
(d) From 2004 until 2006, I worked at the Law Office of Nancy Bailey, located in Florence, South Carolina. This practice focused almost exclusively on Family Court matters. As Florence was an initial mandatory-mediation county, I

conducted mediations, including pro bono mediations for the Family Court during this time. I also continued to work as a contract attorney for the South Carolina Department of Social Services handling abuse and neglect cases for Chesterfield County. I assisted in supervising personnel and utilized the trust account.

(e) From 2006 until 2016, I worked for the South Carolina Department of Social Services on a full-time basis, handling abuse and neglect cases for Darlington and Chesterfield Counties, and assisting in other counties. I was the supervising attorney for the Fourth Judicial Circuit which consists of Darlington, Chesterfield, Dillon, and Marlboro counties.

(f) In July of 2016, I opened the Law Office of Elizabeth York with a focus on Family Court matters and continue this practice at present. Also in July of 2016, I became a part-time Municipal Judge for the City of Hartsville which I also continue at present. I had a statewide contract with the South Carolina Department of Social Services for abuse and neglect cases from July 2016 until July 2019. In July of 2019, I entered into a contract with the South Carolina Commission on Indigent Defense to handle defense of abuse and neglect cases in Florence and Dillon counties. I supervise personnel and have access to all accounts for the Law Office of Elizabeth B. York.

Judge York further reporter her experience with the Family Court practice area:

My professional experience has included a focus in the Family Court since 1996, and I have experience in each of the above-mentioned areas. I represented the South Carolina Department of Social Services in abuse and neglect cases from 1996 until 2019. From 1996 until 2006, I had a contract with the South Carolina Department of Social Services to handle abuse and neglect cases in Chesterfield County with assistance in other counties. In 2006, I became a full-time attorney for the South Carolina Department of Social Services as a managing attorney for the Fourth Judicial Circuit and continued in this position until July of 2016. In July of 2016, I began a statewide contract for the South Carolina Department of Social Services, often

traveling to handle complex matters on their behalf. I continued with this contract until July of 2019. In July of 2019, I signed a contract with South Carolina Commission on Indigent Defense to defend abuse and neglect cases in Florence and Dillon counties and this contract continues at this time. Abuse and neglect cases often overlap with matters with the South Carolina Department Juvenile Justice and adoption custody issues.

In 2016, I again entered private practice and continue to handle all types of Family Court matters in each of these categories and mediate these issues when appointed by the Court.
At a minimum, I have appeared in the Family Court once per week in the past five years.

Judge York reported the frequency of her court appearances prior to her service on the bench as follows:
(a) Federal: 0%
(b) State: 100%.

Judge York reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:
(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 75%;
(d) Other: abuse and neglect in the Family Court 25%.

Judge York reported the percentage of her practice in trial court prior to her service on the bench as follows:
(a) Jury: 0%;
(b) Non-jury: 100%.

Judge York provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge York's account of her five most significant litigated matters:
(a) SCDSS v. J.E., Case Number 96-DR-13-778
This was an abuse and neglect case in which the defendant was a foster mother who severely beat a foster child in her care,

killing the child. The defendant mother had other foster children and an adopted child in her care. The deceased child was one of ten siblings in foster care. I not only handled the Family Court abuse and neglect side of the case, I also actively participated in the criminal trial of Ms. E. (97-GS-13-77, 98-GS-13-10) and a civil trial against SCDSS and a school principal (97-CP-13-145, 98-CP-13-03). This case occurred as the child abuse code was changing nationwide. It involved the new code as well as the issues of severe abuse, mandatory reporting of abuse and neglect, and foster care licensing.

(b) SCDSS, In the Interests of Baby Doe, Case Numbers 14-DR-13-645 and 15-DR-13-0628
Chesterfield County was thrust into the national news when a newborn was abandoned at the Health Department. The child was determined to be approximately three days old at the time she was left in a restroom at the health department. SCDSS had to obtain a birth certificate for the child whose parents were never located. Additionally, I had to weigh the interests of the privacy of the infant as DSS received nationwide requests to adopt the child. This balancing required considering the rights of the unknown parents, while expediting permanency for the child, who has since been adopted.

(c) Richard S. Bird, Plaintiff, vs. Rebecca Moningka Bird, Defendant, vs. Richard S. Bird, Sr. and Martha Bird, Third-Party Defendants. Case Number 19-DR-21-0959.
This case was pled for divorce, custody, equitable distribution, alimony, and attorney's fees and costs. I was appointed by the Court to serve as the guardian ad litem for the two minor children of the parties. With regards to the custody issues, this case involved international kidnapping, parental alienation, and a recent diagnosis of a chronic illness of one of the children. Numerous experts were involved in this matter. Several petitions for contempt were also filed and heard. This matter reached a final resolution on the children's issues with an Order filed June 16, 2021 and an Order is pending with regards to the other issues from a hearing held June 15, 2021 through June 18, 2021.

(d) State v. Grandison, Case Number 01-GS-241.242
A week-long armed robbery trial. My client was convicted of armed robbery. The jury determined that my client was the

driver of the get-away-car. This case involved video surveillance and its admission, which was fairly new at the time, as well as the cases involving the "hand of one is the hand of all." Mr. Grandison was a college student who grew up in Delaware and was attending college in Virginia. He was in South Carolina with "friends" from college, one who was from this State. The first two friends apprehended gave statements and the admissibility of those statements and weight given was an issue. Additionally, I filed several Motions to try to have the State try my client separately from the gunman.

(e) SCDSS, In the Interest of J.C., Case Number 09-DR-13-378
This case involved severe abuse and neglect of three siblings. This abuse included locking the children out of the family home during the day in severe heat. One sibling was placed into a dark storage building for days with no electricity or water and forced to wear a shock collar. A sibling of this child was asked to shock the other child and to empty the bucket that the child used as a restroom. All siblings had to empty the bucket that the children used as a restroom while working in the yard. The case involved media attention, a corollary criminal case, and it required expediting the case to assist these children. Personally, I will never forget preparing these children for trial. The perpetrators no longer have parental rights to the children. Two of the siblings were adopted. The sibling who was asked to perform the shocking of the other siblings was opposed to adoption and requested to remain in a placement in an area where he had been placed initially.

The following is Judge York's account of five civil appeals she has personally handled:

(a) SCDSS, Respondent, v. F.V., J.V. and T.D., of whom F.V. and J.V. are Appellants. In the Interest of three minors, Case Number 2011-UP-47
This appeal from the Family Court of Darlington County involved Appellants F.V. and J.V.'s challenging the Court's finding of abuse and/or neglect, the Treatment Plan ordered, and the placement of their name onto the Central Registry of Child Abuse and Neglect. The Court of Appeals upheld the findings of abuse and/or neglect, found the issue presented on the Treatment Plan was moot, and reversed placement of the

names of F.V. and J.V. onto the Central Registry of Abuse and Neglect.

(b) SCDSS, Respondent, v. G.M.P., A.K.A. Z.P., M.P. and John Doe, In the Interest of a minor child under eighteen years, Case Number 2012-UP-470
M.P. appealed the termination of his parental rights. The Court of Appeals reviewed his case pursuant to Ex Parte Cauthen, 291 S.C. 465, 354 S.E. 3d 381 (1987), and upheld the termination of his parental rights.

(c) SCDSS, Respondent, v. Z.P., M.P., of whom E.P. is the Appellant, In the Interests of one minor child under the age of eighteen, Case Number 2010-UP-240
Z.P. appealed the Family Court's Order from a Permanency Planning hearing alleging that the evidence did not support the finding that reunification was no longer a viable plan for the child contending that the child's guardian ad litem did not perform her duties as mandated. The Court of Appeals upheld the decision of the Family Court.

(d) SCDSS, Respondent, v. S.G. L.G. G.B. and John Doe, of whom S.G. is the Appellant, In the Interest of five children under the age of eighteen, Case Number 2009-UP-164
S.G. appealed the termination of his parental rights. The Court of Appeals reviewed this case pursuant to Ex Parte Cauthen, 291 S.C. 465, 354 S.E. 2d 381 (1987), and upheld the termination of his parental rights.

(e) SCDSS v. T.I., M.R., D.O., and B.M., Case Number 2021-000653
This is a pending appeal pursuant to Ex Parte Cauthen, 291 S.C. 465, 354 S.E. 2d 381 (1987), of an Order from a judicial review hearing in the Family Court.

Judge York reported that she has not personally handled any criminal appeals.

Judge York reported that she has held the following judicial office(s):

I was appointed as a Municipal Judge for the City of Hartsville on July 1, 2016, and I presently serve in that capacity on a part-time basis. The Municipal Court has jurisdiction over criminal offenses and city ordinances where the punishment does not exceed thirty days.

Judge York provided the following, regarding her most significant orders or opinions:

The cases over which I preside in the Municipal Court do not involve or require written orders.

Judge York reported the following regarding her employment while serving as a judge:

I have been in private practice in the Law Office of Elizabeth York which focuses on family law while serving as a part-time municipal judge since 2016. In July of 2016, I began a statewide contract to handle abuse and neglect cases for the South Carolina Department of Social Services, often traveling to handle complex matters on their behalf. I continued with this contract until July of 2019. In July of 2019, I signed a contract with South Carolina Commission on Indigent Defense to defend abuse and neglect cases in Florence and Dillon counties and this contract continues at this time.

Judge York further reported the following regarding unsuccessful candidacies:

Unsuccessful candidacy for Family Court, At-Large Seat 8, in 2016.

I was found qualified but was not one of the three candidates who was nominated.

Unsuccessful candidacy for Family Court, Twelfth Judicial Circuit, Seat 2, in 2017. I was found qualified, and one of the three candidates nominated.

(9) Judicial Temperament:

The Commission believes that Judge York's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge York to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not include summary or related comments.

Judge York is not married. She has two children.

Judge York reported that she was a member of the following Bar and professional associations:

(a) Darlington County Bar Association
Former President, 2016
(b) Florence County Bar Association
(c) South Carolina Bar Association
Nominating Committee, multiple terms
Board of Governors, 2010-2013
House of Delegates, multiple terms
Young Lawyers Division of the South Carolina Bar
Circuit Representative, multiple terms
Co-Chair, Community Law Week
Law Related Education, South Carolina Bar
Middle School Mock Trial Coach
Middle School Mock Trial Judge
(d) South Carolina Women Lawyers Association

Judge York provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Central United Methodist Church, Florence, South Carolina
Finance Committee Member
Education and Spiritual Growth Team Member
Greeter, The Well
Endowment Fund Committee
Member
(b) United States Tennis Association
Team Captain, Pee Dee Region
(c) Florence Tennis Association
(d) All Saints' Episcopal Day School
Parent Guild
(e) West Florence Athletic Booster Club
Member
(f) West Florence Association of Parents, Teachers and Students
Member
(g) Darlington Downtown Revitalization Association, Board Member

Judge York further reported:
Having been involved in Family Court as an attorney and as a litigant gives me a fair perspective into the difficulties and stress of the Family Court.

(11) Commission Members' Comments:
The Commission commented that parties seek out Judge York as a mediator and commended her on her exceptional treatment of litigants and attorneys.

(12) Conclusion:
The Commission found Judge York qualified and nominated her for election to Family Court, Twelfth Judicial Circuit, Seat 3.

The Honorable Katherine Hall Tiffany
Family Court, Thirteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Tiffany meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Tiffany was born in 1970. She is 51 years old and a resident of Taylors, South Carolina. Judge Tiffany provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Tiffany.

Judge Tiffany demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Tiffany reported that she has not made any campaign expenditures.

Judge Tiffany testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Tiffany testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Tiffany to be intelligent and knowledgeable.

Judge Tiffany reported that she has taught the following law-related courses/lectures:

(a) I prepared written materials and served as a speaker at the 2005 SC Bar Family Court Bench/Bar Seminar on the topic "War of Fathers: Biological v. Legal."

(b) I prepared written materials and served as a speaker at the 2006 SC Bar Family Court Bench/Bar Seminar on the topic "Psychological, Ad Hoc, Joint etc Custody Update."

(c) I served as a speaker at the 2010 National Business Institute Advanced Family Law Seminar on the topic "Getting the Child Heard."

(d) I prepared written materials and served as a speaker at the 2010 SC Bar Hot Tips from the Coolest Domestic Law Practitioners Seminar on the topic "Child Support that is Off the Charts."

(e) I served as Co- Course Planner for 2011 SC Bar Family Law Intensive Seminar Workshop "Dollars and $ense in Family Court" held over three days in October of 2011. I selected the topics, arranged for speakers and presenters, reviewed written materials and attended/moderated the seminar.

(f) I prepared written course materials and served as the moderator for the 2012 National Business Institute Seminar "What Family Court Judges Want You to Know."

(g) I prepared written materials and served as a speaker at the 2012 SC Bar Seminar "Presenting the Family Court Case" on the topic "Preparing the Final Order."

(h) I served as a panel member during 2012 SC Bar Family Court Bench Bar Seminar on the topic "Tell Me What I Want to Hear: Giving the Judge the Right Information at a Temporary Hearing."

(i) I prepared written materials and served as a speaker at the 2013 SC Bar Hot Tips for the Coolest Domestic Law Practitioners Seminar on the topic "Calculating Child Support for the Haves and the Have Nots."

(j) I served as a speaker at the 2013 Upstate Paralegal Association Seminar "Putting Your Best Case Forward in Family Court."

(k) I served as Co-Course Planner for the 2013 SC Bar Family Law Intensive Workshop "Twists and Turns of Child Custody in the Modern Age" held over four days in October of 2013. I selected the topics, arranged for speakers and presenters, reviewed written materials and attended/moderated the seminar.

(l) I prepared written materials and served as a speaker at the seminar "In the Best Interest of the Child: 2014 Guardian Ad Litem Training and Update" on the topic "Update on Parental Alienation."

(m) I prepared written materials and served as a speaker at the 2014 Greenville County Bar Year End CLE on the topic "Guardians Ad Litem: How Lawyers Help and Hurt Their Cases."

(n) I prepared written materials and served as a speaker at the 2014 SC Bar Family Law Essentials Seminar on the topic "Drafting Orders."

(o) I prepared written materials and served as a speaker at the 2014 Hot Tips from the Coolest Domestic Law Practitioners Seminar on the topic "Restraining Orders and the Right to Bear Arms."

(p) I served as a Speaker at the Upstate Mediation Center Lunch & Learn Seminar on the topic "Using the Child Support Calculator" in December 2014

(q) I prepared written materials and served as a speaker at the 2015 SC Bar Convention on the topic "What Domestic Attorneys Wish Probate Attorneys Knew."

(r) I prepared written materials and served as a speaker at the 2015 Greenville County Bar Year End CLE on the topic "Anticipating Death in Divorce."

(s) I prepared written materials and served as a speaker at the 2015 SC Bar Family Law Essentials Seminar on the topic "Drafting Orders."

(t) I prepared written materials and served as a speaker at the 2015 Hot Tips from the Coolest Domestic Law Practitioners Seminar on the topic "Anticipating Death in Divorce."

(u) I served as a moderator at the 2016 SC Bar Convention for a panel for "Hollywood Squares: The (Family Court) Rules Edition."

(v) I served a panel member at the 2017 SC Bar Convention on a panel of family court judges for "Hollywood Squares (The "Serenity Now! Edition)."

(w) I served as a panel member at the 2017 Annual Guardian Ad Litem Training & Update CLE on the topic "What Family Court Judges Want You to Know."

(x) I served as a panel member at the 2017 Greenville County Bar Year End CLE on the topic "Nuts and Bolts of Family Court Practice from the Old and the Young."

(y) I served as a speaker at the 2017 Women of the Greenville County Bar Association CLE Luncheon on the topic "Motions, Moms & Mayhem- Real Talk on Navigating the Practice of Law at All Stages of Motherhood."

(z) I served as a co-presenter at the 2017 SC Women Lawyers Association Conference on the topic "Slippers, Breath Mints and Quarters: How to Pursue and Survive a Judicial Campaign."

(aa) I served as a panel member at the 2018 Greenville County Bar Year End CLE on the topic "Tips from the Bench."

(bb) I served on a panel of family court judges at the 2019 Upstate Mediation Center Lunch and Learn CLE

(cc) I prepared written materials and served as a Co-Presented at the 2019 Hot Tips from the Coolest Domestic Law Practitioners on the topic "Joint Custody."

(dd) I served as a panel member at the 2019 SC Bar Advanced Family Law Topics for the Bench and Bar on the topic "Maybe Love Shouldn't Be Such Hard Work- Parents Behaving Badly: Addressing Gatekeeping and Alienating Behavior."

Judge Tiffany reported that she has published the following: "Business Goodwill in South Carolina," SC Lawyer Magazine (May 2011), Co-author.

(4) Character:
The Commission's investigation of Judge Tiffany did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Tiffany did not indicate any evidence of a troubled financial status. Judge Tiffany has handled her financial affairs responsibly.

The Commission also noted that Judge Tiffany was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Tiffany reported that her last available rating by a legal rating organization, Martindale-Hubbell, was Martindale Hubbell Peer Review Rating: AV preeminent.
Judge Tiffany reported that she has not served in the military.

Judge Tiffany reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Tiffany appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Tiffany appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Tiffany was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) August 1995 to August 1996, Law Clerk to the Honorable Henry F. Floyd, Circuit Court Judge for South Carolina
(b) August 1996 to January 2006, Associate Attorney, Carter, Smith, Merriam, Rogers & Traxler, P.A. Primarily handled family court cases, occasional work in circuit court and probate court.
(c) January 2006 through June 2016, Partner/Shareholder, Carter, Smith, Merriam, Rogers & Traxler P.A. Practiced exclusively in family court. Oversaw reconciling and balancing of firm operating and escrow bank accounts.

Judge Tiffany reported that she has held the following judicial office(s):

Judge of the Family Court, Thirteenth Judicial Circuit, Seat 3
July 2016 to present
Elected by South Carolina General Assembly in May 2016
Current term July 1, 2016 to June 30, 2022

Judge Tiffany provided the following list of her most significant orders or opinions:

(a) Galen E. Burdeshaw v. Jennifer Marie Burdeshaw, 2012-DR-23-1217, Order on Plaintiff's Complaint for Contempt, and Plaintiff's Motion to Reconsider and/or Alter Custody and Custody Related Issues, Attorneys Fees and Order on Defendant's Motion to Reconsider Filed May 23, 2016 and Attorneys Fees, dated March 20, 2018.

I was appointed as (second) successor judge to preside in hearing on a Motion to Reconsider a Final Decree of Divorce (issued by my predecessor, Harry L. Phillips) along with a Contempt action which had been assigned to Judge Phillips, but Judge Phillips was unable to complete before his death in 2015. I was also assigned to hear Plaintiff's Motion to Reconsider a Partial Order issued by the initial successor judge in May of 2016, before that judge recused herself from the matter. In addition to conducting a full day hearing of testimony and evidence, I reviewed all interim Orders, the Final Decree of Divorce issued by Judge Phillips, the testimony transcript and all exhibits from the five day Final Hearing before Judge Phillips; all post trial motions of the

parties and orders of the initial successor judge; and the testimony transcripts from the hearings before the initial successor judge. I issued the above order on March 20, 2018. This Order was affirmed in part and reversed in part by the South Carolina Court of Appeals in Unpublished Opinion No. 2020-UP-105 on April 8, 2020.

(b) Timothy Paul Kearns v. Falon Elise Odom, 2010-DR-23-5884 & 2015-DR-23-1845, Contempt Order dated May 9, 2018.

I presided in a two day hearing on a Contempt action filed by Plaintiff (Father) against Defendant (Mother), alleging that Mother had committed numerous violations of prior orders of the Family Court. I issued a Contempt Order on May 9, 2018. The Order was affirmed by the South Carolina Court of Appeals in Unpublished Opinion No. 2021-UP-122 on April 21, 2021.

(c) Meredyth Eslick v. Martin Eslick, 2016-DR-23-4787, Final Decree of Divorce dated May 31, 2018.

I presided in a two day Final Hearing for divorce and contested issues of equitable division and attorneys fees. The marital estate included residential and commercial real estate, retirement accounts, personal property and a limited liability company operated by the parties. The parties disputed the values of real estate and personal property; however the primary issue in dispute was the value of the company and the overall division of the marital estate. I issued a Final Decree of Divorce on May 31, 2018. Defendant Martin Eslick filed a Notice of Appeal on July 2, 2018. The parties reached an agreement, and the appeal was dismissed by Order of the South Carolina Court of Appeals on January 4, 2021. The parties' agreement was adopted by a Consent Amended Final Decree of Divorce entered February 12, 2021

(d) South Carolina Department of Social Services v. Pamela Kimmons, Robert Beach, Jerry Kimmons and John Doe, 2018-DR-23-3879, Order for Termination of Parental Rights and Permanency Planning Hearing dated May 28, 2019.

I presided in a two day hearing on a petition seeking termination of the defendants' parental rights, alleging that defendants had severely abused and neglected their minor child, and due to the severity of abuse or neglect, it was not reasonably likely that the defendants' home(s) could be made safe within twelve months. Numerous witnesses (including

three medical experts) testified about the horrific injuries suffered by the infant child, as well as her poor prognosis, limited life expectancy, and the extensive care she required. I issued an Order granting termination of parental rights on May 28, 2019. Defendant Robert Beach filed a Notice of Appeal on June 20, 2019. The appeal was dismissed by South Carolina Court of Appeals by Order dated March 6, 2020.

(e) State of South Carolina In Re: Timothy Earl Brown, Juvenile. Waiver of Jurisdiction Order, 2017-JU-23-0028,0029,0030,0209,0210,0211,0212,0213, dated February 28, 2019.

I presided in a hearing on the State's Motion to transfer jurisdiction to the Court of General Sessions, to determine whether the juvenile charged with Murder, Armed Robbery and Carjacking should be tried on the charges in Family Court (and if found guilty, face incarceration in a juvenile facility up to his 22nd birth day) or be tried in General Sessions (and if found guilty, face lifetime incarceration with the Department of Corrections). The hearing involved testimony by law enforcement witness; expert witnesses for the state and the defense, including a psychologist, a neuropsychologist, and a forensic psychologist, as well as numerous exhibits which were entered into evidence.

Judge Tiffany reported no other employment while serving as a judge.

Judge Tiffany further reported the following regarding unsuccessful candidacies:

(a) I applied for Family Court, At Large Seat 4 in August of 2012. I was found qualified and nominated for the position by the Judicial Merit Selection Commission. The Honorable Monet Pincus was elected to the position in January of 2013.

(b) I applied for Family Court, Thirteenth Circuit, Seat 5 in August of 2013. I was found qualified and nominated by the Judicial Merit Selection Commission. The Honorable Tarita Dunbar was elected to the position in February of 2014.

(9) Judicial Temperament:

The Commission believes that Judge Tiffany's temperament had been, and will continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Tiffany to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee did not have related or summary comments.

Judge Tiffany is married to Peter Clifford Tiffany. She has two children.

Judge Tiffany reported that she was a member of the following Bar and professional association:

(a) Greenville County Bar Association
(b) South Carolina Bar Association
Family Law Council, Member 2009-2016
Family Law Council, Secretary 2013-2014
Family Law Council Vice Chair 2014-2015
Family Law Council Chair Elect 2015-2016

Judge Tiffany provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

St. James Episcopal Church Member 2000 to present
Episcopal Youth Community Adult Volunteer, 2015 to 2019
Greenville Zoo Foundation Board of Directors 2018 to 2020

Judge Tiffany further reported:

I practiced as a Family Court lawyer for 20 years, setting high standards and endeavoring to reach those standards. I am thankful for the opportunity I received from the General Assembly in 2016 in electing me to my first term as a Family Court Judge; and after five years. I have the same eagerness to learn and drive to improve that I had on the day I took my oath in July of 2016. Every day I am conscious of the promises I made in my oath; every day I strive to keep those promises. If I have the honor of continuing to serve as a Family Court Judge, I will devote whatever, time, energy and effort is required of me to not only to "do my best" but also to "do better" in fulfilling the professional, ethical and personal obligations required of me.

(11) Commission Members' Comments:
The Commission members noted that Judge Tiffany's BallotBox comments and reference letters establish that she has an outstanding reputation as a jurist.

(12) Conclusion:
The Commission found Judge Tiffany qualified, and nominated her for re-election to Family Court, Thirteenth Judicial Circuit, Seat 3.

The Honorable Karen Sanchez Roper
Family Court, Thirteenth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Roper meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Roper was born in 1969. She is 52 years old and a resident of Sunset, South Carolina. Judge Roper provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Roper.

Judge Roper demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Roper reported that she has made $14.85 in campaign expenditures for a personalized ID name badge.

Judge Roper testified she has not:
(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Roper testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Roper to be intelligent and knowledgeable.

Judge Roper reported that she has taught the following law-related courses:
(a) Family Court Judges Panel Discussion, Greenville County Bar Year End CLE, 2021
(b) Virtual Fireside Chat Re: Women's History Month, SC Bar Diversity Committee, 2021
(c) Overview of Child Abuse & Neglect, Pickens United, 2019
(d) Tips from the Bench, Greenville County Bar Year End CLE, 2018
(e) Cass Elias McCarter Guardian ad Litem Program Training, Pickens County, 2018
(f) Multiple lectures on family law and our legal system at various level public schools in Pickens County, 2016 – 2021
(g) Prior to being elected to the bench, I gave presentations on Identifying Representation Issues, Representing Defendant Parents in DSS Abuse and Neglect Actions, and Strategizing Solutions, at CLEs sponsored by the Children's Law Center
(h) Prior to being elected to the bench, Trial of a Divorce Case, Divorce Litigation from Start to Finish, National Business Institute
(i) Prior to being elected to the bench, Debt Collections Law, National Business Institute
(j) Prior to being elected to the bench, I taught a six-week legal education course for students enrolled in a paralegal studies program in the 1990s, but I do not recall the name of the sponsoring entity.

Judge Roper reported that she has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Roper did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Roper did not indicate any evidence of a troubled financial status. Judge Roper has handled her financial affairs responsibly.

The Commission also noted that Judge Roper was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Roper reported that she was not rated by a legal rating organization.

Judge Roper reported that she has not served in the military.

Judge Roper reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Roper appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Roper appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Roper was admitted to the South Carolina Bar in 1982.

She gave the following account of her legal experience since graduation from law school:

(a) Associate, Laddaga, Crout & Drachman, P.A., Charleston, South Carolina, 1994-1997. Handled general civil litigation, primarily focused on debt collection and domestic litigation.
(b) Owner/Partner, Roper Law Firm, LLC, 1997-2016. Handled primarily domestic litigation, probate matters, and local government representation. I shared administrative and financial management responsibilities, including management of trust accounts, with my law partner.

Judge Roper reported that she has held the following judicial office(s):
Family Court, Thirteenth Judicial Circuit, Seat 4, elected by South Carolina General Assembly May 2016 for the term July 1, 2016 – June 30, 2022.

Judge Karen Sanchez Roper provided the following list of her most significant orders or opinions:
(a) Jane and John Doe v. Nikki Gardner, Jeremy Gardner, and SCDSS, Order Terminating Parental Rights, 2018-DR-39-1151, 2018-DR-39-971; Appellate Case No. 2020-00168 and 2020-000254, Unpublished Opinion No. 2021-UP-192 & -193, Filed June 2, 2021. This action for termination of parental rights was filed by the foster parents of one minor child. This child was the fifth child exposed to drugs by biological parents, each instance necessitating a DSS action that resulted in either loss of permanent custody or termination of parental rights and adoption. Foster parents previously adopted two of biological parents' other children. Although biological parents had a decade-long history of severe drug addiction and child abuse, DSS opposed termination and advocated that parents be awarded custody due to their completion of the DSS treatment plan. Biological parents began unsupervised visits with the child, but shortly thereafter, the child tested positive for methamphetamines. Biological parents denied any drug abuse and subsequently produced negative drug tests. After hearing a multi-day trial, I terminated parental rights, finding that these parents' long history of abuse and neglect and their long history of severe drug addiction, coupled with the child's recent positive drug test, made them highly unlikely to provide a safe home for the child. The Court of

Appeals reversed my decision, finding that because parents completed treatment services, the child's positive drug test did not constitute clear and convincing evidence to support termination of parental rights. The Court of Appeals remanded the case for another permanency planning hearing, scheduled later this month, to consider additional evidence that has occurred since trial. In the intervening time since trial, DSS changed its position and filed a new action for termination of parental rights based upon allegations that the biological parents have resumed drug use.

(b) Kaitlin Whitesell v. Jeremy Whitesell, Final Order, 2016-DR-46-746, Appellate Case No. 2017-002601, Opinion No. 5771, Filed August 26, 2020; 431 S.C. 575, 848 S.E.2d 588 (Ct. App. 2020). This was an action for modification of custody and child support, which was vigorously contested in a multi-day trial. Father appealed my decision, and the Court of Appeals affirmed my decision in a published opinion.

(c) SCDSS v. Carla Bennefield, Joe McWhite, Sr., and Jamie Crider, Order Terminating Parental Rights, 2016-DR-23-3328, Appellate Case No. 2017-000289, Unpublished Opinion No. 2017-UP-431, Filed November 9, 2017. This was an order terminating parental rights to a minor child, which mother appealed. The Court of Appeals affirmed my decision in an unpublished opinion.

(d) Shaundra B. Daily v. Julian D. Daily, Final Order, 2015-DR-39-184; Appellate Case No. 2017-00119, Opinion No. 5801, Filed February 10, 2021; 432 S.C. 608, 854 S.E.2d 856 (Ct. App. 2021). This was an action for modification of custody and visitation action based upon mother's relocation, and including several actions for contempt and attorney's fees. The Court of Appeals affirmed my decision as modified to provide more specific visitation terms and increasing my award of attorney's fees to mother.

(e) In the Interest of Dylan L.M., a Juvenile Under the Age of Seventeen, Appellate Case No. 2019-000619, Unpublished Opinion No. 2021-UP-052, Filed February 24, 2021. This was my first instance of presiding over a contested trial in a juvenile matter, where the juvenile was accused of criminal sexual conduct with a minor, involving the testimony of a

minor child, expert witness testimony, and a Jackson v. Denno hearing. The appeal was dismissed.

Judge Roper reported no other employment while serving as a judge:

(9) Judicial Temperament:
The Commission believes that Judge Roper's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Roper "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee had no related or summary comments.

Judge Roper is married to Kenneth Scott Roper. She has two children.

Judge Roper reported that she was a member of the following Bar and professional associations:
(a) SC Bar
(b) Pickens County Bar
(c) Greenville County Bar
(d) Family Law Section
(e) SC Women Lawyers

Judge Roper provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Pickens Presbyterian Church, member 2002-present
-Trustee, 2016-2019
-Elder, 2006-present
-Clerk of Session, 2007-2009
-Session, 2006-2009
-Youth Leader, 2010-2015
-Co-chair, Christian Outreach Committee, 2007-2009
-Co-chair, Christian Education Committee, 2006-2007
-Foothills Presbytery Disaster Assistance Team, 2005

-Habitat for Humanity Team, 2005
-CROP Hunger Walk coordinator, 2008
-Sunday school teacher

(b) The Reserve at Lake Keowee, social club membership, 2020-present
(c) Women United, Pickens County United Way, 2019-present
(d) Pickens Women's Association, 2002-2019
-President, 2011-2012; 2005-2006
-Vice-President, 2010-2011; 2004-2005
-Treasurer, 2008-2010
-Chair, Scholarship and Benevolence Committee, 2014-2017
-Co-chair, Azalea Festival Race Committee, 2013
(e) Cannon Memorial Hospital Foundation Board, 2011-2016
-Investments Committee, 2013-2015
(f) Anderson-Oconee-Pickens Mental Health Center Board, appointed by Governor Haley, 2014-2016
-Programs Committee, 2014-2016
(g) Pickens Chamber of Commerce, 2015-2016

Judge Roper further reported:

It has been a tremendous honor and privilege to serve this State as a Family Court judge. When I sought this position almost six years ago, I expressed my belief that a Family Court judge plays a significant role in helping families achieve long term peace despite going through the painful process of a divorce, DSS intervention, or custody litigation. Since that time, my experience on the bench has only strengthened my conviction. My judicial experience over the past five years has enriched my knowledge and understanding of the challenges faced by our citizens, many of which were exacerbated by the COVID-19 pandemic. Each day in court I see families struggling with divorce, abuse, addiction, mental health, or unemployment.

My legal and volunteer experiences inform many of my judicial decisions. I previously served on boards for Prevent Child Abuse Pickens County and Pickens County First Steps, which opened my eyes to the needs of children in my county. Pickens Presbyterian Church has provided me wonderful opportunities to interact with children as Sunday school teacher, Vacation

Bible School leader, and Youth Group leader. Through my representation of the School District of Pickens County for 10 years, I handled student expulsion hearings and became familiar with the challenges facing our teenage youth. Representing DSS and indigent parents through the SC Commission of Indigent Defense raised my awareness about the dire circumstances of many parents who find themselves involved with child protective services. My service on the boards of Anderson-Oconee-Pickens Mental Health Center and Cannon Memorial Hospital Foundation helped me understand that access to vital health services are necessary for so many of our families to raise healthy, well-adjusted children.

For most people, Family Court is also their first introduction to our judicial system. Most of our citizens will have only limited experience with the courts of General Session or Common Pleas; but even if an individual has not personally gone through a divorce, most likely each of us has a parent, child, or sibling involved in a Family Court case at some point in their lives. As such, we deal with extremely personal issues and the emotions in the courtroom can run very high. I have witnessed attorneys, and occasionally judges, fall into the trap of reflecting these emotions and unintentionally intensifying the anger and resentment that sometimes accompanies the dissolution of a marriage or the custodial arrangements for a child. I have seen litigants leave the courtroom feeling their position was ignored or disrespected. When litigants leave our courtrooms feeling overlooked or dissatisfied with the process, we lose an opportunity for the court's ruling to bring long term peace and resolution for that family.

In this highly charged atmosphere of Family Court, I believe it is vitally important to provide clear rules, clear boundaries, and clear expectations. Adherence to the Rules of Evidence and the statutes set by the General Assembly can eliminate much of the "unknown" for parties entering the courtroom. Uniformly enforcing these rules and requiring persons to conduct themselves with decorum helps establish clear boundaries for all parties. I attempt to set clear expectations for each hearing by assuring litigants that each will have the opportunity to be heard, that all parties and witnesses will be treated with dignity and

respect, and that all parties will have equal access to their rights and rules under our court system. I firmly believe that abiding by clear rules, boundaries, and expectations results in better outcomes for our litigants, higher job satisfaction among lawyers and courthouse staff, and most importantly, better public perception of our judicial system as a whole.

Despite the many challenges faced by our communities, I firmly believe that stability can be preserved and children can be protected when families in our court system are heard, are treated fairly, and decisions are thoughtfully rendered. I would like to continue using my position as judge to have a positive impact on the lives of children and families, and hopefully be part of the solution to these problems.

(11) Commission Members' Comments:
The Commission commended Judge Roper for the implementation of consistent child-support enforcement policies and commented that they greatly appreciated her desire to continue serving as a Family Court judge.

(12) Conclusion:
The Commission found Judge Roper qualified, and nominated her for re-election to Family Court, Thirteenth Judicial Circuit, Seat 4.

The Honorable Jessica Ann Salvini
Family Court, Thirteenth Judicial Circuit, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Salvini meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Salvini was born in 1975. She is 46 years old and a resident of Greenville, South Carolina. Judge Salvini provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed

attorney in South Carolina since 2001. Judge Salvini was admitted to the California Bar in 2000.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Salvini.

Judge Salvini demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Salvini reported that she has not made any campaign expenditures.

Judge Salvini testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Salvini testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Salvini to be intelligent and knowledgeable.

Judge Salvini reported that she has taught the following law-related courses:

To the best of my recollection, the following is a description of the continuing legal education programs that I have had the honor of participating in as a speaker.
(a) On October 29, 2009, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical dilemmas encountered by criminal defense attorneys.

(b) On or about October 28, 2010, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical issues confronting criminal defense attorneys.

(c) On October 24, 2013, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was federal practice in US District Courts in South Carolina.

(d) On October 20, 2016, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was the Criminal Justice Act and its potential revision resulting from Chief Justice John G. Robert, Jr.'s appointment of a Committee to review the Criminal Justice Act Program.

(e) On February 3, 2017, I was a speaker at the Greenville County Bar's "Year-End CLE". The topic was the Fourth Amendment and providing an overview of search and seizure case law, focusing on the most recent cases decided by the Fourth Circuit Court of Appeals.

(f) On October 4, 2019, I was a speaker at a SCUPA Seminar for paralegals. The topics included real world practice in Family Court for paralegals.

(g) On January 31, 2020, I was a speaker at the Guardian ad litem Seminar. I participated as a speaker on a panel, with the topics being questions from Guardian ad litems for Family Court Judges.

(h) On or about February 7, 2020, I was a speaker on a panel at the Greenville County Bar's "Year-End CLE" for the Family Law Section. The panel, which consisted of Family Court Judges, were given hypotheticals to consider and discuss related to Family Court matters.

(i) On February 21, 2020, I was a speaker on a panel for "UMC's Family Court Judges Q&A CLE." The topics were questions from family court practitioners for Family Court Judges.

(j) On June 12, 2020, I was a speaker at the New Family Court Judge's Orientation. The topic pertained to providing guidance to new Family Court Judges from my perspective and experience as a newly elected Family Court Judge.

Judge Salvini reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Salvini did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Salvini did not indicate any evidence of a troubled financial status. Judge Salvini has handled her financial affairs responsibly.

The Commission also noted that Judge Salvini was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

As regards a rating or membership status by any legal rating organization, Judge Salvini reported:

To my knowledge, I do not have a rating as a Family Court Judge.

Prior to being elected to serve as a full-time Family Court Judge, the following was my last rating(s) to the best of my knowledge:

(a) Greenville Business Magazine Legal Elite in Family Law in 2012 and 2017;
(b) National Academy of Criminal Defense Attorneys top 10 Criminal Attorneys 40 and under in 2014 and 2015;
(c) South Carolina Rising Star in the practice of Criminal Law in 2014 and 2015;
(d) Martindale-Hubbell – 5.0/5.0;
(e) Lawyerratingz.com – 3.6/5.0;
(f) Lawyers.com – 5.0/5.0.

Judge Salvini reported that she has not served in the military.

Judge Salvini reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Salvini appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Salvini appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Salvini was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) December 2000-August 2002: Law Offices of Jessica Salvini. After passing the California Bar exam, I opened my own law firm in San Francisco, CA. My practice consisted of handling civil (including domestic) and criminal state and federal court cases. I handled pretrial and trial matters for contract disputes, simple divorces, consumer protection actions, bank fraud, various drug crimes and other criminal law matters. I handled these matters in my capacity as an independent contractor for Weinberg & Wilder and as a sole practitioner. As this was my own law firm, I managed the law firm, which included managing its finances. I did not have a trust account at that time as I did not accept retainers from clients that required me to do so.

(b) August 2002-March 2019: Salvini & Bennett, Attorneys at Law, LLC. Upon relocating to the State of South Carolina, I continued my practice of law by opening a law firm with J. Bradley Bennett, Esq. Over the course of almost seventeen years, I acted as the senior partner in our firm, which had a general practice handling a wide variety of legal issues for individuals and businesses. While in private practice, I represented individuals and businesses in civil, criminal and family law matters. My practice areas included: all pretrial and trial matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. During the course of my

practice, I served as one of Greenville County Probate Court's Commitment Proceedings Attorneys. I also served as a Criminal Justice Act Panel Attorney for the US District Court for the District of SC and the US Court of Appeals for the Fourth Circuit. I also assisted our Criminal Justice Act Panel Representative in the Upstate. My law firm consisted of myself, my law partner and an associate attorney. My law partner and I managed the law firm, including the law firm's trust account.

(c) August 2007 to March 2019: Municipal Court Judge for the City of Mauldin, SC. In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin, South Carolina. In 2009, I sought and was appointed to serve as the Chief Trial Judge for the City of Mauldin. As both an Associate Municipal Court Judge and the Chief Municipal Court Trial Judge, I presided over numerous cases involving: violations and or enforcement of city ordinances, misdemeanor criminal matters, traffic violations, bond hearings and preliminary hearings for felony criminal matters. As the Chief Trial Judge, I held court for the City of Mauldin every Wednesday (excluding the fifth Wednesday in any given month), presiding over matters involving violations and or enforcement of city ordinances, traffic violations and misdemeanor criminal law matters. The aforementioned proceedings primarily involved motion hearings, guilty pleas and bench trials. Once a month I also presided over preliminary hearings for felony matters arising out of the City of Mauldin. During my tenure as the Chief Trial Judge for the City of Mauldin, I also presided over Domestic Violence Court for the City of Mauldin, which occurred once a month. Also, approximately once a quarter, I presided over jury trials for misdemeanor criminal law matters and city ordinance violations occurring in the City of Mauldin.

(d) March 2019 to Present date: Family Court Judge, Thirteenth Judicial Circuit, Seat 6. I was elected to serve as a full-time Family Court Judge for the Thirteenth Judicial Circuit, Seat 6, in February 2019. I closed my law firm and began serving in this capacity at the end of March 2019 and I continue to serve as a Family Court Judge to date. As a Family Court Judge, I preside over cases in the following matters: those within the

provisions of the Uniform Interstate Family Support Act; actions for divorce, separate support and maintenance, legal separation, any and all marital litigation between parties; actions related to the termination of parental rights and adoptions of both children and adults; annulments of marriages; the changing of names of adults and children; actions to correct birth certificates; actions to enable minors to engage in military service; actions related to the support of spouses and or children and or to enforce the same; actions to enforce support or compel support to be paid for spouses and or children; actions related to the protection, guardianship and disposition of neglected children; actions related to custody determinations; actions brought by the South Carolina Department of Social Services related to abused and or neglected children and or infirmed/vulnerable adults; and actions related to juveniles charged with various crimes. I preside over these proceedings on a full-time basis and have done so since taking the bench in this capacity.

Judge Salvini reported that she has held the following judicial offices

In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin in Greenville County, South Carolina. I served in this capacity until 2009 when I was appointed to serve as the Chief Municipal Court Trial Judge for the City of Mauldin in Greenville County, South Carolina.

The Mauldin Municipal Court adjudicates criminal, traffic and city ordinance violations that occur within the city limits of Mauldin, South Carolina. As a limited jurisdiction court, it can only hear cases subject to a fine and sentence not exceeding $500.00 or imprisonment of not more than thirty days. The Mauldin Municipal Court may also hear cases that are remanded back from Greenville County General Sessions if the fine and sentence do not exceed $5,500.00 or one-year imprisonment.

On February 6, 2019, I was elected to serve as a full-time Family Court Judge for the Thirteenth Judicial Circuit, Seat 6, and I currently hold this position and serve in this capacity. My term will expire June 30, 2022. The Family Court, in general, has

jurisdiction to hear the following cases: those within the provisions of the Uniform Interstate Family Support Act; actions for divorce, separate support and maintenance, legal separation, any and all marital litigation between parties; actions related to the termination of parental rights and adoptions of both children and adults; annulments of marriages; the changing of names of adults and children; actions to correct birth certificates; actions to enable minors to engage in military service; actions related to the support of spouses and or children and or to enforce the same; actions to enforce support or compel support to be paid for spouses and or children; actions related to the protection, guardianship and disposition of neglected children; actions related to custody determinations; actions brought by the South Carolina Department of Social Services related to abused and or neglected children and or infirmed/vulnerable adults; and actions related to juveniles charged with various crimes.

Judge Salvini provided the following list of her most significant orders or opinions:

(a) State vs. Minors Under the Age of 18. Not reported. No appellate review. This matter involved the State prosecuting several juveniles for allegedly committing the crimes of Murder, Armed Robbery and Conspiracy to Commit Armed Robbery. The State filed a motion seeking to transfer jurisdiction of the juvenile cases to General Sessions, thereby resulting in the juveniles being tried as adults as opposed to minors. I was the judge assigned to hear the State's motion(s), requiring contested evidentiary hearings for each juvenile charged. The juveniles ranged in age from fourteen (14) years old to sixteen (16) years old at the time the offenses were allegedly committed.

(b) SCDSS vs. Sweatt. Not Reported. Appellate review: S.C. Dep't of Soc. Servs. v. Sweatt, No. 2020-000908, 2021 WL 2104867 (S.C. Ct. App. May 24, 2021). This matter involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held which resulted in the parents' rights being terminated. The order I issued terminating the parents' rights was affirmed on appeal.

(c) SCDSS vs. Mestler. Not reported. No Appellate review: This matter also involved the termination of parents' rights to their minor child. A contested trial was held, which resulted in the parents' rights being terminated. To my knowledge the parents did not appeal.

(d) SCDSS vs. Reed. Not reported. No Appellate review. This matter also involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held, and I declined to terminate the parents' rights. To my knowledge no parties appealed my decision.

(e) SCDSS vs. Rogers. Not Reported. Appellate review: S.C. Dep't of Soc. Servs. v. Rogers, No. 2019-001487, 2021 WL 832040 (S.C. Ct. App. March 3, 2021). This matter also involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held which resulted in the parents' rights being terminated. The order I issued terminating the parents' rights was affirmed on appeal.

Judge Salvini reported the following regarding her employment while serving as a judge:

> 2007-March 2019. Self-employed as the Senior Partner at Salvini & Bennett, Attorneys at Law, LLC. I, along with my former law partner, owned and managed the aforementioned law firm. During that time, I served as a part-time judge for the City of Mauldin as stated herein above. As the senior partner at Salvini & Bennett, Attorneys at Law, LLC, I handled a wide variety of legal issues for individuals and businesses. I represented individuals and businesses in civil, criminal and family law matters at all stages of the litigation process. My practice areas included: all pretrial and trial matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court matters; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. I, along with my law partner, handled the administrative duties associated with operating a law firm, to include the management of our law firm's trust account.

When I was elected to serve as a Family Court Judge for the Thirteenth Judicial Circuit, Seat 6, in February 2019, I closed my law firm in March of 2019. Since that time, I have not had any other employment other than elected judicial office.

Judge Salvini further reported the following regarding unsuccessful candidacies:

(a) On or around 2009, I applied for a U.S. Magistrate position in the United States District Court for the District of South Carolina. The selection process for Federal Magistrate Judges requires screening of candidates by a panel. The panel selects five finalists from the applicants. From there, the U.S. District Court Judges decide who will fill the vacancy.

(b) In 2017, I applied for the Circuit Court Bench, Thirteenth Judicial Circuit, Seat 4. I was found to be qualified and nominated. However, I withdrew from the race prior to the vote on the candidates for this position.

(9) Judicial Temperament:
The Commission believes that Judge Salvini's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Salvini to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee had no related or summary comments.

Judge Salvini is not married. She has no children.

Judge Salvini reported that she was a member of the following bar and professional associations:

(a) California Bar
(b) South Carolina Bar
(c) Greenville County Bar Association

(d) United Housing Connections, Vice Chairperson, 2017-2018, Board Chair 2019-Present Date.

Judge Salvini provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations: United Housing Connections, Vice Chairperson 2017-2018, Board Chair Person 2019-Present

Judge Salvini further reported:
As I stated when I initially sought election to the Family Court Bench, beginning in childhood I have always had a hunger for knowledge and new experiences, as well as a desire to help others. My desire to learn and help others served me well in the practice of law, as a Municipal Court Judge, and now as a Family Court Judge. Since becoming a Family Court Judge, I have strived to be a judge that fairly resolves disputes in a way that gives the litigants, the public, the Bar and my fellow judges confidence in the integrity of the judiciary and the judicial process. I hope to continue to do so by being re-elected to the position that I currently hold.

(11) Commission Members' Comments:
The Commission continues to be impressed by Judge Salvini's positive energy and enthusiasm.

(12) Conclusion:
The Commission found Judge Salvini qualified, and nominated her for re-election to Family Court, Thirteenth Judicial Circuit, Seat 6.

The Honorable Douglas L. Novak
Family Court, Fourteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Novak meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Novak was born in 1968. He is 54 years old and a resident of Bluffton, South Carolina. Judge Novak provided in his

application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Novak.

Judge Novak demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Novak reported that he has not made any campaign expenditures.

Judge Novak testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Novak testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Novak to be intelligent and knowledgeable.

Judge Novak reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Novak reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Novak did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Novak did not indicate any evidence of a troubled financial status. Judge Novak has handled his financial affairs responsibly.

The Commission also noted that Judge Novak was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Novak reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Novak reported that he has not served in the military.

Judge Novak reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Novak appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Novak appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Novak was admitted to the South Carolina Bar in 1993.

He gave the following account of his legal experience since graduation from law school:

(a) Aiken County Public Defender, 12/15/93 - 1/15/95
Special Grant Attorney
Assigned to the representation of juveniles in Family Court adjudications.

(b) Solicitor's Office, Second Judicial Circuit, 1/15/95 - 1/5/97
Assistant Solicitor

Assigned to full caseload throughout Aiken, Bamber and Barnwell Counties, in addition to prosecution of juvenile delinquency adjunctions in the Family Court.

(c) Office of the Governor, 1/6/97 - 1/5/99
Legal Counsel to the Governor
Served as executive counsel to the Governor including staffing proposed legislation, extraditions, capital case reviews, liaison work with the South Carolina Congressional Delegation and federal agencies associated with the Savannah River Site complex, in addition to representing the Governor on a number of environmental boards and commissions.
-Low-Level Nuclear Waste Forum
-Hazardous Waste Management Select Oversight Committee
-South Carolina Natural Resource Trustee
-South Carolina Aquatic Plant Management Council
-South Carolina Geological Mapping Advisory Committee
-South Carolina Procurement Review Panel

(d) Montgomery, Patterson, Potts & Willard, LLP, 1/15/99 - 1/15/01
Partner
General practice law firm with a primary focus on domestic relations, personal injury and corporate litigation.

(e) Solicitor's Office, Ninth Judicial Circuit, 1/15/01 - 8/15/04
Assistant Managing Solicitor
Assigned to administration of Charleston and Berkeley County offices, including personnel, budget, grant development and oversight, and department liaison work. Also assigned a caseload for prosecution through trial, diversion and negotiated pleas.

(f) Novak and Novak, LLC, 8/15/04 - 9/1/05
Associate
General practice law firm with a primary focus on municipal representation, real estate, domestic relations and civil litigation.

(g) Vaux & Marscher, P.A., 9/1/05 - 6/15/09
Senior Litigator
General practice law firm with a primary focus on criminal defense, civil litigation and domestic relations. In addition,

assigned management of firm litigation team and support staff.

(h) The Novak Law Group, LLC, 7/15/09 - 4/20/20
Attorney
General practice law firm with a primary focus on domestic relations, guardian ad litem work, and extensive practice as a Certified Family Court Mediator. Practice included the management and oversight of general operating and client trust accounts.

(i) Magistrate Court, Beaufort County, 7/2/12 - 4/14/20
Magistrate
Associate Chief Magistrate, 6/25/18 - 4/14/20
Part-time Magistrate handling civil and criminal matters (jury and non-jury matters), evictions, restraining orders and bond hearings. In addition, staffed with management of judicial clerks, case/hearing scheduling, roster meetings, processing continuance requests and orders of protection, scheduling trials, and civil/criminal docket management.

(j) Family Court, Fourteenth Judicial Circuit, 4/20/20 - Present
Judge, Seat 2
Resident Family Court Judge for Beaufort County presiding over the scheduled Court dockets for Beaufort, Jasper, Hampton, Allendale and Colleton Counties. Docket work includes case motions, status conferences, adoptions, Emergency Orders of Protection from Domestic Abuse, Temporary Hearings, Juvenile Adjudications, South Carolina Department of Social Services actions (abuse and neglect), divorce, custody, visitation, support and general litigation.

Judge Novak reported that he has held the following judicial office(s):

(a) Beaufort County Magistrate, 7/2/12 - 4/14/20.
Appointed by the Governor / Advice and consent of the South Carolina Senate.
Criminal jurisdiction: Up to $500.00, and/or up to thirty (30) days in jail. Civil jurisdiction: Up to $7,500.00 in controversy.

(b) Beaufort County Associate Chief Magistrate, 6/25/18 - 4/14/20.

Appointed by Chief Justice Donald W. Beatty, South Carolina Supreme Court

(c) Family Court Judge, Fourteenth Judicial Circuit, 4/20/20 - Present.
Elected by the South Carolina General Assembly.
Jurisdiction: Domestic matters as outlined in South Carolina Code §63-3-530.

Judge Novak provided the following list of his most significant orders or opinions:

(a) In the Interest of XB, 2019-JU-07-0317, Waiver Hearing/Order for juvenile to the South Carolina Court of General Sessions
(b) South Carolina Department of Social Services v. Smith, et al., 2020-DR-07-0392, Abuse/Neglect case with one minor child placed in foster care, investigation of one out of state placement, and one minor child being placed out of the country
(c) South Carolina Department of Social Services v. Marquez, 2021-DR-07-0097, Action seeking the entry of a parent onto the Central Registry of Abuse and Neglect
(d) Shaw, et al. v. Conde, et al., 2017-DR-15-0552, Adoption action between maternal and paternal grandparents
(e) Salgado v. Maldanado, 2020-DR-07-0904, Custody/Visitation action seeking Court determination of an unfit deceased parent for use in a Special Juvenile Immigrant Status action

Judge Novak reported the following regarding his employment while serving as a judge:
Private practice of law while serving as a part-time Magistrate.

Judge Novak further reported the following regarding unsuccessful candidacies:
Yes, offered candidacy for Family Court, Fourteenth Circuit, Seat 2 in 2018, withdrew.

(9) Judicial Temperament:
The Commission believes that Judge Novak's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Judge Novak "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Judge Novak has really embraced Family Court since his election into the bench and has a very good handle on its importance within the community."

Judge Novak is married to Erin Kathleen Novak. He has one child.

Judge Novak reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Beaufort County Bar Association
(c) Hilton Head Island Bar Association

Judge Novak provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Judicial Observation and Experience (JOE) Program
(b) Southern Beaufort County Corridor Beautification Committee, Chairman
(c) Port Royal Historic Review Commission
(d) St. Gregory the Great Pastoral Council
(e) St. Vincent's Academy Grounds Beautification Commission
(f) The Gamecock Club
(g) RBC Heritage Golf Tournament, Practice Area Marshall, Co-Chairman
(h) South Carolina Bar, Fourteenth Circuit, Pro-Bono Board
(i) South Carolina Bar, Mock Trial Competition, Judge
(j) South Carolina Bar, Beaufort County, Fee Arbitration Board
(k) Lowcountry Legal Volunteers, Estate Planning Workshop for First Responders

(l) Hopeful Horizons, LLC, Deferred Action for Childhood Arrivals (DACA) Workshop

Judge Novak further reported:

I am a firm believer that every individual is a creature of his or her own experiences. In that respect, I think both the breadth and depth of my personal and professional experience have provided me with the necessary tools to effectively serve our state on the Family Court Bench. My career has included a great deal of direct experience in the Family Courts of this state from the defense and prosecution of juvenile adjudications, to the more traditional representation of adult clients in divorce, division of property and custody actions. In addition, I have also had the opportunity to serve as a guardian ad litem for many years, and to mediate hundreds of cases within the Family Court system. I have certainly depended on these experiences and believe they have provided an excellent foundation for the rigors and technical experience I have found is required of a Family Court Judge.

At the same time, I have had the opportunity to serve at the highest levels of state government, practiced law in both the firm and solo settings, and presided over criminal and civil cases in the Beaufort County Magistrate Court for nearly eight (8) years. On the personal side, I have been married for twenty-five (25) years and have a twenty-three (23) year old daughter who has earned an undergraduate and Master's Degree, and is now starting her own professional career in Washington, DC. I believe all of this 'experience', both professional and personal, ground me as a person, guide me as an Attorney, and will continue to inspire me as a Judge.

Commencing my service on the Family Court bench, albeit in the midst of the pandemic, has been both educational and challenging; there have been good days, bad days and very disappointing and sad days. All tallied, and without a doubt; the opportunity to serve in this capacity has been the honor of a lifetime.

(11) Commission Members' Comments:

The Commission commented that members did not have questions for Judge Novak because he was recently screened in

2019. The Commission noted Judge Novak has quickly adapted to the bench and is doing a great job.

(12) Conclusion:
The Commission found Judge Novak qualified and nominated him for re-election to Family Court, Fourteenth Judicial Circuit, Seat 2.

The Honorable Melissa J. Buckhannon
Family Court, Fifteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Buckhannon meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Buckhannon was born in 1969. She is 52 years old and a resident of Myrtle Beach, South Carolina. Judge Buckhannon provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Buckhannon.

Judge Buckhannon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Buckhannon reported that she has not made any campaign expenditures.

Judge Buckhannon testified she has not:
(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Buckhannon testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Buckhannon to be intelligent and knowledgeable.

Judge Buckhannon reported that she has taught the following law-related courses/lectures:

(a) I have coordinated and participated as a presenter for the annual Horry County Family Court Procedural & Substantive Law Seminar from 2000 to 2013. I have continued to contribute the seminar as a part of the organizational committee and presenter from 2015 until present. This is an annual seminar that is conducted each year by the Horry County Family Court Bar. In working closely with our resident judges, the committee presents a practical nuts & bolts type seminar which aids the Family Court practitioner with substantive and procedural issues dealt with in Family Court.

(b) I was part of the presentation faculty for the seminar Presenting the Family Law Case: The Basic Essentials on April 27. 2012. This is a seminar presented by the Family Law Council of the SC Bar on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court.

(c) I was part of the presentation faculty for the seminar Steering Your Way Through Family Court on May 21, 2010. This is the first seminar presented by the Family Law Council of the SC Bar, now done on a bi-annual basis to teach attorneys who are new to Family Court the basic procedures for practicing in Family Court.

(d) I was part of the presentation faculty for the seminar Children's Issues in Family Court on March 17, 2006, and March 28, 2008. This seminar dealt directly with the issues of

children in Family Court. It also served as training for Guardians ad Litem in Family Court.

(e) I was part of the presentation faculty for the seminar Hot Tips from the Coolest Domestic Law Practitioners on September 23, 2005, September 26, 2014, September 2018, and September 2020. This is a seminar conducted by the Family Law Council each year to educate new and experienced attorneys alike in Family court.

(f) I was part of the presentation faculty for the seminar guardian ad litem Training on March 5, 2004. This seminar dealt directly with the issues of children in Family Court and served as training for guardians ad litem in Family Court.

(g) I as part of the presentation faculty for the SC Bar Convention Family Court Seminar in January 2019.

Judge Buckhannon reported that she has published the following:
South Carolina Family Lawyer's Toolkit, Second Edition
Published by the South Carolina Bar in 2010

(4) Character:
The Commission's investigation of Judge Buckhannon did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Buckhannon did not indicate any evidence of a troubled financial status. Judge Buckhannon has handled her financial affairs responsibly.

The Commission also noted that Judge Buckhannon was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Buckhannon reported that her last available rating was: BV.

Judge Buckhannon reported that she has not served in the military.

Judge Buckhannon reported that she has held the following public office:
Francis Marion University Board of Trustees – May 1998 to June 2013. Elected by the SC General Assembly. All reports were timely filed.

(6) Physical Health:
Judge Buckhannon appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Buckhannon appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Buckhannon was admitted to the South Carolina Bar in 1994.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk to the Honorable James E. Lockemy, Circuit Judge of the Fourth Judicial Circuit – August 1994 to August 1995.
(b) Law Offices of John R. Clarke, North Myrtle Beach, South Carolina, Associate, Civil and Domestic Litigation, August 1995 to November 1996
(c) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, South Carolina, Associate, Domestic Litigation to include GAL work and mediation, November 1996 to August 2000
(d) Monckton Law Firm, Myrtle Beach, South Carolina, Associate, Domestic Litigation to include GAL work and mediation, August 2000 to March 2001
(e) Jeffcoat Pike & Nappier, LLC, Myrtle Beach, South Carolina, Partner, Domestic Litigation to include GAL work and mediation, March 2001 to October 2007. I was not a managing partner; therefore, my involvement with administrative and financial management was to review proposals of the managing partners as a partner. I had signatory authority on the trust accounts but did not perform any accounting or balancing of these accounts as that was done by the firm bookkeeper.

(f) McLain & Lee, LLC, Conway, South Carolina, Partner, Domestic Litigation to include GAL work and mediation, October 2007 to December 2010. I was the partner in charge of the Conway office, and I made the day-to-day decisions for that office. Any major decisions impacting the firm was made by the managing partner. I had signatory authority on the trust accounts but did not perform any accounting or balancing of these accounts as that was done by the firm bookkeeper.
(g) Melissa Johnson Emery, LLC, Conway, South Carolina, Owner, Domestic Litigation to include GAL work and mediation, January 2011 to February 2014. As a sole practitioner, I made all managerial decisions for the office. I also oversaw all bank accounts, including the trust account.
(h) Family Court Judge of the Fifteenth Judicial Circuit, Seat #2, February 2014 to present.

Judge Buckhannon reported that she has held the following judicial office(s):
Family Court Judge, Fifteenth Judicial Circuit, Seat 2 – Elected by the General Assembly in February 2014. I have served as a Family Court judge from February 2014 until present.

Judge Buckhannon provided the following list of her most significant orders or opinions:
(a) Mark S. Jakubowski v. Pamela Jakubowski (2018-DR-26-1160)

This case dealt with the issue of modification of custody, wherein the parents had joint custody of the minor children pursuant to a settlement agreement that was approved and made part of the Final Order in their divorce case, with Plaintiff Father having primary status and Defendant Mother having secondary status. Plaintiff was seeking to modify custody and visitation based upon his desire to move from the area with the minor children. His reason for moving was two-fold. First, he had married, and his new wife lived in another state, and she earned a significantly higher income than he did and would not give up her job to move to SC. Second, he alleged his job situation had changed in SC causing him to make less money, and he believed he could make more money if he moved to the area in which his new wife lived. Father

further testified that if he could not take the children with him, he would not move and allow Mother to have primary custody. Mother objected to the modification because she would lose the significant amount of time she spent with her children. Mother exercised her shared time with the children each week and often got more time than ordered. She was active in their schools, social and extracurricular activities. In fact, after the Final Order was entered, the Father moved to another area of the county, she moved as well to be close to the children even though it put her further away from her job.

Father failed to show a material and substantial change of circumstances *in the best interest of the children* to warrant a modification to allow him to take the children with him if he moved. At the time he entered into the agreement with Mother, he was already dating the woman and he knew she lived in another state, and they had already discussed marriage. Therefore, the fact of his marrying a woman who lived in another state should have been taken into consideration when entering into the agreement. Father also failed to present any evidence that his job status had changed through no fault of his own. In fact, he took so much time off to travel to see his wife, his boss reduced his hours which affected his income. Father also failed to show that he could have a better job in the other state because he had not yet applied for any jobs. Mother showed that she had a close relationship with the children, and that relationship would be hugely impacted if the children were moved to another state. She did not have the financial resources to travel to see the children or be involved in their activities on a regular basis.

I ruled that while the Court could not prevent Father from relocating, he could not relocate the children. If he chose to remain in South Carolina the Final Order would not be modified and would remain in place. However, if he chose to relocate, Mother would then have primary custody of the children, and Father would have a standard visitation schedule for out of state parents.

The Final Order was not appealed.

(b) Craig Doehner and Sharon Doehner v. Eric J. Perry (2019-DR-22-0316)
Ex Parte Linda Charles (Unpublished Opinion No. 2021-UP-004)

This case was a TPR/Adoption case wherein the maternal grandparents sought to terminate the parental rights of the Defendant Father and adopt his two minor children. Defendant Father is incarcerated for killing the mother of the children, and the Plaintiffs received an order of custody of the two children after the death of their daughter. The Defendant's mother, Linda Charles filed a Motion to Intervene into the action. Ms. Charles had filed an action against Craig and Sharon Doehner seeking visitation rights to the minor children prior to the filing of the TPR/Adoption action. However, after the TPR/Adoption action was filed, the visitation case between the grandparents went to trial. Ms. Carter was awarded visitation with the minor children. She filed her Motion to Intervene stating concern that the TPR/Adoption action, if granted, would stop her visitation with the minor children.

I denied her Motion to Intervene and found that she did not have standing to intervene into the TPR/Adoption action as her consent and relinquishment to the TPR and adoption was not required. I found that she had a separate order of visitation with the minor children in which the Doehners were bound, and they would have to modify that order if they wished to take away her rights to see the children. Ms. Charles appealed the Order regarding the Motion to Intervene, and the Order was affirmed.

(c) In the Interest of James Conway – A juvenile (2017-JU- 26-148; 2018-JU-26-425, 426, 457, 458, 482, 483)

This case dealt with a juvenile who was charged with four counts of Pointing and Presenting a Firearm and four counts of Assault & Battery 2nd degree. A truancy contempt charge was Nolle Prosequi by the State.

The juvenile, along with two friends, went to the pool area of an apartment complex that primarily houses students from Coastal Carolina University. They did not live in the complex and were not there visiting anyone in the complex. While there, they encountered four young adult men in the pool area. Pursuant to the testimony of all witnesses, one of these men and a friend of the Defendant exchanged words, but it did not become heated. They were all exiting the pool area at around the same time. When the Defendant got into his car, he was upset that one of the men had said something to his friend. He

retrieved a gun from the console of the vehicle and pointing it at the four young men while yelling threats and obscenities. He then sped off in his vehicle while continuing to point the gun. Shots were not fired.

The juvenile was adjudicated delinquent and prior to sentencing was sent to the Reception and Evaluation center for a complete and thorough evaluation not to exceed forty-five days prior to disposition. Often sending a child to R&E makes a huge difference in their lives because they get a glimpse of what life behind the fence at DJJ can be like. Those forty-five days can serve as a turning point in their lives, and that is exactly what happened with this juvenile. When he came back after evaluation, he was a different person. He took responsibility for his actions and had remorse, which he had not shown during his testimony at trial. The report of his behavior from the R&E center was positive as he had no behavioral problems and did all that was asked of him. Based upon his evaluation and good behavior, I sentenced him to DJJ suspended to probation, with an opportunity to stay home unless his good behavior did not last. In that event he could be placed automatically in alternative placement. I have heard of no further misconduct by this juvenile.

The Order was not appealed.

(d) Michelle Kosier v. Carroll Curtis Coats, Jr. (2018-DR-22-0376)

This case dealt with the issue of transmutation of non-marital assets during the marriage. These parties were both in their fifties when they married after a short courtship. Both owned assets prior to the marriage. Husband owned real estate in a trust with his family and Wife had substantial investment accounts and owned a home. Both parties took steps within the first couple of years of marriage to add the other's name in some way to their non-marital property. Wife liquidated most of her investment accounts which was used as down payments to a home and business in Pawley's Island. Those properties were deeded in both names. Husband added the Wife's name to his family trust which held three homes in West Virginia, making her an equal beneficiary to the trust as him. During the marriage, both parties assured the other of being willing to walk away from the other's property if the marriage did not

last; however, after the end of the short-term marriage, both parties claimed an equal interest in the other's property.

The tough issues of the case were the contribution levels of the parties to the marital property and the losses that were received because of forced sales of properties when the marriage collapse so soon after property was purchased. While it was clear Wife's non-marital funds were used to purchase the Pawley's Island properties, Husband did contribute some from his income to his income but not very much. When this property was sold, the parties took a huge loss and did not recover the amount of the down payments on the properties. Wife wanted the entire proceeds from the sale of the properties and wanted additional funds from Husband to make her "whole" considering what she had liquidated and used in non-marital funds. While Husband did add Wife's name to his non-marital property, they both testified that she had contributed nothing financially to this property. She had never even seen this property. However, she demanded to be awarded half of the property, and Husband wanted her to receive nothing. This case was a classic example of "What's mine is mine and what's yours is mine!" There were other assets that had been acquired during the marriage that was clearly marital, but not a substantial amount.

I found that both parties had transmuted the non-marital property into marital property. However, I took into consideration the contribution levels of the parties to the marital property and divided the property so that they had an even division of assets. In my ruling I focused heavily on being responsible for one's own actions.

The Final Order was not appealed.

(e) South Carolina Department of Social Services v. Victoria Lynn Rose and Medardo Cortes Carbajal (2017-DR 26-1144)

This was a termination of parental rights action brought by SCDSS. The Defendants are the biological parents of four children. Mother is a US citizen and Father is from Mexico and was a legal resident. The two youngest children are twins and upon their birth, they along with Mother tested positive for drugs. At that time SCDSS opened an abuse and neglect case against Mother. They placed all four children, which included the infants, a four-year-old and six-year-old, with

Father as an in-home protector. Mother was given a treatment plan, but she consistently failed to actively participate in the treatment plan.

Father was stopped one day during a routine traffic stop and was found to have an outstanding warrant for CDV that Mother had taken out a few years earlier. The warrant had never been served upon him. Father was deported and went home to Tijuana, Mexico. The children were removed from the home and placed in separate foster care homes. Father attempted to maintain a relationship with the children through DSS, but his efforts were ignored. Even though he provided an address to SCDSS he received nothing. He pressured Mother to maintain her visitation with the children as he was able to FaceTime with them during her visits. After many months, Mother failed to successfully complete her treatment plan and the abuse and neglect case was closed. Because Father had never been served or given any possibility of participation in the case, all action taken in the underlying case was without prejudice to him.

SCDSS then filed the TPR case against both parents seeking to terminate their parental rights to the minor children. The alleged grounds against Father were failure to visit for over six months, failure to pay support for over six months, and children had been in foster care for 15 of the last 22 months. Father was served with the Summons and Complaint and an attorney was appointed for him. Father objected to having his parental rights terminated. While SCDSS did not like the fact Father lived in Mexico, upon a home study being done on Father's home in Tijuana, it was found that he was gainfully employed, had a home that could accommodate the children and had family support. All references spoke highly of Father and his work ethic. SCDSS rejected the first home study as "unsatisfactory" even though the agency who did the study found his home to be "satisfactory". However, once Father became aware of the problem, he obtained new housing and made every effort to address any issues that SCDSS may have had. Once again, they found the home study "unsatisfactory" after the agency doing the study found his home "satisfactory". SCDSS continued with the TPR action against Father and Mother.

I found that SCDSS failed to meet their burden in proving their grounds for TPR against Father. The statute requires proof that a parent who fails to visit has not been prevented from doing so. By his deportation and SCDSS's refusal to arrange any contact between him and the children, he was prevented from having any meaningful contact with his children. Regarding the allegations of failure to support, SCDSS would provide no information of where support could be sent. Once he was provided the information, he began sending support each month. Regarding the time the children spent in foster care, the case worker acknowledged that Father had been suitable when in the US, but she never considered placing the children with him in his home in Mexico, and she made the decision to put them in foster care and leave them there. Basically, SCDSS made the decision they were not going to go though any steps to reunite the children with Father because of the fact he lived in Mexico.

I granted the TPR as to Mother, as she had done absolutely nothing to get her children back, including not showing up for the trial. However, I denied it as to Father and required SCDSS to reunite him with the children. This case was a learning experience as the children had to have passports issued, and the Mexican consulate became involved as a resource. However, the children were reunited with their Father.

The Final Order was not appealed.

Judge Buckhannon reported no other employment while serving as a judge.

Judge Buckhannon further reported the following regarding unsuccessful candidacies:

(a) I ran for Horry County Family Court Seat 3 in 2008. I withdrew from the race in January 2008.
(b) I ran for Family Court At-Large Seat 5 in 2013. I lost the race by vote of the General Assembly.

(9) Judicial Temperament:

Judge Buckhannon's BallotBox survey results contained several comments about her judicial temperament. Members of the Commission expressed concerns and addressed these concerns with Judge Buckhannon at the public hearing. The Commission

believes Judge Buckhannon needs to make a genuine effort to improve her temperament before the next screening, and Judge Buckhannon expressed her willingness to work on these issues. She assured the Commission that she takes her job very seriously and will make the necessary changes.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Buckhannon to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament. The Committee did not have related or summary comments.

Judge Buckhannon is married to Thomas Eli Buckhannon. She has two children.

Judge Buckhannon reported that she was a member of the following Bar and professional association:
(a) South Carolina Bar Association
(b) Horry County Bar Association
(c) Coastal Women's Law Society, 2000 – present; President 2000 – 2003
(d) Chief Justice's Commission on the Profession
(e) SC Human Trafficking Taskforce for the Coastal Region - Mentor

Judge Buckhannon provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Coastal Inn of Court – 2014 – Present
(b) Your Sister's Closet charitable organization – 2015 – present; Vice President
(c) South Carolina Family Court Inn of Court – June 2021 – I am a charter member and we
(d) have just received our formal charter from the Inn of Court organization. It is in the
(e) formation stages; however, as the charter has been approved, I am including it in my
(f) information.

(g) Silver Fox Landing, HOA Board or Directors – November 2018 – present; President of
(h) the BOD May 2019 - present

Judge Buckhannon further reported:

Except for my first year in practice, I have dedicated my entire professional life to practicing in Family Court and have practiced in no other area. I am passionate about this area of the law. We deal with people's children, livelihood, and assets during the most difficult time of their lives. Having gone through the process of a divorce myself, I have been on the "litigant" side of Family Court as well. Therefore, I am well acquainted with the fact that someone going into the Family Court arena must put their trust in the system and the fact that the judge presiding over the matter has the requisite knowledge of law and concern for the litigants.

Since becoming a Family Court judge, I have come to realize what importance the position brings with it. I believe we not only have a duty to serve in the courtroom, but we have a duty to help educate where we can to make the Family Court system work better and benefit the people we serve. While judges are important to the justice system, we are just one cog in a big wheel, and I feel an obligation to make sure the entire wheel is working.

As a judge, I have endeavored to do as much as I possibly can to educate attorneys who practice in Family Law. However, recently my endeavors to educate has extended to newly elected Family Court judges as well. As one of the two Family Court judges who serve on the Chief Justice's Commission on the Profession, I took on the task of addressing the issue of training for newly elected Family Court judges. To accomplish this, I created and chair a Training Committee that developed a new training plan for Family Court judges. This plan includes a training team of judges who are committed to providing extensive training on the bench and in chambers. The plan also includes expanded training time and exposure to different circuits around the state. It is our goal to make sure each judge who presides in Family Court has the training to make the decisions that we are called upon to make.

As part of my desire to see better prepared people in Family Court, I have helped train lay guardians ad litem who represent children in abuse and neglect cases in Horry County. Every child in cases such as these must have

an advocate who is trained in the role, they must play in the court process. Therefore, I participate in the training of these guardian ad litems, and I also participate in their required continuing education courses. It is my goal that each child has representation as prepared and capable as any other participant in a DSS case.

I have also partnered with the Horry County School District to combat the problem of truancy. It is an established fact that truancy is a bigger indicator of future delinquent behavior than any other indicator including race, gender, or social economic status. Horry County is one of the few counties that aggressively deals with truancy, which has a correlating effect upon lessening the amount of violent and more serious crimes in juvenile court. Therefore, I participate in the programs the district holds with parents and students to educate them about the importance of school attendance. It is my goal for every child to get an education so that they can have every chance available to them to succeed.

I have participated with the South Carolina Human Trafficking Task Force for the Coastal Region to educate members of the community regarding the indicators and dangers of sex trafficking that impacts our children and young adults. I have participated in seminars held in schools, churches, civic organizations, etc. to help stop this tremendous problem that has so many victims. I have traveled to Charleston, Columbia, Anderson, and other places around the state to take part in the vital effort to educate parents, children, and community leaders about how victimization happens and how it can be avoided. I believe that education is key.

(11) Commission Members' Comments:
The Commission commended Judge Buckhannon for her service to the family court and her community, but expressed concerns regarding her judicial temperament.

(12) Conclusion:
The Commission found Judge Buckhannon qualified, and nominated her for re-election to Family Court, Fifteenth Judicial Circuit, Seat 2.

THURSDAY, JANUARY 13, 2022

Melissa M. Frazier
Family Court, Fifteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Fifteenth Judicial Circuit, Seat 3, 2 candidates applied for this vacancy, and 1 candidate withdrew before the Commission voted. Accordingly, the name and qualification of 1 candidate is hereby submitted in this report.

(1) Constitutional Qualifications:
Based on the Commission's investigation, Ms. Frazier meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Frazier was born in 1969. She is 52 years old and a resident of Little River, South Carolina. Ms. Frazier provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996. She was also admitted to the North Carolina Bar in 1998.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Frazier.
Ms. Frazier demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Frazier reported that she has made $212.30 in campaign expenditures for rack cards, thank you cards, paper, postage, and a name tag.

Ms. Frazier testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Frazier testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Frazier to be intelligent and knowledgeable.

Ms. Frazier reported that she has taught the following law-related courses:

(a) I lectured on the topic of Name Changes at the December 2002, Horry County Bar Procedure and Substantive Family Law Seminar;

(b) I lectured on the topic of Contested Termination of Parental Rights at the December 2005, Horry County Bar Procedure and Substantive Family Law Seminar – spoke on the topic of Contested Termination of Parental Rights;

(c) I lectured on the topic of Adult Name Changes at the December 2006, Horry County Bar Procedural and Substantive Law Seminar;

(d) I spoke on the topic of Mediation at the October 2007, Horry County Bar Procedural and Substantive Law Seminar;

(e) I lectured on the topic of Visitation Schedules at the December 2008, Horry County Bar Procedural and Substantive Law Seminar;

(f) I lectured on the topic of Visitation at the December 2009, South Carolina Bar, Family Law Seminar;

(g) I presented on the topic of Introduction of Exhibits at the December 2009, Horry County Bar Procedural and Substantive Law Seminar;

(h) I spoke on the topic of Interviewing a Parent at the October 29, 2010, Horry County Bar Guardian ad Litem Training Seminar;

(i) I presented on the topic of Preparation for Mediation on Children's Issues December 2010, Horry County Bar Procedural and Substantive Law Seminar;
(j) I lectured on Mediation Etiquette at the December 2011, Horry County Bar Procedural and Substantive Law Seminar;
(k) I presented on the topic of Family Court Rule 14 at the December 2012, Horry County Bar Procedural and Substantive Law Seminar;
(l) I coordinated and moderated at the December 2013, Horry County Bar Procedural and Substantive Law Seminar;
(m) I spoke on the issue of Guardian ad Litems at the May 2015, Family Law Intensive Class sponsored by the Horry County Bar;
(n) I served as coordinator and moderator at the February 2015, February 2016, February 2017, Horry County Bar Procedural and Substantive Law Seminar;
(o) Retired Judge Lisa A. Kinon and I spoke together on the topic of mediation at the November 17, 2017, South Carolina Bar, Effective Mediation Practice for Advocates and Mediators;
(p) I served as the course planner and moderator at the January 19, 2018, Family Law Section seminar of the S.C. Bar Convention;
(q) I served as coordinator, moderator and panel member at the February 2018, Horry County Bar Procedural and Substantive Law Seminar;
(r) I lectured on the topic of Child Support and Alimony at the September 20, 2019, South Carolina Bar, Hot Tips From the Coolest Domestic Law Practitioners;
(s) I served as coordinator, moderator, and spoke on the issue of Guardians ad Litem February 7, 2020, Horry County Bar Procedural and Substantive Law Seminar;
(t) I spoke on the topic of Client Credibility September 2020, South Carolina Bar, Hot Tips From the Coolest Domestic Law Practitioners;
(u) I served as course planner and moderator at the S.C. Bar Hot Tips from the Coolest Domestic Law Practitioners held on September 24, 2021;
(v) I served as course planner and moderator at the S.C. Bar Family Law Intensive CLE held on October 22 - 24, 2021.

Ms. Frazier reported that she has published the following: South Carolina Family Lawyer's Toolkit, 3rd Edition, South Carolina Bar 2017, co-editor and contributor.

(4) Character:
The Commission's investigation of Ms. Frazier did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Frazier did not indicate any evidence of a troubled financial status. Ms. Frazier has handled her financial affairs responsibly.

The Commission also noted that Ms. Frazier was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Ms. Frazier reported that her rating by a legal rating organization, Martindale-Hubbell, is Distinguished.

Ms. Frazier reported that she has not served in the military.

Ms. Frazier reported that she has never held public office.

(6) Physical Health:
Ms. Frazier appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Ms. Frazier appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Ms. Frazier was admitted to the South Carolina Bar in 1996.

She gave the following account of her legal experience since graduation from law school:

(a) Law Office of Walter J. Wylie, September 1996 –1999. Worked as an associate in the primary area of family law.
(b) Wylie & Frazier, P.C., 1999 - March 2010. Became a junior partner, practicing in the area of family law. I would review the financial accounts, including trust accounts on a regular basis.
(c) Frazier Law Firm, P.C., March 2010 – Present. Opened my own law firm where I continue my family law practice. I oversee the administration and financial management of this practice, including all bank accounts and trust accounts.

Ms. Frazier further reported regarding her experience with the Family Court practice area:

Divorce and Equitable Division: Throughout my legal career, I have represented both husbands and wives in fault based and no-fault divorces. Typically, there are issues regarding the equitable division of marital property. I have negotiated settlements in these cases, as well as litigated those that could not be settled. I have represented litigants with complex financial circumstances, where significant assets are at stake and forensic accountants and other experts were necessary. I have also represented litigants with very limited resources, with significant debt, where parties were faced with foreclosure and bankruptcy. Some of these cases involve the issue of whether non-marital property has been transmuted into marital property.

Child Custody and Adoption: I have also represented mothers, fathers, grandparents, great-grandparents, relatives and third parties in custody cases, termination of parental rights and adoptions. The custody cases are sometimes the most difficult and heart wrenching. Some parties lose sight of what is best for the children and become focused on winning or losing. It is my obligation to keep my clients aware of this pitfall, while still advocating for their position. On the other hand, uncontested adoptions are the most rewarding part of my practice. I have had the pleasure of representing one couple in the adoption and/or domestication of foreign adoptions of multiple children from various countries.

I have served as a court appointed guardian ad litem in hundreds of contested custody, visitation, and adoption cases throughout my career. This role allows me to focus on the children and less on the litigants. This experience will serve me well in a judicial capacity as the Family Court's role is to determine what is in the best interest of the child while applying the law.

Abuse/Neglect and Juvenile Cases: I have also been involved in numerous abuse and neglect cases. I have represented defendants or relatives in these cases, I have served as a guardian ad litem and I also act as a mediator in these matters. In these cases, the Family Court must protect the children, while being mindful that most of these parties suffer from very limited finances. I represented juveniles in Family Court earlier in my career. This representation was sometime quite difficult, as I saw my role as two-fold. I had to balance the advocacy for my client, while encouraging them to avoid a future in the juvenile justice and criminal system.

I have also served as a certified family court mediator in hundreds of cases involving the above-referenced issues. Mediation has become a very successful alternative to litigation and allows the parties to play a role in reaching a resolution. I believe this experience will also serve me well as a Family Court judge. It requires you to analyze and approach the cases from a different perspective.

Ms. Frazier reported the frequency of her court appearances during the past five years as follows:

(a) Federal: 0
(b) State: average one to two times per week

Ms. Frazier reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 99%;
(d) Other: 1% probate/wills

Ms. Frazier reported the percentage of her practice in trial court during the past five years as follows:

(a) Jury: 0%;
(b) Non-jury: 100%

Ms. Frazier provided that during the past five years she most often served as sole counsel.

The following is Ms. Frazier's account of her five most significant litigated matters:

(a) Suzanne Gooch Castles vs. Robert Lee Castles, 2009-DR-26-3111. I represented the wife in a hotly contested case involving a common law marriage claim and equitable division of marital assets. The parties worked together in building an engineering firm and there was significant evidence substantiating the wife's common law marriage claim. We originally settled the matter in mediation, agreeing that a common law marriage existed and including continued employment for the wife for a period of years. However, prior to the approval of the agreement, the opposing party claimed that the wife repudiated the agreement and sought to set the agreement aside. Additionally, there was an issue of interpretation of some of the terms. We litigated these issues before the Family Court and I prevailed on enforcing the mediation agreement. Additionally, the Court addressed the interpretation of the language used in the agreement. This case was significant to me as the establishment of common law marriage can be very difficult to sustain and I was able to enforce the mediated agreement.

(b) Patricia A. Hocker vs. Michael B. Hocker, 2003-DR-26-2504. This case involved the issue of alimony and attorney's fees. The husband had an affair with a woman who babysat for their minor children. Husband admitted to the affair, but claimed that his wife had condoned his misconduct when they attempted reconciliation. This was a long term marriage, with a large disparity in income. My client had been a stay at home mother throughout most of the marriage and she had not had the opportunity to pursue a career of her own. This case was significant to me as I was successful in proving that there was no condonation of the adultery and

my client received a favorable award of alimony and attorney's fees. The amount of alimony and attorney's fees were appealed by husband and the decision was upheld.

(c) Stephanie Allyson Militano-Catanzaro vs. Leonard Vincent Catanzaro, 2009-DR-26-1158. In this case, I represented the husband and successfully defended an alimony award. The parties had been married fifteen years and had three children together. After factoring in child support, the Family Court found that the wife's disposable income was greater than husband's disposable income. If alimony had been awarded, it would only serve to increase this disparity and would have caused significant financial distress for my client.

(d) Kenneth and Sara Gore vs. Lynsie DePoalo, 2013-DR-26-2954. This was a contested termination of parental rights and step-parent adoption. The mother and father had previously settled their custody/visitation case after extensive negotiation. After the Final Order was entered, mother moved to the west coast to pursue a bartending career. She made no effort to visit with her child nor did she maintain significant contact with the child for approximately one year. I filed an action to terminate her parental rights and requested a step-parent adoption. After hearing testimony and input from the guardian ad litem, the Court granted both the termination of parental rights and the step-parent adoption. This case was significant as it was a close fact situation and clearly rested on the credibility of the parties and witnesses. The guardian ad litem and the minor child's wishes were also crucial in this case.

(e) Linda J. Hardwick and William T. Hardwick vs. Mike Hardwick and Tonya Marie Hardwick, 2019-DR-26-1827. This was a grandparent custody case in which the parents had issues with drugs. It was a common case that had originated as a Department of Social Services action and moved into the private realm. Unfortunately, this case came up for trial during COVID-19 and the courts were not having in-person hearings. However, this matter needed to be resolved for the child's sake. Therefore, this matter was heard via Web-Ex. This case was significant as it was very challenging to try this case in this manner and required flexibility and patience to litigate this matter properly in order to provide some finality to this family.

The following is Ms. Frazier's account of the civil appeal she has personally handled:
Patricia A. Hocker vs. Michael B. Hocker, Unpublished Opinion No. 2006-UP-136,
March 9, 2006, Court of Appeals of South Carolina.

Ms. Frazier reported that she has not personally handled any criminal appeals.

Ms. Frazier further reported the following regarding unsuccessful candidacies:
I previously ran for Judge of the Family Court, At-Large, Seat 7 in 2016.

(9) Judicial Temperament:
The Commission believes that Ms. Frazier's temperament would be excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Ms. Frazier "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "The Committee is aware of and is concerned about the civility of the race for this particular seat. This candidate has strong supporters and detractors, as does her opponent. While there is a definite divide regarding the candidate's personalities there appears to be an overall agreement that both candidates are qualified for the position.

Ms. Frazier is not married. She has two children.

Ms. Frazier reported that she was a member of the following Bar and professional associations:
(a) SC Bar Association, 1996 – present;
(b) SC Bar, Family Law Section Council from 2014- present. Served as Secretary, Chair-Elect, Chair and Past Chair from 2015- 2019;

(c) Horry County Bar Association, 1996- present. Served as Secretary, Treasurer, Vice President and President from 2005- 2008;
(d) Horry County Bar Association, Family Court Executive Advisory Committee, 2007?- present;
(e) Coastal Inn of Court Pupilage and Mentoring Organization, Master 2014 - present.
Served as Secretary, 2019 -2020 and currently serving as Treasurer, 2020- present;
(f) South Carolina Bar Association Fee Dispute Board, August 2018 – present.

Ms. Frazier provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Coastal Inn of Court Pupilage and Mentoring Organization, Master 2014 - present.
Served as Secretary, 2019 -2020 and currently serving as Treasurer, 2020- present.
(b) Coastal Women's Law Society/Coastal Women's Lawyer Association.

Ms. Frazier further reported:
I was married for over twenty years and have two children, who will both be attending college this fall. I have been impacted by divorce myself, as well as through members of my family over the years. These experiences have provided me with a unique prospective and I have gained a great deal of empathy for litigants going through the process of divorce. I have great respect for the position I am seeking and I will carefully weigh all evidence that would come before me and treat litigants with the respect they deserve. I will strive to do what is best for minor children at all times. I can bring the knowledge, experience, common sense, and compassion to this position and I am excited about the prospect of serving in this capacity.

(11) Commission Members' Comments:
The Commission commented that Ms. Frazier is a well-rounded family law attorney and would make an excellent addition to the Family Court bench.

(12) Conclusion:
The Commission found Ms. Frazier qualified, and nominated her for election to Family Court, Fifteenth Judicial Circuit, Seat 3.

The Honorable Thomas H. White IV
Family Court, Sixteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge White meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge. White was born in 1957. He is 64 years old and a resident of Union, South Carolina. Judge White provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge White.

Judge White demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judgfe White reported that he has made campaign expenditures in the amounts of:
$150 to his Administrative Assistant for assistance in typing and transmitting application materials; and $9.90 for postage for the mailing of application materials.

Judge White testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge White testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge White to be intelligent and knowledgeable.

Judge White reported that he has taught the following law-related courses:

(a) I have served as a presenter on two separate occasions at continuing legal education seminars sponsored by the SC Association of Criminal Defense Lawyers. My presentations covered the general topic of case investigation and preparation for rural lawyers in economically-challenged locations.

(b) I have been a frequent guest speaker in public school classrooms in Union County, SC over the years on law-related topics and on law-related careers. In particular, I have participated as a regular presenter in the Opportunity Fair program at the middle school and high school levels in Union County, SC public schools. These presentations have been particularly focused on educating students regarding our legal system, the advantages of a legal education, and employment opportunities in the legal field. I have also made classroom presentations regarding the U.S. Constitution and the S.C. Constitution as part of the Judges in the Schools program instituted by Chief Justice Beatty. I also made an international zoom presentation on adoption to a first grade class in Linz, Austria being taught by my youngest daughter!

Judge White reported on his publications:
I have not published any books or scholarly articles; however, as president of the South Carolina Association of Criminal Defense Lawyers in 2002, I did author three President's Columns in "The Advocate", the original newsletter for the organization.

(4) Character:
The Commission's investigation of Judge White did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge White did not indicate any evidence of a troubled financial status. Judge White has handled his financial affairs responsibly.

(5) Reputation:
Judge White reported that his last rating by a legal rating organization might have been more than 30 years ago but to his recollection it was, Martindale-Hubbell: BV-Distinguished.

Judge White reported that he has not served in the military.

Judge White reported that he has not held public office other than judicial office:

(6) Physical Health:
Judge White appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge White appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge White was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

I was in the private practice of law in Union, SC from the time of my admission to the South Carolina Bar in 1983 until February 24, 2014 when I began my duties as a Family Court Judge. Initially, I was hired in 1983 as an associate with the law office of William E. Whitney, Jr. I was an associate with this office from 1983 to 1985. In 1985, I became a partner and the firm name was changed to Whitney & White. This association remained intact from 1985 through 1988. In January, 1989, Pete G. Diamaduros joined the

firm and the firm name was changed to Whitney, White & Diamaduros. This partnership remained intact from 1989 through August, 1992. In August, 1992, Sammy G. Diamaduros joined the firm and the firm name was changed to Whitney, White, Diamaduros & Diamaduros. In May 2000, Pete G. Diamaduros, Sammy Diamaduros and I established the firm of White, Diamaduros & Diamaduros. This partnership remained intact from May 2000 until February 21, 2014. Throughout my legal career, I maintained a general practice. My areas of practice have included domestic litigation, criminal defense, civil trial law, real estate transactions, and a modicum of trust and estates. I assumed primary administrative and financial management of Whitney & White in 1985 and remained primary until the formation of White, Diamaduros & Diamaduros in 2000. Pete G. Diamaduros was the managing partner of that firm, but he and I consulted with each other on administrative and financial matters on a regular basis until I took the bench in February, 2014.

Judge White reported that he has held the following judicial office(s):
I have served as Family Court Judge of the Sixteenth Judicial Circuit, Seat 1, continuously since February 24, 2014.

Judge White provided the following list of his most significant orders or opinions:
(a) *Hein v. Bernson*, 2017-DR-46-01001 (Relocation case) No appeal
(b) *Chappell v. Kay*, 2018-DR-46-00197 (Adoption case) No appeal
(c) *Wright v. Wright*, 2014-DR-46-02810 (Contempt action) Affirmed in Unpublished Opinion No. 2019-UP-328
(d) *Aikey v. Dehart*, 2013-DR-46-02292 (TPR by grandparents) Affirmed in Unpublished Opinion No. 2015-UP-570
(e) *Fernanders v. Johnson*, 2008-DR-11-00703 and JR#56788 (Complex child support/social security, reconciliation case) No appeal

Judge White reported no other employment while serving as a judge.

Judge White further reported the following regarding unsuccessful candidacies:
I was a candidate for Sixteenth Circuit Family Court Judge, Seat 1, in the fall of 1999. I was qualified and nominated, but voluntarily withdrew prior to the election.

9) Judicial Temperament:
The Commission believes that Judge White's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualifications reported that Judge White was "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Judge White's confidence, compassion, and common sense reflect the depth and range of his experience as a practicing lawyer before he became a Family Court Judge. Deeply involved in his community, Judge White's enthusiasm for his work demonstrates his substantial commitment to public service. He brings a wealth of knowledge and skill to the bench that are a credit to the Sixteenth Circuit and the State of South Carolina."

Judge White is married to Ann Brueckner White. He has two children.

Judge White reported that he was a member of the following Bar and professional associations:
(a) S.C. Bar Association
(b) S.C. Conference of Family Court Judges

Judge White provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Member, former Elder and Deacon, First Presbyterian Church, PC(USA), Union, SC
(b) Trustee, Providence Presbytery, PC(USA)

Judge White further reported:

I confess that I am not perfect; however, I am diligent in my pursuit to perform my judicial duties in a fair, just, impartial, compassionate and respectful manner.

My beloved parents taught me to live my life on the foundational principle that all human beings are created equal and are entitled to be treated with fairness, dignity, courtesy and respect. I have lived my life by that foundational principle. My life circumstances have put me in positions where I have had opportunities to relate with people ranging from high social standing and significant wealth to folks from third world countries who would be considered by many to live in circumstances that placed them as the "lowest of the low". I have mined value from all of these experiences and relationships, and that value has served me well as I strive to be, and continue to be, a fair, just and equitable jurist.

(11) Commission Member' Comments:
The Commission commented that Judge White has displayed a pattern of excellence. They also added that while on the bench, he has upheld the integrity of the judiciary.

(12) Conclusion:
The Commission found Judge White qualified, and nominated him for re-election to Family Court, Sixteenth Judicial Circuit, Seat 1.

ADMINISTRATIVE LAW COURT
QUALIFIED AND NOMINATED

The Honorable Milton G. Kimpson
Administrative Law Court, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Kimpson meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Judge Kimpson was born in 1961. He is 61 years old and a resident of Columbia, SC, South Carolina. Judge Kimpson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kimpson.

Judge Kimpson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kimpson reported that he has made $112.05 in campaign expenditures for postage and copies of application.

Judge Kimpson testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kimpson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Kimpson to be intelligent and knowledgeable.

Judge Kimpson reported that he has taught the following law-related courses:
(a) Presentation on Travelscape v. SC Department of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011) to Multi-State Tax Commission Litigation Committee Meeting in Nashville, TN, March 8, 2012

(b) Presenter at SCAGO CLE: Department of Revenue Practice, June 17, 2011
(c) State Tax Case Law Update, Columbia Tax Study Group, October 16, 2012
(d) SCDOR Case Law presentation at CPA Summit and Annual Meeting, November 1, 2012
(e) SCDOR Case Law Update at State and Local Tax Seminar, March 21, 2013
(f) Presentation on SCDOR Data Breach at Cyber Security Seminar hosted by state of Wisconsin, Milwaukee, WI, October 14, 2013
(g) SCDOR Case Law Update presentation to SC Bar Tax Section during SC Bar Convention, Jan. 24, 2015
(h) SCDOR Case Law Update presentation to Columbia Tax Study Group, February 14, 2015
(i) Presentation on DHEC Certificate of Need Program and SCDOR Regulatory Practice at SC Black Lawyers Retreat, September 17, 2015.
(j) Panelist, "Good Decisions for Your Legal Education and Career", USC School of Law, November 16, 2017
(k) Panelist, "Appearing at the ALC – Do's and Don'ts", SCAARLA CLE, February 21, 2020
(l) Panelist, Young Lawyers Division Mentoring Lunch on Administrative Law, January 21, 2020

Judge Kimpson reported that he has published the following: South Carolina Practice Manual – Criminal Law, Volume Three (SC Bar CLE 2003), Contributing Author, Chapter on Military Law.

(4) Character:

The Commission's investigation of Judge Kimpson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kimpson did not indicate any evidence of a troubled financial status. Judge Kimpson has handled his financial affairs responsibly.

The Commission also noted that Judge Kimpson was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Kimpson reported that his last available rating by a legal rating organization, Martindale Hubbell, was Distinguished, 4.4 out of 5.

Judge Kimpson reported the following military service:
I served on active duty in the United States Army as an officer in the Judge Advocate General's Corps (JAGC) from January 1987 through December 1991 and continued in the US Army Reserves from 1992-1995. My highest rank was Captain and I received an Honorable Discharge. I have no current duty status in the military.

Judge Kimpson reported that he has held the following public office:
Prior to election to the Administrative Law Court (ALC), from July 2010- June 2017, I served as a Deputy Director and General Counsel for Litigation at the SC Department of Revenue. In this position, I was required to file annual reports with the State Ethics Commission. I have always filed timely reports when required, including now during my service at the ALC.

(6) Physical Health:
Judge Kimpson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Kimpson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Kimpson was admitted to the South Carolina Bar in 1986. He gave the following account of his legal experience since graduation from law school:
(a) SC Department of Health and Environmental Control, law clerk position and brief stint as staff attorney practicing administrative law until entry into US Army; August 1986-December 1986. No management responsibilities.

(b) JAGC, Ft. Sill, Oklahoma, Legal Assistance Officer: general civil practice, assisting military members, families and retirees with wills, powers of attorney and family law; March 1987 – June 1988; Trial Counsel (military prosecutor) prosecuting soldiers for crimes under the Uniform Code of Military Justice; July 1988-March 1990. No management responsibilities.

(c) JAGC, Ft. Jackson, SC ; Chief, Legal Assistance Officer – general civil practice, assisting military members, families and retirees; Military Magistrate (whether to impose pretrial confinement for military personnel accused of crimes); March 1990-December 1991; administrative management (personnel) responsibilities.

(d) Johnson, Toal & Battiste, P.A., Jan 1992-Dec, 1993; General Practice, including civil litigation, real estate, family law, personal injury. No management responsibilities.

(e) Glenn Walters, P.A. Jan., 1994-March 1994. Temporary position at general practice firm practicing family law and personal injury. No management responsibilities.

(f) Gerald & Kimpson, L.L.P.; March 1994-December 1998; Partner in General Practice, including civil litigation, family law, personal injury and real estate. Shared administrative and financial management responsibilities, to include management of real estate trust account (IOLTA).

(g) Milton G. Kimpson, P.A., Jan. 1999-Dec. 2002. Solo practitioner in General Practice, including civil litigation, family law, personal injury and real estate. Performed administrative and financial management responsibilities, to include management of trust accounts - general and IOLTA real estate account.

(h) South Carolina Department of Revenue; Jan. 2003-2010; state tax and regulatory litigation before the SC Administrative Law Court, state circuit and federal district courts. In 2006, became Managing Attorney of Honors Litigation Program with administrative management responsibilities. No financial management responsibilities.

(i) South Carolina Department of Revenue; July 2010- June 2017. General Counsel for Litigation handling state tax case before the ALC, state and federal courts. Performed

administrative responsibilities and limited financial (budget) responsibilities for section.

(j) SC Administrative Law Court; July 2017 to present; serve as Administrative Law Judge deciding cases – de novo trials and appeals – arising out of state agency decisions under the Administrative Procedures Act. No administrative/financial responsibilities.

Judge Kimpson reported that he has held the following judicial office(s):

SC Administrative Law Court, Seat #2 – July 3, 2017 to present. Elected by SC General Assembly. The Administrative Law Court is an agency and court of record created by the General Assembly, SC Code Ann. 1-23-500, with jurisdiction limited by statute, SC Code Ann. 1-23-600, to certain "contested cases…involving the departments of the executive branch of government…" and other matters, to include appeals from decisions in contested cases heard at the agency level.

Judge Kimpson provided the following list of his most significant orders or opnions:

(a) Begum v. Florence Co. Assessor, 18-ALJ-17-0198-CC ; 2019 WL 5208156 (SC Admin Law Ct.); appeal pending at SC Court of Appeals.

(b) Mulvihill, et al., v,., SCDHEC, Charleston Mooring, 18-ALJ-07-0127-CC; 2020 WL 2096567 (S.C. Admin Law Ct.)

(c) Harbor Island Oceanfront Property Owners Group v. SCDHEC, et al, 18-ALJ-07-0166
(Order Granting Motion to Lift Stay)

(d) Medial University Hospital Authority v. SCDHEC, et al., 18-ALJ-17-0172-CC; 2019 WL 183991 (S.C. Admin Law Ct.)

(e) Nichols v. Horry County Assessor, 17-ALJ-17-0248-CC; 2017 WL 6018122 (S.C. Admin Law Ct.)

Judge Kimpson reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Kimpson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Kimpson "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well qualified in all respects w/ great reputation"; and "Well qualified."

Judge Kimpson is married to Audra Sabb Kimpson. He has two children.

Judge Kimpson reported that he was a member of the following Bar and professional associations:

(a) S.C. Bar Association
(b) S.C. Black Lawyers Association
(c) South Carolina Administrative and Regulatory Law Association, Bd of Directors, 2012 to Present
(d) Military and Veterans Law Section of South Carolina Bar Association

Judge Kimpson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Eau Claire Development Corporation, Secretary,
(b) Greater Columbia Community Relations Council, Chairman, June 2016-June 2017; continue to serve on Board of Directors
(c) Citizens Center for Public Life, Board of Directors
(d) Omicron Phi Chapter, Omega Psi Phi Fraternity, Inc., Parliamentarian
(e) Cooperative Ministries, Board of Directors
(f) Promise Foundation, Treasurer, Nov. 2010 to present
(g) Alpha Iota, Sigma Pi Phi Fraternity, Secretary, November 2010 to present
(h) DOR Communicators (Toastmasters), Secretary, June 2010-June 2017.
(i) Saint John Baptist Church, Board of Deacons, May 2002 to present.
(j) Wofford College Black Alumni Association, Secretary, present

(k) Omega Men of Columbia, SC, Inc., Secretary, present
(l) Israel Brooks Foundation, Board of Directors

Judge Kimpson further reported:
My service at the Administrative Law Court has been among the highlights of my legal career. As a judge, I have tried to emulate the good characteristics of the many excellent judges before whom I appeared while practicing law. I strive to be prepared, knowledgeable about the law and most importantly, fair and objective in all cases. It is vitally important to be attentive, respectful and courteous to the litigants. I always appreciated those judges who actively listened to the evidence and evaluated my legal arguments. Whether as a trial judge or when acting in an appellant capacity, I do my best to fairly evaluate the evidence and to fully address the legal arguments presented when reaching a decision.

(11) Commission Members' Comments:
The Commission commented that Judge Kimpson has an outstanding reputation as a fair and hard-working judge with an excellent judicial temperament.

(12) Conclusion:
The Commission found Judge Kimpson qualified, and nominated him for re-election to Administrative Law Court, Seat 2.

QUALIFIED, BUT NOT NOMINATED

Kate Whetstone Usry
Circuit Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Ms. Usry meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Usry was born in 1982. She is 39 years old and a resident of Columbia, South Carolina. Ms. Usry provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Usry.

Ms. Usry demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Usry reported that she has made $222.64 in campaign expenditures for: Stamps ($83.64), and Printed Materials ($69.50, & $69.50).

Ms. Usry testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Usry testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Ms. Usry to be intelligent and knowledgeable.

Ms. Usry reported that she has taught the following law-related courses:
I have had the opportunity to present numerous times to various programs, including the South Carolina Bar Association, the S.C. Commission on Prosecution Coordination, victim's advocate groups, and various law enforcement organizations, including law

enforcement officers within the Eleventh Judicial Circuit. During the first half of my time with the Eleventh Judicial Circuit Solicitor's Office, most of these speaking engagements covered issues involving domestic violence, stalking, and intimate partner violence, and victim's rights. As my role and duties evolved, my presentations changed to focus on criminal sexual conduct, and the audience was often local law enforcement. I did not keep records of the presentations I made to local law enforcement.

I have continued to participate in continuing legal education programs in private practice. In January of 2020, I had the opportunity to take part in the Trial Objections Continuing Legal Education program.

Below is a nonexclusive list of some of the presentations I have given for which I have records.

(a) I presented for the South Carolina Commission on Prosecution Coordination in a 2009 program titled "The Investigation and Prosecution of Criminal Domestic Violence." My presentation was titled "Preparation of a Criminal Domestic Violence Case: Reading Police Reports, Investigating Further, and Interviewing Witnesses."

(b) I spoke at the 2010 South Carolina Law Enforcement Victim's Advocate Fall Conference in a program titled "Criminal Domestic Violence: The Law."

(c) In 2011, I presented a lecture titled "Order of Protection: Issues and Enforcement" for the South Carolina Commission on Prosecution Coordination as part of their program titled "The Investigation and Prosecution of Criminal Domestic Violence."

(d) In 2011, I presented a continuing legal education course titled "Bond Settings and Revocations: Special Issues and Considerations" for an event hosted by South Carolina Commission on Prosecution Coordination as part of their program titled "The Investigation & Prosecution of Criminal Domestic Violence."

(e) At the 2012 South Carolina Solicitor's Association Fall Conference, I presented to the victim advocates a program titled "An Introduction to Victim Rights and Victim Service Responsibility."

(f) I made a presentation titled "Dating Violence: Addressing the Issues" at the 2013 South Carolina Solicitor's Association Fall Conference.

(g) In 2020, I took part in the "The Art and Science of Trial Objections" for a South Carolina Bar Association CLE in which I played the role of a plaintiff's attorney in a civil case."

Ms. Usry reported that she has not published any books or articles.

(4) Character:
The Commission's investigation of Ms. Usry did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Usry did not indicate any evidence of a troubled financial status. Ms. Usry has handled her financial affairs responsibly.

The Commission also noted that Ms. Usry was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Ms. Usry reported that she is not rated by any legal rating organization.

Ms. Usry reported that she has not served in the military.

Ms. Usry reported that she has never held public office.

(6) Physical Health:
Ms. Usry appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Ms. Usry appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Ms. Usry was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk, The Honorable R. Knox McMahon
August 2007 – August 2008
As a law clerk, I was responsible for writing legal briefs and performing legal research, scheduling hearings, communicating with counsel regarding matters before the Circuit Court, and assisting Judge McMahon with his analysis of civil and criminal legal issues. I enjoyed an intimate study of the operations of the Circuit Court and gained valuable experience observing a wide range of civil and criminal hearings and trials during my clerkship. I continue to reflect upon the experiences I had working for a Circuit Court judge in my practice today.

(b) Assistant Solicitor, Eleventh Judicial Circuit Solicitor's Office
September 2007 – June 2019
Over the course of my eleven-year journey as an Assistant Solicitor, I handled a large, rapidly evolving case list and routinely prepared cases for trial and tried cases to verdict. During the first half of my tenure, I was assigned to the domestic violence case docket. I acted as the sole domestic violence prosecutor, handling a docket of around 200 cases. Needless to say, each case had a victim or victims whose interests had to be considered. I was able to increase the number of cases moved each year by bringing more domestic violence cases to trial than our office had in the past. I spoke to various groups at presentations, including CLE events hosted by the South Carolina Commission on Prosecution Coordination. I also provided legal education to law enforcement personnel on the law of domestic violence. I was instrumental in creating laminated legal information sheets for law enforcement officers to assist them in making charging decisions. I also created pamphlets with information about protective orders and domestic abuse assistance programs that were

distributed to law enforcement and local magistrate offices.

During the final five to six years of my tenure at the Eleventh Judicial Circuit Solicitor's Office, I took on the role of a supervisor. I took on additional duties, such as coordinating the setting of the Eleventh Judicial Circuit Court General Sessions calendar for the upcoming year, overseeing the selection of the yearly Grand Jury, and managing the trial roster. My duties as trial roster manager included gathering cases for trial for upcoming terms of court, and drafting and distributing the Eleventh Judicial Circuit Court General Sessions roster. During terms of court, my duties included coordinating with trial judges and ensuring all attorneys, both prosecutors and defense counsel, were informed of developments. I participated in our office's hiring process by reviewing resumes and interviewing new lawyers, paralegals, and staff members. I was also responsible for interviewing and hiring interns and law clerks, and acted as the point of contact for all of the law clerks during their clerkships.

In addition to the supervisory and managerial responsibilities I assumed, I continued to maintain a docket of 150 to 200 warrants. My cases primarily involved violent crimes such as armed robbery, criminal sexual conduct, and aggravated assault. I appeared in court frequently for motions and pleas. I tried numerous cases as first chair and second chair, including cases involving murder, attempted murder, criminal sexual conduct, and domestic violence. I mentored new attorneys in our office and assisted them in their trial preparation and at trial.

(c) Attorney, Whetstone, Perkins & Fulda, LLC
July 2019 – Present

In July of 2019, I entered private practice and joined the firm Whetstone, Perkins, and Fulda, LLC. During my time in private practice, I have had the opportunity to work on civil cases involving a wide range of complex issues. I have worked on cases involving 42 U.S.C § 1983 claims, medical malpractice claims, class actions, the South Carolina Tort Claims Act, negligent infliction of emotional distress, false arrest, negligent hiring, and

> personal injury. I have drafted demands, complaints, answers, and counterclaims, responded to complex discovery requests, taken depositions, and represented my clients at mediation. I have also taken on a number of criminal defense cases, and I have been appointed to represent two defendants indicted by the statewide Grand Jury.

Ms. Usry further reported regarding her experience with the Circuit Court practice area:

My litigation experience is extensive. With respect to criminal matters, I have participated in all aspects of prosecution, from advising law enforcement about the existence of probable cause during the initial phase of the process all the way through closing argument. I am intimately familiar with evaluating legal issues and evidentiary matters in order to assess the strength of a criminal case at trial. The legal issues I have reviewed, researched, and argued before the Circuit Court include Confrontation Clause issues, warrantless searches and search warrants, prior bad acts, expert qualifications, impeachment scenarios, and multiple hearsay arguments and exceptions. During the past five years, I have tried cases and prepared cases for trial that pled prior to calling the case involving charges of murder, attempted murder, criminal sexual conduct, armed robbery, domestic violence, drug offenses, and other crimes. I would estimate that I tried or prepared for trial more than fifteen cases over the past five years, and more during the six-year time period prior to that.

My experience as a judicial law clerk exposed me to a wide range of civil cases, motions, and arguments. During my time with Whetstone, Perkins, and Fulda, LLC, I have worked on a wide range of civil cases involving complex legal issues and discovery, including cases involving 42 U.S.C § 1983 claims, medical malpractice claims, class actions, the South Carolina Tort Claims Act, negligent infliction of emotional distress, false arrest, negligent hiring, and personal injury arising in the context of an array of different factual circumstances. Procedurally, I have drafted and filed complaints, answers, counterclaims, and confronted complex discovery issues. I have taken and participated in depositions and presented at mediation for my clients. I have prepared civil cases for trial that ultimately settled

out of court, and I have participated in the trial of a civil case involving personal injuries suffered by our client.

While my experience with civil matters is not equal to my extensive criminal experience, I have spent a significant percentage of my time as a lawyer in court. The South Carolina Rules of Evidence that I researched and argued in criminal cases are the very same set of rules I would apply as a Circuit Court judge in a civil case. My knowledge and understanding of Circuit Court operations and procedures are enhanced by my experience as a law clerk, during which time the Circuit Court Judge I clerked for was the Chief Administrative Judge for the Court of Common Pleas for the Eleventh Judicial Circuit. I have observed a wide ranges of civil court motions, arguments, and trials. In addition, my responsibilities as the trial roster manager for the Eleventh Judicial Circuit Solicitor's Office gave me the benefit of working closely with many Circuit Court Judges from all over the state and provided me with a unique perspective on the various issues that can arise at the Circuit Court level. I have witnessed and participated in countless jury qualifications and pre-trial motions hearings. I understand how a docket is run by various judges and the issues that can arise on both sides of a case, both plaintiff and defense.

Ms. Usry reported the frequency of her court appearances during the past five years as follows:

(a) Federal: I have not yet personally argued in Federal Court, but I have made an appearance via filing.

(b) State: While employed with the Eleventh Judicial Circuit Solicitor's Office between July of 2016 and July of 2019, I appeared in court every other week, and during those weeks, I appeared often. Since entering private practice, I have not appeared in court as often, but I have appeared a number of times for hearings and other matters.

Ms. Usry reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 35%;
(b) Criminal: 65%;

(c) Domestic: 0%;
(d) Other: 0%.

Ms. Usry reported the percentage of her practice in trial court during the past five years as follows:
(a) Jury: 20%;
(b) Non-jury: 80%.

Ms. Usry provided that during the past five years she most often served as sole counsel.

During my time with the Eleventh Judicial Circuit Solicitor's Office, I most often served as sole counsel on any matter in nonjury court. When matters went to trial court, I served as chief counsel approximately half the time and co-council half the time. Since entering private practice, I have served primarily as co-counsel on various matters.

The following is Ms. Usry's account of her five most significant litigated matters:

(a) *State v. Bennie Golston*, 732 S.E.2d 175, 399 S.C. 393 (Ct. App. 2012)
I served as co-counsel in this domestic violence prosecution. Among the numerous legal and evidentiary arguments made throughout the trial, the two most significant were whether the defendant was a cohabitant of the victim's and whether the facts presented at trial allowed for a jury charge on a lesser included offense. The South Carolina Court of Appeals reviewed the case and determined that based on the specific trial record, facts did not exist which would allow a reasonable juror to convict the defendant of the lesser offense and find him not guilty of the charged offense of criminal domestic violence of a high and aggravated nature. This matter is important to me personally, because the testimony I elicited from a witness helped form the factual foundation for the opinion issued on appeal. In addition, the case provided me with insight into the important concerns that arise in the selection and application of jury charges to the facts of a case, which I have continued to expand upon in other matters that I have brought to trial.

(b) *Latara Brooks v. Gwendolyn Evette Green and Tracy Green*, 2018-CP-38-00776
This civil case settled the Thursday prior to trial. This case is significant, because I was intimately involved in preparing the case for trial. I took the deposition of the defendant, Tracy Green. Information elicited during that deposition gave us important impeachment evidence which would have been used at trial. In addition, I was involved in preparing witnesses. This case gave me insight into how certain aspects of preparing a civil trial are different, but it also confirmed for me the many similarities between presenting civil and criminal cases in Circuit Court, such as the importance of the damages suffered by personal injury clients and the harm done to victims.

(c) *State v. Kevan D. Parker*, 2018-GS-32-00399 & 400
This case involved a chronic sexual offender who abused his children over the course of many years. The case pled the Friday morning prior to trial. This case is significant because of the complexity of the legal and evidentiary issues I prepared for in the weeks leading up to the resolution. The case involved complex delayed disclosure issues and jurisdictional issues, as the abuse occurred years prior to trial at various residences in different counties. In addition to the intricacies of preparing multiple young victims for trial, I researched and prepared arguments for the introduction of prior bad act evidence, hearsay evidence, search warrant suppression, and expert testimony. The week prior to the trial, we engaged in telephonic pre-trial conference regarding the confidentiality of extensive counseling records of the victims.

(d) *State v. Michael Fulwiley*, 2016-GS-32-000670
The defendant in this matter was charged with shoplifting, third degree, enhanced. This case is significant because of the search issues. In this case, the law enforcement officer pulled the defendant over for a seatbelt violation and decided to arrest the defendant for shoplifting during the course of that traffic stop. Many cases that are brought before the Circuit Court in General Sessions matters involve search issues, and the law in cases involving both warrantless searches and search warrants is vast and complex. Understanding these issues and how they must be procedurally presented and argued before the court made me a better advocate.

(e) Pro Se Defendant Trial
This trial occurred in General Sessions court. I was involved in the prosecution of a pro se defendant who was successful in their defense. Since the case has been expunged, I am not listing the case name. This was a week-long trial that involved a number of complex legal issues and a pro se defendant who was very intelligent. The case is very significant to me as it taught me the extreme complexities of handling litigation against a pro se defendant. It is also my belief that some of our greatest lessons come from our losses.

Ms. Usry reported she has not personally handled any civil or criminal appeals.

Ms. Usry reported that he has never held judicial office.

Ms. Usry further reported the following regarding unsuccessful candidacies:
In 2020, I was a candiate for Circuit Court, At-Large, Seat 12. I was not successful in my canadicy but was found Well Qualified by the South Carolina Bar and Qualified but not Nominated by the Judicial Merit Selection Commission.

(9) Judicial Temperament:
The Commission believes that Ms. Usry's temperament would be excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Ms. Usry "Qualified" in the evaluative criteria of constitutional qualifications, professional and academic ability, physical health, mental stability, experience, and judicial temperament; and "Well Qualified" in the evaluative criteria of ethical fitness, character, and reputation. The Committee noted: "Great criminal experience, limited civil. Good temperament and reputation."

Ms. Usry is married to Charles Edward Usry. She has two children.

Ms. Usry reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) South Carolina Association of Justice
(c) South Carolina Women Layers Association
(d) American Bar Association
(e) Young Lawyers Association, Eleventh Judicial Circuit Representative, 2014

Ms. Usry provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Junior League of Columbia
Education and Development Chair, 2015 – 2016
Placement Committee, Communications Council, 2016 – 2017
Placement Committee, Finance Council, 2017 – 2018
Placement Committee, Communications Council, 2018 – 2019
Placement Committee, Community Council, 2019 – 2020
(b) Trenholm Road United Methodist Church
Member of the Missions Core Committee, 2019 – 2020
(c) 2013 Recipient of the John R. Justice Community Leadership Award
This honor is bestowed annually upon one prosecutor for outstanding community leadership and exemplary citizenship.

(11) Commission Members' Comments:
The Commission commented that Ms. Usry has a great reputation among her peers and is an accomplished trial attorney. The Commission also noted her suitable judicial temperament.

(12) Conclusion:
The Commission found Ms. Usry qualified, but did not nominate her for election for Circuit Court, Fifth Judicial Circuit, Seat 2.

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CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

SUPREME COURT

SEAT 4
The Honorable Kaye G. Hearn

COURT OF APPEALS

SEAT 5 CHIEF JUDGE
The Honorable H. Bruce Williams
SEAT 9
The Honorable David Garrison "Gary" Hill

CIRCUIT COURT

FIRST JUDICIAL CIRCUIT, SEAT 1
Charles J. McCutchen
Heath Preston Taylor
FIRST JUDICIAL CIRCUIT, SEAT 2
The Honorable Diane Schafer Goodstein
SECOND JUDICIAL CIRCUIT, SEAT 1
The Honorable Courtney Pope
THIRD JUDICIAL CIRCUIT, SEAT 1
The Honorable Ralph Ferrell Cothran Jr.
FOURTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Paul M. Burch
FIFTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Daniel McLeod Coble
The Honorable Amy McCulloch
S. Boyd Young
SIXTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Brian M. Gibbons
EIGHTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Frank Robert Addy Jr.
THIRTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Perry H. Gravely
THIRTEENTH JUDICIAL CIRCUIT, SEAT 4
The Honorable Alex Kinlaw Jr.
SIXTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable William A. McKinnon

SIXTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Daniel Hall

FAMILY COURT

FIRST JUDICIAL CIRCUIT, SEAT 2
The Honorable Michael Murphy III
SECOND JUDICIAL CIRCUIT, SEAT 1
The Honorable Vicky J. Snelgrove
THIRD JUDICIAL CIRCUIT, SEAT 1
The Honorable Thomas M. Bultman
FOURTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Cely Anne Brigman
FOURTH JUDICIAL CIRCUIT, SEAT 3
Eugene P. Warr Jr.
FIFTH JUDICIAL CIRCUIT, SEAT 1
The Honorable C. Vance Stricklin Jr.
FIFTH JUDICIAL CIRCUIT, SEAT 4
The Honorable Gwendlyne Young Jones
SEVENTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Usha J. Bridges
EIGHTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Mindy W. Zimmerman
NINTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Daniel E. Martin Jr.
NINTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Michèle Patrão Forsythe
TENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Karen F. Ballenger
ELEVENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable William Gregory Seigler
TWELFTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Holly Huggins Wall
The Honorable Elizabeth Biggerstaff York
THIRTEENTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Katherine Hall Tiffany
THIRTEENTH JUDICIAL CIRCUIT, SEAT 4
The Honorable Karen Sanchez Roper
THIRTEENTH JUDICIAL CIRCUIT, SEAT 6
The Honorable Jessica Ann Salvini
FOURTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Douglas L. Novak

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FIFTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Melissa J. Buckhannon
FIFTEENTH JUDICIAL CIRCUIT, SEAT 3
Melissa M. Frazier
SIXTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Thomas H. White IV

ADMINISTRATIVE LAW COURT

SEAT 2
The Honorable Milton G. Kimpson

Respectfully submitted,

/s/Sen. Luke A. Rankin
/s/Sen. Ronnie A. Sabb
/s/Sen. Scott Talley.
/s/Ms. Hope Blackley
/s/Mr. J.P. "Pete" Strom Jr.
/s/Rep. G. Murrell Smith Jr.
/s/Rep. J. Todd Rutherford
/s/Rep. Jeffrey E. "Jeff" Johnson
/s/Mr. Andrew N. Safran
/s/Ms. Lucy Grey McIver

APPENDIX

Report from the South Carolina Bar Judicial Qualifications Committee

The Honorable Kaye G. Hearn
Supreme Court, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Justice Hearn's candidacy for Supreme Court, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

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The Honorable H. Bruce Williams
Court of Appeals, Seat 5, Chief Judge

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Williams's candidacy for Court of Appeals, Seat 5, Chief Judge, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable David Garrison Hill
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hill's candidacy for Court of Appeals, Seat 9, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Mr. Charles J. McCutchen
Circuit Court, 1st Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr.

McCutchen's candidacy for Circuit Court, 1st Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Mr. Heath Preston Taylor
Circuit Court, 1st Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Taylor's candidacy for Circuit Court, 1st Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Diane Schafer Goodstein
Circuit Court, 1st Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Goodstein's candidacy for Circuit Court, 1st Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Courtney Pope
Circuit Court, 2nd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Pope's candidacy for Circuit Court, 2nd Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

The Honorable Ralph Ferrell Cothran Jr.
Circuit Court, 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Cothran's candidacy for Circuit Court, 3rd Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

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The Honorable Paul M. Burch
Circuit Court, 4th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Burch's candidacy for Circuit Court, 4th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Daniel McLeod Coble
Circuit Court, 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Coble's candidacy for Circuit Court, 5th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

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The Honorable Amy McCulloch
Circuit Court, 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McCulloch's candidacy for Circuit Court, 5th Circuit, Seat 2, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Ms. Kate Whetstone Usry
Circuit Court, 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Usry's candidacy for Circuit Court, 5th Circuit, Seat 2, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Mr. S. Boyd Young
Circuit Court, 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding

Mr. Young's candidacy for Circuit Court, 5th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Brian M. Gibbons
Circuit Court, 6th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Gibbons's candidacy for Circuit Court, 6th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Frank Robert Addy Jr.
Circuit Court, 8th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Addy's candidacy for Circuit Court, 8th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified

Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Perry H. Gravely
Circuit Court, 13th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Gravely's candidacy for Circuit Court, 13th Circuit Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Alex Kinlaw Jr.
Circuit Court, 13th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Kinlaw's candidacy for Circuit Court, 13th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified

Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable William A. McKinnon
Circuit Court, 16th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McKinnon's candidacy for Circuit Court, 16th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Daniel Hall
Circuit Court, 16th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hall's candidacy for Circuit Court, 16th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

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The Honorable Michael H. Murphy III
Family Court, 1st Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Murphy's candidacy for Family Court, 1st Circuit, Seat 2, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Vicki J. Snelgrove
Family Court, 2nd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Snelgrove's candidacy for Family Court, 2nd Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Thomas M. Bultman
Family Court, 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding

Judge Bultman's candidacy for Family Court, 3rd Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Cely Anne Brigman
Family Court, 4th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Brigman's candidacy for Family Court, 4th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Mr. Eugene P. Warr Jr.
Family Court, 4th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Warr's candidacy for Family Court, 4th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified

Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable C. Vance Stricklin Jr.
Family Court, 5th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Stricklin's candidacy for Family Court, 5th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Gwendlyne Young Jones
Family Court, 5th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Jones's candidacy for Family Court, 5th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

THURSDAY, JANUARY 13, 2022

The Honorable Usha J. Bridges
Family Court, 7th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Bridges' candidacy for Family Court, 7th Circuit, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Well-Qualified
Reputation	Qualified
Judicial Temperament	Qualified

The Honorable Mindy W. Zimmerman
Family Court, 8th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Zimmerman's candidacy for Family Court, 8th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Daniel E. Martin Jr.
Family Court, 9th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Martin's candidacy for Family Court, 9th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Michèle Patrão Forsythe
Family Court, 9th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Forsythe's candidacy for Family Court, 9th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Karen F. Ballenger
Family Court, 10th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Ballenger's candidacy for Family Court, 10th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified

Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable William Gregory Seigler
Family Court, 11th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Seigler's candidacy for Family Court, 11th Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

The Honorable Holly Huggins Wall
Family Court, 12th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Wall's candidacy for Family Court, 12th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

THURSDAY, JANUARY 13, 2022

The Honorable Elizabeth Biggerstaff York
Family Court, 12th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge York's candidacy for Family Court, 12th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Katherine Hall Tiffany
Family Court, 13th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Tiffany's candidacy for Family Court, 13th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Karen Sanchez Roper
Family Court, 13th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Roper's candidacy for Family Court, 13th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jessica Ann Salvini
Family Court, 13th Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Salvini's candidacy for Family Court, 13th Circuit, Seat 6, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Douglas L. Novak
Family Court, 14th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Novak's candidacy for Family Court, 14th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified

Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Melissa J. Buckhannon
Family Court, 15th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Buckhannon's candidacy for Family Court, 15th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Ms. Melissa M. Frazier
Family Court, 15th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Frazier's candidacy for Family Court, 15th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified

Judicial Temperament	Well-Qualified

The Honorable Thomas H. White IV
Family Court, 16th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge White's candidacy for Family Court, 16th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Milton G. Kimpson
Administrative Law Court, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Kimpson's candidacy for Administrative Law Court, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

THURSDAY, JANUARY 13, 2022

ADJOURNMENT

At 12:15 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 14, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

THIRD READING

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

S. 975 -- Senators Young and Massey: A JOINT RESOLUTION TO AUTHORIZE THE RELOCATION OF THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND ACCOMPANYING UNITED STATES FLAG INSTALLATION LOCATED AT THE CORNER OF EDGEFIELD AVENUE AND LAURENS STREET IN THE CITY OF AIKEN TO THE AIKEN COUNTY VETERANS MEMORIAL LOCATED AT 1435 RICHLAND AVENUE EAST.

On motion of Senator YOUNG.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, January 18, 2022, at 12:00 Noon.

* * *

Tuesday, January 18, 2022
(Statewide Session)

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 990 -- Senators Hutto and Stephens: A BILL TO AUTHORIZE THE CITY OF ORANGEBURG TO RELOCATE THE CONFEDERATE VETERAN STATUE, LOCATED IN THE ORANGEBURG MEMORIAL PLAZA, TO THE ORANGEBURG CONFEDERATE CEMETERY.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4495 -- Reps. B. Newton, McGarry and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF FIVE PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 4790 -- Reps. Atkinson, Hayes, Alexander, Allison, Anderson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews,

May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. JOHN M. KIRBY, JR., UPON THE OCCASION OF HIS RETIREMENT AFTER FIVE DECADES OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

H. 4791 -- Reps. Fry, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR THE VICTIMS OF AGENT ORANGE DURING THE VIETNAM WAR AND EXPRESS GRATITUDE FOR THEIR COURAGEOUS SERVICE TO OUR COUNTRY AS SOME OF AMERICA'S MOST HEROIC CITIZENS.

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

H. 4792 -- Reps. Tedder, Alexander, Anderson, Bamberg, Brawley, Clyburn, Dillard, Garvin, Gilliard, Govan, Henderson-Myers, Henegan, Hosey, Howard, J. Moore, Jefferson, J. L. Johnson, K. O. Johnson, King, Matthews, McDaniel, McKnight, Murray, Parks, Pendarvis, Rivers, Robinson, Rutherford, Thigpen, Weeks, R. Williams, S. Williams and Cobb-Hunter: A CONCURRENT RESOLUTION TO RECOGNIZE THE LIFE ACHIEVEMENTS OF DOCTOR MARTIN LUTHER KING, JR., TO HONOR THE LEGACY OF HIS COMMITMENT TO LIBERTY AND JUSTICE FOR ALL CITIZENS, AND TO PLEDGE TO SUPPORT LEGISLATION THAT WILL CHAMPION THE FULLNESS OF HIS LEGACY.

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

HOUSE CONCURRENCES

S. 963 -- Senator Senn: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY MICAH COX, FIRST SERGEANT HUGER MCCLELLAN, AND TEMS OPERATOR MERIDITH LEVENTIS FOR THEIR MANY CONTRIBUTIONS TO THE CHARLESTON COUNTY COMMUNITY AND CONGRATULATE THEM FOR RECEIVING THE MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 964 -- Senator Senn: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY NICHOLAS VECCHIONE FOR HIS MANY CONTRIBUTIONS TO THE CHARLESTON COMMUNITY AND CONGRATULATE HIM FOR RECEIVING THE MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 971 -- Senator Scott: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GEORGE E. GLYMPH OF COLUMBIA, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

Returned with concurrence.

Received as information.

S. 978 -- Senators McElveen and K. Johnson: A CONCURRENT RESOLUTION TO HONOR CORPORAL MATTHEW BARWICK AND CORPORAL BRADLEY HYNES OF THE SUMTER COUNTY SHERIFF'S OFFICE, WHO DISPLAYED EXCEPTIONAL DECISIVENESS, PRESENCE OF MIND, AND SWIFTNESS OF ACTION WHILE IN THE LINE OF DUTY, AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

ADJOURNMENT

At 11:06 A.M., on motion of Senator JACKSON, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 19, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Isaiah 33:2

Isaiah tells us: "O Lord, be gracious to us; we long for you. Be our strength every morning and our salvation in time of distress."

Bow with me as we pray, please: O God, during this period of dealing with winter storms, Covid, rising prices, and goodness only knows what else, we turn to You yet again seeking Your blessing, longing for mercy and comfort.

You alone, Lord, can bring to us the peace we need, and the hope for better days ahead. We pray that You will grant to each of Your servants here in the Senate of South Carolina the strength and the wisdom they need to continue guiding us all toward at least some fulfillment of our dreams for the future. And may our Governor Henry McMaster be blessed with that same hope-filled vision for the future as he presents his address to the State this evening. Together may these leaders bring about a brighter future for each of us. In Your wondrous name do we offer this prayer, Lord. Amen.

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

Point of Quorum

At 1:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Cromer
Davis	Fanning	Garrett
Goldfinch	Gustafson	Harpootlian

Hutto	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rice	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senators BENNETT and SENN introduced Dr. James McCoy of North Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator BENNETT, at 1:11 P.M., Senator HEMBREE was granted a leave of absence for today.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 646 Sen. Shealy

RECALLED

S. 915 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

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

RECALLED

S. 916 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB AVENUE

IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

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

RECALLED

S. 950 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY FROM ITS PREVIOUS DESIGNATION OF "THE MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" TO "THE HONORABLE MARVIN STEVENSON HIGHWAY" AND AMEND APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION TO CONTAIN THIS DESIGNATION.

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

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

RECALLED

S. 955 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION OF ROSS CANNON STREET AND EAST MADISON STREET IN THE CITY OF YORK IN YORK COUNTY "JOHN HENRY HARDIN, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 991 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1530 SO AS TO PROHIBIT A PERSON FROM FILING A STATEMENT OF INTENTION OF CANDIDACY IF THE PERSON HAS AN OUTSTANDING DEBT TO THE STATE ETHICS COMMISSION, THE HOUSE OF REPRESENTATIVES ETHICS COMMITTEE, OR THE SENATE ETHICS COMMITTEE, AND TO PROVIDE A PROCEDURE TO STAY THE PROVISIONS OF THIS SECTION PENDING THE OUTCOME OF A PROPERLY FILED APPEAL.
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Read the first time and referred to the Committee on Judiciary.

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

S. 993 -- Senators Stephens, Hutto, Scott, K. Johnson and Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH CAROLINA STATE UNIVERSITY FOOTBALL TEAM, COACHES, AND UNIVERSITY OFFICIALS FOR A STELLAR SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 HISTORICALLY BLACK COLLEGES AND UNIVERSITIES NATIONAL CHAMPIONSHIP TITLE.
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The Senate Resolution was adopted.

S. 994 -- Senators Jackson and Fanning: A SENATE RESOLUTION TO CONGRATULATE BOBBY R. YOUNG OF RICHLAND COUNTY ON THE DISTINCTION OF HAVING THE COLUMBIA HIGH SCHOOL GYMNASIUM NAMED IN HIS HONOR AND TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND COACH.
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The Senate Resolution was adopted.

S. 995 -- Senator McLeod: A JOINT RESOLUTION TO PROVIDE FOR A STATEWIDE ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2022 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF THIS STATE FAVOR LEGALIZATION OF MARIJUANA FOR MEDICINAL AND RECREATIONAL PURPOSES.
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Read the first time and referred to the Committee on Judiciary.

S. 996 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-6-120 SO AS TO PROVIDE THAT BEGINNING JANUARY 1, 2022, AN ADULT SIXTY-FIVE YEARS OF AGE OR YOUNGER WHOSE INCOME IS AT OR BELOW ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, WITH A FIVE PERCENT INCOME DISREGARD, IS ELIGIBLE FOR MEDICAID AS PROVIDED FOR IN THE PATIENT PROTECTION AND AFFORDABLE CARE ACT, AND AMENDMENTS TO THAT ACT.
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Read the first time and referred to the Committee on Medical Affairs.

S. 997 -- Senator McLeod: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO SESSIONS OF THE GENERAL ASSEMBLY, SO AS TO ALLOW THAT, IN THE EVENT WAR, SOCIAL UNREST, CONTAGIOUS DISEASE, EPIDEMIC, PANDEMIC, NATURAL DISASTER, OR ACT OF GOD RENDERS IT UNSAFE TO THE HEALTH AND WELL-BEING OF THE MEMBERS OF THE GENERAL ASSEMBLY TO MEET AT THE SEAT OF GOVERNMENT, AT THE DETERMINATION OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AS

APPROPRIATE, THE MEMBERS OF THE GENERAL ASSEMBLY MAY OTHERWISE MEET IN ANNUAL SESSION USING REMOTE AND VIRTUAL TECHNOLOGY.
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Read the first time and referred to the Committee on Judiciary.

S. 998 -- Senator Hutto: A BILL TO AMEND SECTION 63-19-1440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JUVENILE COMMITMENT, SO AS TO ALLOW A COURT TO ORDER TEMPORARY COMMITMENT TO THE DEPARTMENT OF JUVENILE JUSTICE FOR NOT MORE THAN TEN DAYS FOR EVALUATION.
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Read the first time and referred to the Committee on Judiciary.

S. 999 -- Senator Hembree: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 23 THROUGH JANUARY 29, 2022, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 1000 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DONALD "DON" WESLEY DROSE, SR., TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE FIRST WATER ON SOUTH CAROLINA HIGHWAY 260 IN MANNING IN CLARENDON COUNTY, CURRENTLY KNOWN AS "THE CAUSEWAY", "DON DROSE CAUSEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1001 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 (MONTICELLO ROAD) IN RICHLAND COUNTY FROM ITS INTERSECTION WITH ELLIOTT AVENUE TO ITS INTERSECTION WITH COLUMBIA COLLEGE DRIVE "GEORGE E. GLYMPH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1002 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ENTIRE LENGTH OF QUAKER ROAD IN DORCHESTER COUNTY "JACK AND EMMA LEE GRUBER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1003 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-150 SO AS TO PROHIBIT THE DEPARTMENT OF REVENUE FROM GARNISHING WAGES IN AN AMOUNT MORE THAN TEN PERCENT OF A PERSON'S COMPENSATION FOR A DELINQUENT DEBT TO A PUBLIC HOSPITAL; AND TO AMEND SECTION 12-54-130, RELATING TO THE DEPARTMENT'S ABILITY TO GARNISH WAGES, SO AS TO MAKE A CONFORMING CHANGE.
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Read the first time and referred to the Committee on Finance.

S. 1004 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 27 SO AS TO PROVIDE FOR THE EVICTION OF LESSEES OF BOAT SLIPS; AND TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR REPAIRS OR STORAGE, SO AS TO

PROVIDE THIS PROVISION ALSO APPLIES TO BOATS DOCKED AT A MARINA.

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

REPORT OF STANDING COMMITTEE

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

S. 966 -- Senators Rankin, Campsen, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 987 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF VIOLA D. KENNEDY OF WINNSBORO, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 862 -- Senators Hutto and Matthews: A BILL TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

SECOND READING BILL

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

S. 910--Ordered to a Third Reading

On motion of Senator GROOMS, S. 910 was ordered to receive a third reading on Thursday, January 20, 2022.

AMENDED, SECOND READING BILL

S. 990 -- Senators Hutto and Stephens: A BILL TO AUTHORIZE THE CITY OF ORANGEBURG TO RELOCATE THE CONFEDERATE VETERAN STATUE, LOCATED IN THE ORANGEBURG MEMORIAL PLAZA, TO THE ORANGEBURG CONFEDERATE CEMETERY.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (990R001.SP.CBH), which was adopted:

Amend the bill, as and if amended, on page 2, lines 19 through 30, by striking SECTION 3 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

S. 990--Ordered to a Third Reading

On motion of Senator HUTTO, S. 990 was ordered to receive a third reading on Thursday, January 20, 2022.

Statement by Senators ALEXANDER, CROMER, GROOMS MARTIN, VERDIN, LOFTIS, CLIMER, BENNETT, TURNER MASSEY, YOUNG, TALLEY, CORBIN, RICE, M. JOHNSON KIMBRELL and GUSTAFSON

S. 990 seeks to relocate a Confederate Veteran statue in Orangeburg to a different location. This legislation was filed as "local legislation," and as a result, by Senate rule, is only eligible to receive a vote by members of the Orangeburg County Delegation. If we were members of the Orangeburg County delegation, we would have resoundingly voted "no" on this Bill. Unfortunately, the entire Senate will not have an opportunity to vote on the matter unless the Governor vetoes this Bill. We strongly urge the Governor to veto the matter and will vote to sustain the Governor's veto if given the opportunity.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Gustafson, Grooms, M. Johnson, Garrett, Kimbrell and Adams: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO

CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

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

Amendment No. 4

Senator SETZLER proposed the following amendment (VR\290C024.BH.VR21), which was withdrawn:

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

/SECTION ___. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

"Section 44-7-268. A hospital licensed pursuant to this article must provide on-campus emergency services." /

Amend title to conform.

Senator DAVIS spoke on the amendment.

Senator KIMBRELL spoke on the amendment.

Senator M. JOHNSON spoke on the amendment.

Senator FANNING spoke on the amendment.

Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Amendment No. 4 was withdrawn.

Motion Adopted

On motion of Senator GAMBRELL, with unanimous consent, Senators GARRETT, SENN and GAMBRELL were granted leave to attend a conference committee meeting and were granted leave to vote from the balcony.

Amendment No. 6

Senators SETZLER and CLIMER proposed the following amendment (290R008.SP.NS), which was adopted:

Amend the bill, as and if amended, on page 4, by striking lines 34 through 42, and on page 5, by striking lines 1 through 2 and inserting:

/~~(12)~~(13) 'Hospital' means a facility that is organized and administered to provide overnight medical or surgical care or nursing care ~~of~~ for an illness, injury, or infirmity and must provide on-campus emergency services; that ~~and~~ may provide obstetrical care~~,~~; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy. ~~Hospital~~ 'Hospital' may include a residential treatment ~~facilities~~ facility for children, ~~and~~ adolescents, or young adults in need of mental health treatment ~~which are~~ that is physically a part of a licensed psychiatric hospital. This definition does not include facilities ~~which~~ that are licensed by the Department of Social Services. A residential treatment facility for children, adolescents, or young adults in need of mental health treatment that is physically a part of a licensed psychiatric hospital is not required to provide on-campus emergency services."

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 7

Senators SETZLER, ALEXANDER, PEELER, JACKSON, MASSEY, BENNETT, JOHNSON, SHEALY, SABB, GAMBRELL and CLIMER proposed the following amendment (290NGS7), which was adopted:

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

/ SECTION__. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

"Section 44-7-161. (A) Notwithstanding any provision of law to the contrary and prior to obtaining a Certificate of Need or licensure pursuant to this article for acquiring a hospital facility, the Medical University of South Carolina shall:

(a) submit details of the proposed acquisition for review and comment of the Joint Bond Review Committee;

(b) receive approval of proposed acquisition by the Fiscal Accountability Authority; and

(c) apply for a Certificate of Need or licensure.

(B) For purposes of this section:

(1) 'Medical University of South Carolina' means the Medical University of South Carolina, the Medical University Hospital Authority, or any affiliate thereof.

(2) 'Acquiring' means purchasing, leasing, acceptance of a gift, or otherwise, whether by obtaining options for the acquisition of existing hospital facilities, by new construction, or by the acquisition of any property, real or personal, improved or unimproved, including interests in land in fee or less than fee for any hospital facility." /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Amendments No. 3 and 5A were withdrawn.

Amendment No. 8

Senator MARTIN proposed the following amendment (290R007.SP.SRM), which was ruled out of order:

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

/SECTION __. A health care facility is prohibited from requiring a person to be vaccinated to prevent coronavirus disease 2019, commonly referred to as COVID-19, as a condition of employment. If a current employee chooses not to undergo vaccination, then the person's employer may not subject the person to an adverse employment action, including, but not limited to, a termination, suspension, involuntary reassignment, or demotion. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

Point of Order

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator MALLOY spoke on the Bill.

Remarks by Senator MALLOY

Thank you Mr. PRESIDENT, members of the Senate. We have done a lot of work in this Body, over time. And as I look back and reflect, I've been over here for almost 20 years. When I came in the beginning we had a conversation about CON, and I learned on that same day that it was Certificate of Need. It was one of those things that nobody touched, because every time it would come up, the Senate would almost erupt. Senator PEELER, I'm sure you remember, we had people that were dividing interests on both sides, and I watched with interest as to how it occurred. Later on in the discussion, we started talking about Adam Smith. We talked about the free enterprise system, and how you do not implement it to the detriment of the consumer. So how then, do you start working on a balance in a Body with folks that have differing views?

As I pondered, I go back to recent experiences. Unfortunately, I spent a good part of the year 2020 in the hospital. Not for myself, but with both of my parents. Both of them had strokes. As I conversed with the neurologist there at McLeod -- a wonderful young woman. She said, "I'm over here because unfortunately, this is the stroke capital of the country." As I began to educate myself and started researching where I live, Darlington County, where I'm from, Chesterfield County, both of these counties have hospitals. Marlboro County does not, and Lee county does not. That's two of the seven counties in South Carolina that do not have a hospital. McCormick County, Saluda County -- where Senator MASSEY represents -- no hospital. Fairfield County, where Senator FANNING represents -- no hospital. Barnwell and Bamberg Counties where Senator HUTTO represents -- no hospital. Here's what I learned: it's a good thing that the practice of medicine advances from one year to the next. We need to look at quality of care, and the quality of care we have in our area is driven by population. I understand the concept that, "Burger King doesn't ask McDonald's if they can build a Burger King beside them." But lives aren't at stake with regard to fast food establishments. What I learned from that neurosurgeon was that if

you have a stroke and you get here within a certain period of time, they can reverse it. I don't know how, but they can save your life if they can get you there on time. Folks, if you're in a rural area and you can't get there in time, it's the difference between life and death.

We grow from one generation to the next. It's been 20 years since this debate started in my tenure. Those that have been here longer will tell you that this issue has been here longer than that. And here we are, having yet another discussion about it. So I would like to express my deep concern as to what happens to the rural hospitals if they run at a loss and are not able to provide care. I am concerned, even though I want to vote for the repeal, about how to keep what happened to Texas, where they lost many of their rural hospitals, from happening here. I was not privy to discussions that were had in committee. I don't know to what extent this was discussed there. But I would like to know, how does this affect our rural hospitals?

Senator SETZLER proposed an amendment stating that the definition of a hospital means a facility that organizes or administers overnight medical, surgical care or nursing care for an illness, injury or infirmity, adding these words, "and must provide on campus emergency services". The Senate just passed this Bill without a roll call vote. What does this mean? What's the emphasis on how it impacts what I'm trying to accomplish as it relates to the rural hospitals? How does it affect costs? Who then goes to this hospital? If you have on site on campus emergency services, then they will have to take in all of those brought to that hospital, if that occurs.

So does that negate, or roll back, some of my concerns as it relates to the rule of hospitals? Will competition be fair if they are going to put a hospital in these areas, or can someone set up some radiological services building right next to it and take away all of patients that have are insured and/or able to pay, and not take Medicaid and self-pay patients?

And that's what I'm still learning more about is the Medicaid Disproportionate Share Hospital Payments (DSH) money and what effect does it may have.

And so it puts us in a quandary. I think the message has to be sent and will be sent. What does it mean for the rural hospitals? Are we hurting them or helping them? Does the measure we put into this amendment just a moment ago, negate the need for exempting these critical access hospitals as designated by the center for Medicare and Medicaid services? And so the outcome is -- I'm not sure. So it is my desire to give the Bill second reading today, carrying over all amendments to third reading, and essentially we'll do that.

I realize the process and procedure for this Body is that redistricting comes right behind this debate. And for those that follow it, tomorrow it comes in masthead if we give this Bill a second reading, so we're going to take it up.

But I think that, if we get a chance, that we waive the three-fifths requirement on the third reading vote to carry it up -- so we get a chance to have more discussion. I hope that you will indulge us in having this discussion about what effect this has on the rural hospitals. We quickly exempted the nursing homes as soon as we started this debate. And so now where does it leave us? I don't think anyone can adequately explain or predict everything that would happen to the areas that are totally underserved.

So we address the issue for a bigger group, they voluntarily came in-- medical schools, that will end up doing it, began through the joint bond review, but I'm also just curious as to making certain that when those folks that is -- if we repeal -- and we get the AFC's, will they cherry pick our most profitable patients, or to force those that will be inclined to have medical care in the rural areas because we know that it is not that profitable.

So the question becomes -- if this does not create a position where we can have better access to medical care, then what are we choosing? And so I conclude, after watching this issue flounder for many years, we should applaud the Senate for coming in and having a vote. I think the message to the community is, and I've had to explain this, it is a hard vote for everyone. For those listening outside, you saw what happened last week; before we got to this place of refining it, there was a 31 to 9 vote on a tabling motion that was a reform piece. Unless you know where the majority of the Senate is, I don't think that has changed. I think that you get a resounding vote today.

And so with that I've said today, my vote is going to be also to give the Bill a second reading. But I want the world to know that I'm very concerned about what happens to my rural areas that I represent, and when given a chance, will we choose life over the cost? I hope the Senate will indulge us for the motions that are going to be made, to make certain we can address those particular issues that we have, to see what effect Senator SETZLER's amendments have, and have some of the experts to come in and answer questions for us to see whether or not we may need to exempt those critical access hospitals, so we can encourage, not discourage, medical care in these rural areas.

Folks, we can do both. It is about our humanity. You should not be denied -- just because of the area that you live in, having access to

advanced medicine. Just because South Carolinians live in a rural area, this should not affect their access to medical care. We are the Senate, the august Body that we are supposed to be, we must address these hard issues. We all have to end up really supporting the majority, the majority spoke last week, but please listen to the minority. It's not party, it's about those that do not have the voice. They elected us to come up here and advocate for them. So as we move forward, we will have a chance to have more discussion about this, so please consider the effect, as we repeal CON, which is about to happen -- that these amendments have, see what effect it will have on those seven counties and other rural hospitals. Thank you.

On motion of Senator K. JOHNSON, with unanimous consent, the remarks of Senator MALLOY were ordered printed in the Journal.

The question then was second reading of the Bill.

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

Ayes 33; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Rice
Senn	Setzler	Shealy
Turner	Verdin	Young

Total--33

NAYS

Allen	Gambrell	Hutto
Johnson, Kevin	Matthews	McLeod

Sabb	Scott	Stephens
Talley	Williams	

Total--11

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

Motion Under Rule 26B Waived

Senator MASSEY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

MOTION ADOPTED

On motion of Senator MASSEY, the Senate agreed that, when the Senate completed its business today, the Senate would stand in recess until 6:45 P.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would stand adjourned to meet at 10:00 A.M. tomorrow.

RECESS

At 4:40 P.M., on motion of Senator MASSEY, the Senate receded from business until 6:45 P.M.

At 6:45 P.M., the Senate resumed.

Committee to Escort

The PRESIDENT appointed Senators PEELER, MASSEY, HUTTO, SCOTT and SHEALY to escort the Honorable Henry D. McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:50 P.M., the Senate receded for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 4747 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 19, 2022, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Honorable Henry D. McMaster, and members of his party, were escorted to the rostrum by Senators PEELER, MASSEY, HUTTO, SCOTT and SHEALY and Representatives Hewitt, Davis, T. Moore, McGarry, Howard and Murray.

The PRESIDENT of the Senate introduced the Honorable Henry D. McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

State of the State Address

Mr. Speaker, Mr. PRESIDENT, ladies and gentlemen of the General Assembly, my fellow South Carolinians: We are here tonight to address challenges and opportunities. But first, as in prior years, I'd like to recognize those in uniform whom we lost in the line of duty.

Lance Corporal Melton "Fox" Gore of the Horry County Police Department, Chief William Edward "Eddie" McNeill, Jr. of the Campobello Fire Department, and Lieutenant John Stewart of the Lake City Police Department. To the families and loved ones of these men, with all our hearts, we offer our condolences. We are eternally grateful for their service.

Thirty-three South Carolinians have received the Medal of Honor since it was created more than 150 years ago. The medal, which requires nominees to receive presidential approval before it is granted, is given to those who distinguish themselves "conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty." Two South Carolinians were recently awarded the Medal of Honor. Sergeant Major Thomas Patrick Payne, who now serves in the Army Special Operations Command as an instructor, was awarded the Medal of Honor for his actions during a hostage rescue mission in an area of northern Iraq controlled by the Islamic State. A graduate of Lugoff-Elgin High School, and a veteran of 17 combat deployments, Sergeant Major Payne has also received multiple other combat decorations, including Bronze Star medals for both valor and service, and the Purple Heart. He and his wife, Allison, have three children and live in South Carolina. Christopher Andrew Celiz was a Sergeant First Class in the Army and

attended The Citadel before enlisting in the Army in 2007. Sergeant First Class Celiz was killed on his fifth deployment when he willingly exposed himself to heavy enemy fire to direct and lead a medical helicopter evacuation of wounded troops. A native of Summerville, Sergeant First Class Celiz was also awarded the Bronze Star medal and Meritorious Service medal.

The sacrifices these two men made in service of their country and fellow soldiers are difficult to comprehend. Their bravery in the face of imminent danger should inspire us all.

We are honored to have Sergeant Major Payne and his wife, Allison, along with Sergeant First Class Celiz's wife, Mrs. KT Celiz, and their daughter Shannon here with us tonight. Though we will never be able to adequately show our appreciation for what they have done, I would humbly ask them to stand and give us the opportunity to do our best now.

I am delighted to have with us once again tonight our First Lady, my bride Peggy, our son Henry Jr. and his wife Virginia, and also our daughter Mary Rogers and her husband Sam. Please stand and be recognized. Also, our Lieutenant Governor, Pamela Evette, and her husband, David. Please stand and be recognized.

Ladies and gentlemen, South Carolina is booming. People from all over the world are visiting and falling in love with our State. Employers are creating new jobs, entrepreneurs are opening new businesses, and companies are deciding to relocate here. Our business and family friendly environment has produced historic gains in new jobs, capital investment and population growth.

Since January of 2017, we have announced 58,803 new jobs with over $17 billion in new capital investment in the Palmetto State. In the last twelve months, we've announced 15,000 new jobs and $4.3 billion in new capital investment. As of November 2021, there were 18,000 more South Carolinians employed than there were in February 2020. Our gross domestic product increased 10% during the COVID-19 pandemic and has increased 26% over the last five years.

The state's unemployment rate remains well below the national average and has improved every month of 2021 -- dropping from 5.6% in November 2020 to 3.7% in November 2021. The 2020 U.S. Census data shows that South Carolina is the tenth fastest-growing state in the nation. I extend hearty thanks to all here tonight and to those who have gone before, for the excellent stewardship which has brought us to this day. For now, we have opportunity like we have never seen before.

Our new Secretary of Commerce, Harry Lightsey, is here tonight. He is a man of vision and accomplishment. Every indication is that this year,

2022, will be even better than last year for Team South Carolina's economic recruitment successes. Welcome Secretary Lightsey. Please stand and be recognized.

In the last year, we announced numerous transformative economic development victories. Some are represented here tonight. In Spartanburg, Oshkosh Defense will invest $155 million and will employ more than 1,000 Upstate residents to manufacture the Postal Service's new fleet of electric mail trucks that will replace the nation's current fleet of combustion engine mail trucks. Welcome Mr. Don Bent, Chief Operating Officer of Oshkosh Defense.

In Chester County, the Ernest and Julio Gallo Winery will locate their only bottling and cannery facility outside of California, with a $423 million investment and almost 500 new jobs. Welcome Mr. Stein Edwards, Senior Director of Operations for Gallo Winery.

In Edgefield County, Generac Power Systems will construct a new facility to manufacture commercial and residential power generators, and has already announced an expansion. These projects will create a combined 750 new jobs. Welcome Mr. Tom Pettit, Chief Operations Officer, and Mr. Steve Andrejack, Senior Director of Operations.

Walmart continues to invest in South Carolina with the construction of a new distribution center in Spartanburg with a $450 million investment creating more than 400 new jobs. Welcome Mr. Jeff Holzbauer, General Manager, Walmart Import and Logistics.

In Kershaw County, Prestage Farms will open an agribusiness processing and canning facility, investing $150 million and creating almost 300 new jobs. Welcome Mr. Zach Prestage of Prestage Farms. I would ask all these gentlemen to please stand and be recognized.

During the COVID-19 pandemic, many states shuttered their economies, closed businesses, and enacted draconian restrictions, many of which continue to this very day. We took a better approach. We never closed. Through our reasonable steps of limited, measured, and temporary actions, we have been able to combat the virus without crippling our economy.

Also, by being careful and conservative and freezing new spending in 2020, not only did we avoid cutting services, raising taxes, or borrowing money, we saw our state's booming economy create a large amount of new surplus revenues in 2021. Compare this to New York, where there are 476,000 fewer people employed now than in February 2020. The New York state unemployment rate is the 3rd highest in the country, and 2.7% higher than it was in February 2020. Or Michigan, where the unemployment rate in November 2021 was 5.9% -- the 9th highest in the

country. More Americans moved out of Michigan during the pandemic than nearly every other state in our nation.

Today, South Carolina's state government is in the strongest fiscal condition ever. We have the largest budget surplus, the largest rainy day reserve account balance, and the lowest debt in our history. However, South Carolina is facing a new challenge -- the dangerous, irresponsible, and sometimes unconstitutional behavior of the federal government. While we and other states have differed with federal authorities before, this last year has been alarming and unprecedented.

On his first day in office, President Biden canceled the immigration policies established by President Trump, and halted construction of the border wall, thus surrendering our own nation's sovereignty and security to millions of illegal and undocumented immigrants, including human traffickers, drug dealers, and foreign agents, who have freely crossed our southern border.

The resulting lawlessness and chaos required us to deploy troops from the South Carolina National Guard to defend the border, and to protect our State, and others, from the danger posed by the cartels and traffickers. I traveled to the border to visit our troops and border patrol agents. The challenges they face are steep. The Biden administration -- and the media -- have turned their backs on these brave men and women, but South Carolina will not. We always answer the call for help, and we always step into the breach. We will carry the banner of freedom even if the federal government walks away.

The Biden administration also took aim at South Carolina's pro-life and pro-family policies. They challenged my policy of preventing taxpayer dollars from going to abortion providers like Planned Parenthood, which sued to overturn our Heartbeat Law, and to stop the State from protecting the most precious of rights -- the right to life.

They attacked South Carolina's faith-based foster care providers like Miracle Hill, despite a recent U.S. Supreme Court ruling that upheld the right of faith-based foster-care providers who choose to work with parents holding similar religious beliefs.

They even canceled South Carolina's requirement that Medicaid recipients must work, volunteer, or attend school to receive benefits. While at the same time, the Biden administration was paying people on unemployment to stay at home rather than return to work or get a job.

President Biden and his liberal allies sued to force South Carolina to adopt universal mask mandates in public schools, despite clear constitutional authority to the contrary.

And finally, the Biden administration has illegally attempted to impose vaccine mandates on private citizens all across the country, in clear violation of constitutional authority and of common sense. Thankfully, President Biden has been about as successful in defending his mandates in court as he has been selling them to the American people.

Despite this barrage of unwarranted challenges, we will continue to grow and prosper. We will not let the federal government violate the Constitution and dictate decisions that rightly belong to South Carolina and her people. We will fight to defend the Rule of Law, preserve our state's sovereignty, and reject efforts to destroy individual liberty, wherever they occur. A determined warrior in our effort is with us tonight, our Attorney General, Alan Wilson. Please stand and be recognized.

As you are aware, the AccelerateSC task force has played a vital role in the state's response to the COVID-19 pandemic. This task force is comprised of volunteers from every sector of our state's economy, along with officials from state and local agencies, and organizations. Almost two years ago, the AccelerateSC task force produced recommendations which guided us in taking very targeted and limited measures to combat the spread of the COVID-19 virus without shutting down our state's economy. In addition, AccelerateSC conducted a thorough and complete review of the CARES Act and the American Rescue Plan Act (ARPA) for the purpose of providing expenditure recommendations to my office. I believe that AccelerateSC is the model for collaboration, cooperation and communication between the government and the private sector, and on behalf of our entire State, I thank them for their extraordinary accomplishments. Tonight, we have the leaders of this remarkable effort with us: former Senator Greg Ryberg served as chairman, and Mr. James Burns, served as the executive director. Thank you for your service. Please stand and be recognized.

South Carolina's booming economy, with almost $3 billion in surplus revenue, along with the $2.4 billion in ARPA funds -- presents us with a once in a lifetime opportunity. We know that the competition for jobs and investment is fierce, both nationally and globally. We cannot be complacent. We must act. We must make big, bold, and transformative investments in the areas of education, infrastructure, workforce and economic development to strengthen the foundations of our prosperity for generations to come.

For the second year in a row, my Executive Budget places $500 million into our state's "rainy day" reserve fund. By saving this money instead of spending it -- something that served our State well last year --

we will double the size of our reserves and will be prepared for any future economic uncertainties, should they arise. I ask the General Assembly to consider maintaining a minimum balance in the rainy-day reserve account equal to 10% of the total amount of funds available to be appropriated in any year.

Despite our great successes, South Carolina's marginal income tax rate of 7% is the highest in the southeast and the 12th highest in the nation. For example, Tennessee and Florida have no income tax at all. Louisiana is at 6%. Arkansas is at 5.9%, Missouri at 5.4%. Georgia and Virginia are at 5.75%. North Carolina is at 5.25% and just passed legislation to cut it again. Alabama, Mississippi and Kentucky are at 5%. This makes South Carolina less competitive for new jobs and capital investment.

This year marks the fourth year that I have proposed a 1% rate reduction over five years for all personal income tax brackets, starting with an immediate $177 million cut. A tax cut has the impact of a pay raise; and more money in the pockets of our people to spend is a catalyst for even more economic growth and prosperity.

Ladies and gentlemen, we have almost one billion dollars in surplus recurring revenue available for this state budget. Our state's booming economy will likely create more. Our work will not be done this session unless I am able to sign an income tax cut into law. We must also re-examine those issues, practices and laws that make our State less competitive and make it difficult for our businesses and entrepreneurs to invest, grow and thrive.

One issue in need of re-examination is in the area of civil litigation known as joint and several liability. Business owners should not be penalized for the actions of others, simply because they have money. Nor should they be absolved of their actions. We can find a balance that provides the opportunity for justice without damaging our economy.

There is no infrastructure more in need of big, bold and transformative one-time investments than our state's roads, bridges, highways and interstates. Our booming economy and rapid population growth have outpaced the state's ability to keep up with improvements to our transportation infrastructure.

Utilizing a combination of $660 million in federal ARPA funds and $600 million from surplus revenue, I am recommending that the General Assembly provide no less than $1.26 billion to the Department of Transportation to accelerate construction, expansion or improvements to our state-owned roads, bridges, highways and interstates.

This one-time investment of over one billion dollars will allow the DOT to accelerate the start and completion of some of their highest priority projects. Projects such as the widening of Interstate 26 to six lanes between Columbia and Charleston, the widening of Interstate 95 to six lanes in the Lowcountry, lane widening on Interstate 85 in the Upstate and the long-awaited start of construction on I-73 from the Pee Dee to the Grand Strand.

In addition, DOT will have sufficient state matching funds to apply for an additional $250 million in federal funds each year for the next five years. These federal matching funds will allow the DOT to expedite completion of local and regional projects designed to relieve traffic congestion, to repair or replace over 400 bridges, and to enhance repaving and resurfacing on our local and secondary roads.

Three years ago, on the south steps of this State House, I pledged that we would work together as a team. I proposed that we make bold reforms to K-12 education in South Carolina, so that every student is ready to learn when he or she enters the classroom. And that the words "Corridor of Shame" would soon become a fading memory.

I proposed that we unleash the free market and expand access to full day kindergarten for every lower income, four-year-old child. Parents should be able to choose the public, private or for-profit childcare provider that best suits their child's educational needs. Today, we have fully funded full-day, four-year-old kindergarten programs for every Medicaid-eligible child in South Carolina.

As a result, the Education Oversight Committee reports that 4K enrollment has increased 47% or by 4,600 children. There are 50 new private, nonprofit and faith-based providers who have opened 66 new 4K classrooms. In our public schools, there are 120 new 4K classrooms.

In a recent survey by First Steps, two out of three parents reported that enrolling their child in First Steps 4K also allowed them to go to work or continue their own education.

We know that parents in South Carolina must be confident that their children are safe and secure when they are at school. The presence of a certified law enforcement school resource officer in every school is more important now than ever.

We must also recognize that a mental health crisis exists in South Carolina, especially among our young people who have weathered two years of disruptions, virtual instruction, isolation and constant changes to normal routines. This crisis is here, right now. Students must have access to professional mental health counseling and services.

Because sixty percent of South Carolina children are served by Medicaid, I have directed Health and Human Services Director Robbie Kerr to initiate an immediate review of our state's behavioral health funding and delivery system. Time is of the essence. We must do better. The cost of doing nothing is unimaginable. And the damage, well, the damage will likely be immeasurable.

South Carolina's system of state-run treatment programs and facilities need a modern-day refreshment, re-evaluation and reinvention. I also suggest to members of the General Assembly that the time has come to evaluate whether the State should privatize behavioral health services currently provided by the Department of Mental Health.

When the Education Finance Act of 1977 was signed into law, there were only three line-item appropriations for K-12 education. Today, there are approximately 29. This 44-year-old funding system is archaic, confusing and inadequate.

The way we fund K-12 education must be simplified and it must be transparent and accountable. State funds must follow students directly to the classroom. School districts must be held accountable for how they spend the taxpayer's money -- and graded on their results.

I have proposed that funds for K-12 education be appropriated in a manner that is simple and easy to understand. School districts will receive the funds necessary to support an average ratio of 11.7 students per teacher, with an average salary of $66,524 including benefits.

In exchange, every school district must disclose how they spend every dollar, be it local, state or federal. This information must be published online by the state Department of Education, so parents and taxpayers will know where their money is being spent. In the classroom? Or is it being spent on administration? Or overhead? Or somewhere else?

My Executive Budget also raises the minimum salary for a starting teacher from $36,000 to $38,000. We have made progress in raising teacher pay. Just five years ago, the minimum salary for a brand-new teacher was $30,113.

Tonight, we have the 2022 South Carolina Teacher of the Year with us. Ms. Amy Carter is an English teacher from Chapin High School and is here representing our state's classroom teachers.

We're also joined by the Superintendent of Kershaw County School District, Dr. Shane Robbins. Dr. Robbins' innovative leadership helped guide his school district through the pandemic with minimal disruption to the classroom, remaining open for in-person instruction throughout. Ms. Carter, Dr. Robbins, please stand and recognized.

Charter schools in our State have seen explosive growth in both enrollment and demand. The South Carolina Public Charter School District and the Charter Institute at Erskine are expected to authorize a total of 67 charter schools for the school year starting in August. My Executive Budget provides an additional $60.2 million to meet the growing demand of parents seeking new educational opportunities and in-person classroom instruction for their children.

In addition, I am proposing $20 million be used to create education savings accounts, which by the way, have been available to parents in "red" and "blue" states for years. Although some may say otherwise, we know that parents know what's best for their children. They know the type of education environment and instruction that works best for their child's unique needs.

Speaking of parents, we need more parental involvement in the classroom -- not less. You may have been as surprised as I was when the Attorney General of the United States, Merrick Garland, instructed the FBI to begin investigating parents who attend school board meetings. In the annals of dangerous ideas, that one takes the cake. So did assertions that *"parents have no business telling schools what they should teach."* Parents have every right to express their concerns to a teacher, to a principal or to members of the school board. In fact, it is their duty.

Recently, a group of concerned parents contacted my office about a book containing age inappropriate, sexually explicit, obscene and pornographic images, which was available in their school's library. If school personnel had performed even a cursory review in this instance, it would have revealed that the book contains sexually explicit and pornographic depictions, which easily meet or exceed the statutory definition of obscenity.

For explicit materials of this nature to have been introduced or allowed into a South Carolina school, without oversight, without public review and without parents' prior knowledge, is highly troubling and destroys public confidence in our schools. Parents must know what their children are hearing, seeing and learning in the classroom.

South Carolina, just like every state in the nation, is facing a historic labor crisis. It has affected every sector of our economy. With one hundred thousand open jobs, there is a paycheck waiting for anyone willing to work.

I'd like to share with you an innovative public-private initiative designed to fill those open jobs. SC Future Makers is a first-in-the-nation

program that connects students and individuals with internship, apprenticeship and career opportunities throughout the State.

SC Future Makers has reached virtually every high school, is available to all 16 technical colleges, and is now engaging our state's military community to connect our servicemen and women with the many opportunities available in South Carolina. This innovative approach in using technology to enhance connectivity throughout our State is a valuable resource for addressing our workforce needs.

In addition, to fill those open jobs, I am requesting that the General Assembly invest $124 million to expand *Workforce Scholarships for the Future*, a program that allows residents to earn an industry credential or an associate degree in high-demand careers. Careers in manufacturing, healthcare, computer science, information technology, transportation, logistics, or construction. We know this program will work.

Last year, we partnered with the South Carolina Technical College System to create these scholarships and we dedicated $29 million in federal relief funds to start the program. In that short period, over 5,000 South Carolinians have been retrained and employed.

For example, the program has produced:

- 485 Nursing Assistants
- 283 Commercial Truck Drivers
- 253 Emergency Medical Technicians (EMTs)
- 239 Welders
- 235 Phlebotomists
- 177 received Information Technology (IT) Certifications
- 130 received the SC Manufacturing Certification
- 79 certified as Forklift Operators
- 61 certified as Heavy Equipment Operators

In fact, we have a few of those students with us tonight in the balcony. Lilianna Cruz, 25, grew up in Indiana. Justin Smith, 25, grew up in Georgia. Now they live in Clemson. Both were raised by parents who didn't complete high school. They enlisted in the Marine Corps after high school. They met while they were stationed in Japan. After completing their service, they began taking classes at Tri-County Technical College.

Lilianna's goal was to become an architect, and Justin's was to own his own business. When the pandemic hit and classes went online, they went to work instead. Online classes didn't work for them. Justin was making $18 an hour and Lilianna was making $16 an hour. Neither of them enjoyed the work or the pay. They hoped to find a new and better opportunity. And they did. Last month Lilianna and Justin completed

the five-week commercial truck driving program at Tri-County Tech. Before they finished, they were offered a job driving as a team for Schneider National. Now they have a combined salary of $140,000.

Tasha Frazier of Sumter went through the Certified Nursing Assistant Program at Central Carolina Technical College. She successfully earned her accreditation and was immediately offered a job with McLeod Health in Manning.

William Westbrook lives in Graniteville and had worked for many years at a local chemical company. He was laid off in 2019 and continued to look for work. He enrolled at Aiken Technical College after learning about these scholarships and obtained his Manufacturing Certification at no cost. William was hired immediately after graduation by Central States Manufacturing.

I'd also like to recognize Dr. Tim Hardee, the President of the South Carolina Technical College System, who is with us tonight. Dr. Hardee and his staff worked with our 16 technical colleges to successfully implement this program.

Some of the presidents of those colleges are also here with their former students: Dr. Galen DeHay, President of Tri-County Technical College, Dr. Kevin Pollock, President of Central Carolina Technical College, and Dr. Forest Mahan, President of Aiken Technical College. Thank you all for joining us tonight. Please stand and be recognized.

Access and affordability to higher education are essential to ensuring that our State has the trained and skilled workforce to compete for jobs and investment in the future. That means higher education -- our colleges, universities and technical colleges -- must be accessible and affordable for the sons and daughters of South Carolina.

Once again, my Executive Budget freezes college tuition for in-state students, in exchange for an indexed appropriation based on the number of in-state students enrolled at each public institution. Funds for deferred maintenance are also distributed pro-rata and based on a school's in-state enrollment.

Also, every South Carolina resident who qualifies for a federal Pell Grant will be eligible for 100% of their tuition to be paid for with a grant at any in-state public college, university or technical college.

The college transition program was created for students with intellectual disabilities as they transition from high school into college and eventually into the workforce. The program teaches students how to learn independently, how to maintain employment, and how to live self-sufficiently.

This year I am proposing that we invest an additional $4.3 million in lottery proceeds to enhance scholarships for the college transition programs offered at Clemson, Coastal Carolina, the College of Charleston, the University of South Carolina and Winthrop University.

Tonight, we are joined by two students from the college transition program, Michael Harmon from CarolinaLIFE, and Hunter Hopkins from ClemsonLIFE. Gentlemen, please stand and be recognized.

In rural South Carolina, water and sewer is key to life, to good public health and economic health. And it's key to a community's health. The right water and sewer assets in a county can transform a tax base. That means jobs, good schools, strong families and a safe and vibrant community.

The state's rural water, sewer and storm water infrastructure is becoming old and outdated. Many of these systems have exceeded their useful life -- some are barely hanging on.

I have proposed that we use $500 million in federal funds to transform these water, sewer and storm water systems in our state's poorest counties. To upgrade or replace deficient rural water and wastewater systems. And to incentivize large systems to "connect" with smaller and faltering systems.

In recent years, facilitating access to broadband connectivity has become a top priority for South Carolina. From health care to education, more people are working or learning from home. Quality internet service has quickly become a necessity for the prosperity of our State and people.

I ask that the General Assembly appropriate an additional $400 million in federal funds for the state's Broadband Infrastructure Program being overseen by the Office of Regulatory Staff.

The good Lord has richly blessed South Carolina, from the mountains to the sea. Our pristine coastline is a major economic driver for the State, as well as a source of beauty and happiness. It is roughly 2,876 miles long with approximately 200 miles of direct beachfront. The coastline contains several ecosystems including marshes, estuaries, barrier islands, tidal creeks, and beaches. The state's 35 barrier islands and the surrounding marshes are natural mechanisms for absorbing energy, flooding and storm surge.

Three years ago, I issued an Executive Order creating the South Carolina Floodwater Commission, a collaborative effort charged with providing short- and long-term recommendations to alleviate and mitigate the impact of flooding. One recommendation was for the Governor to appoint a Chief Resilience Officer to lead a new state resilience office.

Last year, I had the honor of appointing Mr. Ben Duncan, who was serving as the Director of the Disaster Recovery Office, as South Carolina's first Chief Resilience Officer. At the time, South Carolina was one of a handful of states with a chief resilience officer. Mr. Duncan is here with us tonight. Please stand and be recognized.

To protect South Carolina's abundant natural resources, I am proposing the General Assembly provide the state Office of Resilience with $300 million in federal funds. A portion of these funds should be used to complete the construction of homes in the Pee Dee that were destroyed by Hurricane Florence, as well as completing green storm water mitigation projects throughout the State. In addition, I am recommending that the office identify pristine coastline properties and tracts where public access may be in jeopardy of being lost or destroyed by flooding, erosion or storm damage.

Also, these funds should be used for a complete remediation and removal of hazardous materials from the hull of the USS Yorktown, including hundreds of thousands of gallons of old petroleum, polluted ballast waters, and polychlorinated biphenyl compounds, or PCBs that were not removed from the ship's 428 vessel tanks and compartments by the Navy. I can think of no more meritorious use of taxpayer funds than to protect our pristine natural resources for future generations of South Carolinians.

With the opening of the new Hugh K. Leatherman Terminal in North Charleston, the Port of Charleston is no longer the only major container port on the east coast of the United States without significant near dock rail access.

The new Navy Base Intermodal Container Transfer Facility will provide near dock "dual" rail access for both Norfolk Southern and CSX, allowing for the movement of goods and commerce throughout the United States. In 2021, the General Assembly appropriated $200 million toward the $500 million cost of construction. My Executive Budget proposes $300 million to complete construction on time and debt free.

Tonight, we have the CEO of the South Carolina Ports Authority with us, Mr. Jim Newsome. As you know, he is retiring this year. I ask that you join me in thanking Mr. Newsome for providing the port with years of exceptional leadership and vision. You will be missed. Mr. Newsome, please stand and be recognized.

To keep South Carolinians safe, we must maintain a robust law enforcement presence -- and properly "fund the police." Our state law enforcement agencies continue to lose valuable and experienced personnel because they are unable to remain competitive with pay and

benefits. My Executive Budget dedicates $31 million in new dollars to law enforcement, public safety and first response agencies for recruitment and retention pay raises.

We must also keep our law enforcement officers safe while they are on-the-job. My Executive Budget proposes providing $21 million for grants to local law enforcement agencies for additional body cameras and bullet proof vests.

And once again, I am calling on the General Assembly to eliminate all state income taxes on the retirement pay of career military veterans and South Carolina law enforcement officers, firefighters and peace officers. Many states have already done this. The decision makers at the Department of Defense take note of such actions or inactions when they make decisions on base closures, realignment and new missions for America's military. Our state's military installations are at risk, like all others. It is past time for the General Assembly to act on this issue. Before it is too late.

Our booming economy and record low unemployment sometimes place state agencies at a disadvantage with the private sector -- when they are recruiting or retaining the best employees. I believe the question of state employee compensation needs re-examination. Across-the-board pay raises for state employees are less effective than those based on performance, merit, success or longevity. Agency directors should be empowered to incentivize their personnel.

My Executive Budget takes the $46.6 million which would equal a 2% across-the-board pay raise -- and directs that those same funds be used instead for merit-based pay raises. However, each agency must submit their merit-based pay raise plan to the Department of Administration's Division of Human Resources for review and approval, to ensure that the raises are awarded consistently across state government and are in accordance with official policies and procedures.

We've heard the alarm bell for years. With inaction -- it gets louder every year. The longer we wait, the harder it will be to fix our pension system's huge unfunded liability. So, once again, I am asking that we -- at the end of this year -- close enrollment in the current "defined-benefit" plan. Putting money into this retirement system is like trying to fill a bathtub with the drain open. We must close enrollment first.

The best answer is a date-certain transition away from "defined benefit" pension plans to "defined contribution" plans for new state employees. And of course, we must maintain our commitment to retired South Carolinians who rely on income from the pension plan.

The right to vote is the single most important right protected by the United States Constitution. However, in 2020 we learned that our state's election laws were not being applied properly and consistently by county election officials. Speaker Jay Lucas has sponsored legislation to standardize and ensure the uniform and legal conduct of elections in all 46 counties.

In addition, my Executive Budget proposes creating a new Election Integrity and Compliance Audit Program at the State Election Commission. Teams of auditors, working for the State, will conduct regular and routine examinations to confirm the integrity of elections conducted on the state and local level. Send these election reforms to my desk, and I will sign them into law.

To maintain the public's confidence in their elected representatives at all levels of government, we must expand the resources and authority of the State Ethics Commission and the Office of the Inspector General. The public should know if their tax dollars are being spent properly by the recipients, like a school district or a non-profit organization.

The public should also know who is getting paid to influence decisions made by county, municipal or school board officials. These paid advocates should be required to register with the State Ethics Commission as lobbyists, just like those who are paid to lobby the legislature. What's good for the State House -- is good for the courthouse.

In the last decade, we have consistently seen ethical issues arise surrounding some of our state's 46 county sheriffs. I have proposed that the Law Enforcement Training Council at the South Carolina Criminal Justice Academy develop and conduct annual ethics training for every county sheriff.

In meetings and conferences in other parts of the country, I am often introduced as the 117th Governor of the great State of South Carolina. What is interesting is that as other governors are introduced, they may be the 23rd Governor of Arizona, or the 40th Governor of California or the 48th Governor of Kansas. It makes you think: Our State was one of the original thirteen colonies, one of the thirteen that produced the Declaration of Independence in 1776 and one of twelve which created and signed the United States Constitution in 1787. Our people -- from then until now -- have endured and overcome every obstacle and challenge created by man and nature. We have seen it all and endured it all. With that heritage, we stand today in a moment brimming with opportunity and promise.

So, let us seize this moment by thinking big, by being bold, confident and by making transformative investments. In this way, I believe we will set our State on a course that will provide the opportunity for prosperity, success and happiness for generations of South Carolinians.

Let us continue working together. Let's keep winning. I believe in South Carolina and I believe in America. And I believe in each and every one of you. The best is yet to come. God Bless the Palmetto State. And God Bless her extraordinary people.

The purpose of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

Motion Adopted

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

LOCAL APPOINTMENTS

Confirmations

The 5th Congressional District delegation confirmed the following appointment:

Reappointment, State Board for Technical and Comprehensive Education, with the term to commence July 1, 2019, and to expire July 1, 2025

5th Congressional District:

Ralph A. Odom, Jr., 877 Hillcroft Place, Rock Hill, SC 29732-2032

The 2nd Congressional District delegation confirmed the following appointment:

Initial Appointment, South Carolina State Board for Technical and Comprehensive Education, with the term to commence July 1, 2020, and to expire July 1, 2026

2nd Congressional District:

William H. Floyd III, 129 Forbidden Lane, Lexington, SC 29072-9331
VICE Robert E. Barnett

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Clyde Harrison, Jr. of Greenville, S.C. Henry retired as a Sergeant with the Highway Patrol in 1975. He began American Security which expanded to seven states. Henry received many awards including State Trooper of the Year, Entrepreneur of the Year, the 50 Most Influential Hall of Fame in the Upstate and the Order of the Palmetto to mention a few. He truly had a servant's heart and worked hard to make his community and State a better place. Henry was a loving partner to Tracy, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 8:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Thursday, January 20, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Genesis 1:1

In Genesis we find these opening lines: "In the beginning God created the heavens and the earth. . . "

Pray with me, if you will: Gracious, loving, and all-powerful God, not a single one of us can imagine life without You there at the center of all things. Therefore, in full acknowledgement of that reality, we humbly ask this morning that You will give these leaders a fresh vision for the future and the strength and courage to move South Carolina forward in ways that will bring blessings immeasurable to all of our citizens -- not just for a few. Empower these Senators to serve wisely, well and with genuine love for everyone. In addition, O God, keep safe all of our women and men in uniform, each of our first responders, and all healthcare personnel who labor for the common good. We are so very grateful for all of these servants and for all that they do. In Your name we pray, dear Lord. Amen.

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

Point of Quorum

At 10:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Fanning
Garrett	Goldfinch	Harpootlian
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Kimpson	Loftis	Martin
Massey	Matthews	Peeler
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator BENNETT, at 11:06 A.M., Senator HEMBREE was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 2:04 P.M., Senator PEELER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HARPOOTLIAN, at 2:06 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SHEALY, at 2:07 P.M., Senator SENN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 3:24 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 3:53 P.M., Senator K. JOHNSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 4:28 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

THURSDAY, JANUARY 20, 2022

CO-SPONSORS ADDED

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

S. 903 Sen. Rice
S. 988 Sen. Verdin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1005 -- Senators Verdin and Kimbrell: A SENATE RESOLUTION TO RECOGNIZE MARCH 9, 2022, AS "SOUTH CAROLINA OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

H. 4827 -- Rep. Lucas: A CONCURRENT RESOLUTION TO CONGRATULATE COLONEL JACKIE L. THOMPSON, JR., UPON HIS PROMOTION TO THE RANK OF BRIGADIER GENERAL AND ASSIGNMENT AS CHIEF DEFENSE COUNSEL, OFFICE OF MILITARY COMMISSIONS, TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS IN THE DAYS AHEAD.

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

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

CARRIED OVER

S. 966 -- Senators Rankin, Campsen, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE

THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

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

On motion of Senator GROOMS.

S. 990 -- Senators Hutto and Stephens: A BILL TO AUTHORIZE THE CITY OF ORANGEBURG TO RELOCATE THE CONFEDERATE VETERAN STATUE, LOCATED IN THE ORANGEBURG MEMORIAL PLAZA, TO THE ORANGEBURG CONFEDERATE CEMETERY.

On motion of Senator HUTTO.

S. 403 -- Senator Gustafson: A BILL TO AMEND SECTION 41-18-30(D) OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, TO DIFFERENTIATE BETWEEN AMUSEMENT-STYLE AND COMPETITION-STYLE

CONCESSION GO-KARTS; AND TO DEFINE NECESSARY TERMS.

Senator BENNETT explained the Bill.

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE

DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

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

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

AMENDMENT PROPOSED, CARRIED OVER

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING

APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator SCOTT proposed the following amendment (AHB\3255C001.BH.AHB21):

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

/ SECTION ___. Section 40-57-340(B) of the 1976 Code is amended to read:

"(B)(1) Exempt from the biennial continuing education required by subsection (A) are a:

~~(1)~~(a) salesperson who successfully completes a post-licensing course or takes a broker course is exempt for the renewal period during which the course was taken;

~~(2)~~(b) licensee while on inactive status;

~~(3)~~(c) nonresident broker or salesperson who has successfully satisfied the continuing education requirements in their jurisdiction of residence may be exempt with approval of the commission;

~~(4)~~(d) broker or salesperson with twenty-five years or more of experience in South Carolina who is sixty-five years of age or more is exempt from the continuing education requirements of this chapter; or

(e) broker or salesperson with a minimum of twenty-five years of licensure in South Carolina may apply to be granted an experience-based partial continuing education waiver, and upon granting of the waiver, is required to complete only the mandatory four hour core course biennially to maintain active licensure.

(2) A broker-in-charge who has been granted a partial continuing education waiver is required to take the four hour core course and the mandated four hour broker-in-charge course biennially. A licensee who previously has been granted a full continuing education waiver by the commission is exempt from the continuing education requirements of this chapter." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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

OBJECTION

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Senator SENN objected to the consideration of the Bill.

THURSDAY, JANUARY 20, 2022

ADOPTED

H. 4125 -- Reps. Rose, Howard and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT A SIGN IN RICHLAND COUNTY ON THE CORNER OF GERVAIS STREET WHERE IT INTERSECTS WITH MCDUFFIE STREET IN THE CITY OF COLUMBIA'S LYONS STREET NEIGHBORHOOD CONTAINING THE WORDS "IN MEMORY OF MARVIN HELLER LONGTIME LYON STREET NEIGHBORHOOD PRESIDENT AND COMMUNITY ACTIVIST".

The Resolution was adopted, ordered returned to the House.

AMENDMENT PROPOSED, OBJECTION

H. 4746 -- Reps. G.M. Smith, Rutherford and J.E. Johnson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 2, 2022, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4, WHOSE TERM WILL EXPIRE JULY 31, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO

ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT

A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, TO FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022.

The Senate proceeded to a consideration of the Resolution.

Senator MARTIN proposed the following amendment (4746R001.SP.SRM):

Amend the concurrent resolution, as and if amended, on page 4, by striking lines 4 through 9 and inserting:

/That in the absence of Joint Rules, the General Assembly, by this resolution, agrees to bind itself subject to the terms of this resolution and to the requirements of Article, III Section 20 and Section 22 of the South Carolina Constitution, 1895, and the provisions of Chapter 19, Title 2 of the South Carolina Code of Laws, 1976, relating to elections of members of the judiciary, provided that the vote to elect any judge under the provisions of this resolution, whether the election is contested or not, must be a recorded roll call vote. For purposes of this subsection, 'recorded roll call vote' means a vote recorded in the journals of the respective houses of the General Assembly, which must be by yeas and nays and recorded by name. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator CLIMER objected to further consideration of the Resolution.

ADOPTED

S. 915 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

The Resolution was adopted, sent to the House.

S. 916 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB AVENUE IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE

MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, sent to the House.

S. 950 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY FROM ITS PREVIOUS DESIGNATION OF "THE MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" TO "THE HONORABLE MARVIN STEVENSON HIGHWAY" AND AMEND APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION TO CONTAIN THIS DESIGNATION.

The Resolution was adopted, sent to the House.

S. 955 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION OF ROSS CANNON STREET AND EAST MADISON STREET IN THE CITY OF YORK IN YORK COUNTY "JOHN HENRY HARDIN, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Resolution was adopted, sent to the House.

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

MADE SPECIAL ORDER

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND

SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

The Bill was made a Special Order.

Recorded Vote

Senator CORBIN desired to be recorded as voting against the motion to set the Bill for Special Order.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Staff Counsel Charlie Terreni and staff members from the Committee on Judiciary were authorized as necessary to be in that area behind the rail and were admitted to the floor of the Senate Chamber while debate was in progress on S. 865, the Redistricting Bill.

MOTION ADOPTED

At 11:45 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Joey Opperman was authorized as necessary to be in that area behind the rail of the Senate Chamber while debate was in progress on S. 865, the Redistricting Bill.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

THURSDAY, JANUARY 20, 2022

Message from the House

Columbia, S.C., January 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTIONS 44-96-40 AND 44-96-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO DEFINE NECESSARY TERMS PERTAINING TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES; TO AMEND SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT PERMITTING, SO AS TO REQUIRE ADVANCED RECYCLING FACILITIES TO DEMONSTRATE FINANCIAL RESPONSIBILITY AS A CONDITION OF PERMITTING; TO AMEND SECTION 48-1-50, RELATING TO POWERS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REGULATION OF ADVANCED RECYCLING FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO SUBMIT CERTAIN REGULATIONS AND REPORTS PERTAINING TO END-OF-LIFE MANAGEMENT OF SOLAR PANELS AND THE DECOMMISSIONING OF CERTAIN SOLAR PROJECTS; TO PROVIDE SUNSET PROVISIONS FOR CERTAIN SECTIONS OF THE ACT; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

S. 525--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTIONS 44-96-40 AND 44-96-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO DEFINE NECESSARY TERMS PERTAINING TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES; TO AMEND SECTION 44-96-290, RELATING TO SOLID WASTE

MANAGEMENT PERMITTING, SO AS TO REQUIRE ADVANCED RECYCLING FACILITIES TO DEMONSTRATE FINANCIAL RESPONSIBILITY AS A CONDITION OF PERMITTING; TO AMEND SECTION 48-1-50, RELATING TO POWERS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REGULATION OF ADVANCED RECYCLING FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO SUBMIT CERTAIN REGULATIONS AND REPORTS PERTAINING TO END-OF-LIFE MANAGEMENT OF SOLAR PANELS AND THE DECOMMISSIONING OF CERTAIN SOLAR PROJECTS; TO PROVIDE SUNSET PROVISIONS FOR CERTAIN SECTIONS OF THE ACT; AND FOR OTHER PURPOSES.

On motion of Senator GAMBRELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator GAMBRELL spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

Total--43

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 525--Conference Report
The General Assembly, Columbia, S.C., January 19, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44-96-40 of the 1976 Code is amended by adding appropriately numbered items at the end to read:

"( ) 'Advanced recycling' means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) 'Depolymerization' means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) 'Gasification' means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) 'Pyrolysis' means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(d) 'Solvolysis' means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to, monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonoloysis, methanolysis, ethanolysis, and glycolysis.

( )'Advanced recycling facility' means a manufacturing facility that receives, separates, stores, and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste on-site or during processing at an advanced recycling

facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

( )'Post-use polymer' means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

( )(a) 'Recovered feedstock' means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste; or

(b) Recovered feedstock does not include unprocessed municipal solid waste."

SECTION 2. Section 44-96-250(B)(13) of the 1976 Code is amended to read:

"(13) 'Financial responsibility mechanism' means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities <u>and advanced recycling facilities</u>. Available financial responsibility mechanisms include, but are not limited to, insurance, trust

funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees as determined by the department by regulation."

SECTION 3. A. Section 44-96-290 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) An advanced recycling facility must demonstrate financial responsibility prior to being issued a permit for the advanced recycling facility or prior to the advanced recycling facility being placed in operation. To demonstrate financial responsibility, the advanced recycling facility must establish a cash trust fund under the control of the department or obtain a surety bond for which the department is the sole beneficiary, sufficient in form and amount to meet all reasonably foreseeable costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities including, but not limited to, the operation and storage of post-use polymer, plastic polymer, or incidental contaminants or impurities; provided, however, that no cash trust fund or surety bond shall be required if the advanced recycling facility establishes to the department that such costs are not reasonably foreseeable."

B. The Department of Health and Environmental Control shall, on or before the second anniversary of the effective date of this act, issue a report to the General Assembly. The report must include the department's analysis of the advanced recycling facility industry and its recommendation as to whether, given the industry's record in this State or elsewhere in regard to matters including, without limitation, its costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities, a cash trust fund or surety bond should be required of the advanced recycling facility, and if so, in what amount.

SECTION 4. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) Review and consider the environmental compliance history of an applicant or person that is or operates an advanced recycling facility, as defined by Section 44-96-40, in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status; prohibit the transfer of a permit or the transfer or achievement of interim status; or prohibit a change in the ownership of or a controlling interest in an existing advanced recycling facility."

SECTION 5. Within one hundred twenty days after the effective date of this act, the Department of Health and Environmental Control shall submit regulations to guide all South Carolinians invested in, selling, installing, and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under state and federal law.

(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

(a) reused, if not damaged or in need of repair, for a similar purpose;

(b) refurbished, if not substantially damaged, and reused for a similar purpose;

(c) recycled with recovery of materials for similar or other purposes;

(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the state's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department must require, as part of a new application or an application pending on July 1, 2022, local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a nonbinding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and decommission solar energy equipment, facilities, or devices. The department is authorized to, by regulation, establish a more formal or detailed process for receiving the plans submitted pursuant to this provision, to include increased reporting requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2022, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, 2023.

SECTION 6. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 7. The provisions of SECTIONS 2 and 3 terminate on the fifth anniversary of the effective date of this act.

SECTION 8. This act takes effect upon approval by the Governor. /

Amend title to conform.

A BILL TO AMEND SECTIONS 44-96-40 AND 44-96-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO DEFINE NECESSARY TERMS PERTAINING TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES; TO AMEND SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT PERMITTING, SO AS TO REQUIRE ADVANCED RECYCLING FACILITIES TO DEMONSTRATE FINANCIAL RESPONSIBILITY AS A CONDITION OF PERMITTING; TO AMEND SECTION 48-1-50, RELATING TO POWERS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REGULATION OF ADVANCED RECYCLING FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO SUBMIT CERTAIN REGULATIONS AND REPORTS PERTAINING TO END-OF-LIFE MANAGEMENT OF SOLAR PANELS AND THE DECOMMISSIONING OF CERTAIN SOLAR PROJECTS; TO PROVIDE SUNSET PROVISIONS FOR CERTAIN SECTIONS OF THE ACT; AND FOR OTHER PURPOSES.

/s/Sen. Michael W. "Mike" Gambrell	/s/Rep. David R. Hiott
/s/Sen. Sandra Jane "Sandy" Senn	/s/Rep. James Mikell "Mike" Burns
/s/Sen. Billy Garrett	/s/Rep. Lucas Atkinson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

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

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator RANKIN explained the House amendments.

AMENDMENT RFH-1

Senators CAMPSEN and RANKIN proposed the following amendment (AHB\865C003.BH.AHB22), which was adopted:

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

/PART I

Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Beaufort SC	187,117
County: Berkeley SC	229,861
County: Charleston SC	
Awendaw	1,621
Christ Church	1,164
Edisto Island	1,884
Folly Beach 1	920
Folly Beach 2	1,196
Isle Of Palms 1A	1,120
Isle of Palms 1B	1,524
Isle of Palms 1C	1,758
James Island 10	2,195
James Island 11	2,559
James Island 12	1,661
James Island 13	2,088
James Island 14	1,129
James Island 15	2,166
James Island 17	2,355
James Island 19	2,233
James Island 1A	2,687
James Island 1B	1,408
James Island 2	7,318
James Island 20	1,976

James Island 22 1,920
James Island 3 1,069
James Island 5A 1,875
James Island 5B 1,108
James Island 6 2,102
James Island 7 2,684
James Island 8A 1,842
James Island 8B 2,568
James Island 9 1,837
Johns Island 1A 2,742
Johns Island 1B 3,313
Johns Island 3A 5,443
Johns Island 3B 2,184
Johns Island 4 1,860
Kiawah Island 2,012
McClellanville 1,975
Mt. Pleasant 1 1,904
Mt. Pleasant 10 1,358
Mt. Pleasant 11 1,903
Mt. Pleasant 12 3,436
Mt. Pleasant 13 1,630
Mt. Pleasant 14 2,113
Mt. Pleasant 15 2,919
Mt. Pleasant 16 948
Mt. Pleasant 17 3,786
Mt. Pleasant 18 1,528
Mt. Pleasant 19 2,968
Mt. Pleasant 2 1,564
Mt. Pleasant 20 1,715
Mt. Pleasant 21 2,194
Mt. Pleasant 22 2,266
Mt. Pleasant 23 2,724
Mt. Pleasant 24 1,040
Mt. Pleasant 25 1,402
Mt. Pleasant 26 734
Mt. Pleasant 27 4,062
Mt. Pleasant 28 1,560
Mt. Pleasant 29 385
Mt. Pleasant 3 1,914
Mt. Pleasant 30 2,607
Mt. Pleasant 31 2,093

Mt. Pleasant 32 3,609
Mt. Pleasant 33 5,428
Mt. Pleasant 34 2,358
Mt. Pleasant 35 7,539
Mt. Pleasant 36 2,481
Mt. Pleasant 37 4,732
Mt. Pleasant 38 2,331
Mt. Pleasant 39 5,875
Mt. Pleasant 4 2,032
Mt. Pleasant 5 1,644
Mt. Pleasant 6 2,648
Mt. Pleasant 7 1,353
Mt. Pleasant 8 1,193
Mt. Pleasant 9 1,354
Sullivans Island 1,891
Town of Seabrook 2,178
Wadmalaw Island 1 1,406
Wadmalaw Island 2 1,442
County Charleston SC Subtotal 179,743
County: Colleton SC
Edisto Beach 1,253
Green Pond 1,105
County Colleton SC Subtotal 2,358
County: Dorchester SC
Ashborough East 2,166
Ashborough East 2 1,045
Ashborough West 924
Ashborough West 2 1,538
Bacons Bridge 3,470
Bacons Bridge 2 1,332
Beech Hill 1,657
Beech Hill 2
Tract 108.01
Blocks: 4000, 4001, 4002, 4003, 4004, 4008,
4009, 4010, 4012, 4013, 4014 2191
Beech Hill 2 Subtotal 2,191
Brandymill 993
Brandymill 2 1,956
Briarwood 2,153
Briarwood 2 1,522
Briarwood 3 1,008

Butternut 2,971
Carolina 2,965
Central 2,206
Central 2 2,486
Clemson 2,367
Clemson 2 4,253
Clemson 3 2,849
Coastal 2,082
Coastal 2 2,266
Coastal 3 1,179
Coosaw 4,919
Coosaw 2 3,371
Coosaw 3 2,322
Cypress
Tract 105.01
Blocks: 1003, 1004, 1005, 1006, 1007, 1017, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003, 3004, 3008, 3010, 3011, 3012, 3013 4659
Cypress Subtotal 4,659
Cypress 2 1,273
Delemars
Tract 108.01
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016 416
Delemars Subtotal 416
Dorchester 1,644
Dorchester 2 1,166
Flowertown 3,521
Flowertown 2 2,389
Flowertown 3 2,321
Germantown 2,026
Givhans
Tract 104
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3011, 3012, 3013, 3014, 3015, 3017, 3029, 3030, 3031, 3034 1280
Givhans Subtotal 1,280
Givhans 2
Tract 104

Blocks: 4000, 4001, 4002, 4003, 4004, 4005, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4032 1565
Givhans 2 Subtotal 1,565
Greenhurst 1,875
Greenwave 2,208
Irongate 881
Irongate 2 836
Irongate 3 880
King's Grant 2,190
King's Grant 2 2,819
Knightsville 2,214
Lincoln
Tract 108.18
Blocks: 2010, 2011, 2012, 2013 418
Lincoln Subtotal 418
Miles/Jamison 2,931
Newington 1,417
Newington 2 961
North Summerville 620
North Summerville 2 1,964
Oakbrook 6,235
Oakbrook 2 2,002
Sawmill Branch 2,109
Spann 1,788
Stallsville 1,429
Tranquil 1,339
Tranquil 2 2,264
Tranquil 3 2,136
Trolley 2,522
Tupperway 1,344
Tupperway 2 1,657
Windsor
Tract 108.18
Blocks: 2003 53
Windsor Subtotal 53
County Dorchester SC Subtotal 127,543
County: Jasper SC
OAKATIE 2 1,893

SUN CITY 2,688
County Jasper SC Subtotal 4,581
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area Population

County: Aiken SC 168,808
County: Barnwell SC 20,589
County: Lexington SC 293,991
County: Orangeburg SC
Bolentown 1,973
Cope 904
Cordova 1 2,071
Cordova 2 2,622
Edisto 1,541
Limestone 1 2,616
Limestone 2 2,430
Neeses-Livingston 1,757
North 1 1,789
North 2 1,769
Norway 1,671
Pine Hill 1,650
Springfield 1,601
County Orangeburg SC Subtotal 24,394
County: Richland SC
Arcadia 2,200
Ballentine 1 2,309
Ballentine 2 2,585
Blythewood 1 2,980
Blythewood 2 3,379
Blythewood 3 3,818
Bookman 4,721
Brandon 1 3,590
Brandon 2 3,750
Briarwood 4,389
Bridge Creek 3,169
Cooper 1,436

Dutch Fork 1 1,683
Dutch Fork 2 1,931
Dutch Fork 3 3,596
Dutch Fork 4 2,474
East Forest Acres 1,545
Estates 3,005
Friarsgate 1 2,515
Friarsgate 2 2,064
Gregg Park 3,319
Hampton
Tract 25
Blocks: 4013, 4014 0
Tract 26.05
Blocks: 1004, 2000, 2001, 2002, 2003, 2004, 2005, 2015, 2030, 2031, 2032, 2044, 2050, 2051, 2052, 2053, 2054, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3021, 3022, 3035, 3036, 3037, 3038, 3039, 3040, 3045, 3046, 3047 1457
Hampton Subtotal 1,457
Harbison 1 3,481
Harbison 2 1,865
Kelly Mill 3,420
Lake Carolina 4,965
Longcreek 6,737
Mallet Hill 4,292
Meadowfield 2,326
Midway 4,819
Monticello 2,478
North Forest Acres 1,968
North Springs 1 1,758
North Springs 2 4,509
North Springs 3
Tract 114.19
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023 2439
North Springs 3 Subtotal 2,439

Oak Pointe 1	1,871
Oak Pointe 2	1,120
Oak Pointe 3	1,532
Old Friarsgate	2,035
Parkridge 1	1,534
Parkridge 2	1,784
Parkway 1	3,460
Parkway 2	3,503
Parkway 3	2,592
Pennington 1	1,292
Pennington 2	2,115
Polo Road	5,320
Pontiac 1	4,592
Pontiac 2	3,436
Rice Creek 1	2,404
Rice Creek 2	4,189
Ridge View 1	3,895
Ridge View 2	4,697
Riversprings 1	1,567
Riversprings 2	1,883
Riversprings 3	1,954
Riverwalk	3,706
Round Top	951
Satchelford	2,010
South Beltline	2,584
South Forest Acres	1,995
Spring Hill	3,572
Spring Valley	3,870
Springville 1	2,866
Springville 2	2,620
Trenholm Road	1,467
Valhalla	3,719
Ward 16	1,642
Ward 17	2,113
Ward 24	1,365
Ward 25	2,579
Ward 26	10,666
Wildewood	3,982
Woodfield	5,058
Woodlands	2,909
County Richland SC Subtotal	223,421

DISTRICT 2 Total 731,203

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Anderson SC 203,718
County: Edgefield SC 25,657
County: Greenville SC
BAKER CREEK 2,435
DUNKLIN 3,829
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
LONG CREEK 2,484
NEELY FARMS 4,822
PIEDMONT 5,218
PINEVIEW 1,985
RAINTREE 5,224
REEDY FORK 4,524
SYCAMORE
Tract 30.09
Blocks: 3013, 3014, 3015, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4043 2418
Tract 30.10
Blocks: 1037, 1038, 1039, 1040, 1041, 1042, 1043 1098
Tract 30.11
Blocks: 1000, 1001, 1004, 1007, 1012, 1057 499
SYCAMORE Subtotal 4,015
VERDMONT 3,123
WALNUT SPRINGS 8,550
WARE PLACE 3,160
WOODMONT 4,225
County Greenville SC Subtotal 64,526
County: Greenwood SC 69,351

County: Laurens SC 67,539
County: McCormick SC 9,526
County: Newberry SC 37,719
County: Oconee SC 78,607
County: Pickens SC 131,404
County: Saluda SC 18,862
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
EASTSIDE 3,795
EBENEZER 3,543

EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HILLCREST 3,560
HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942

LOCUST HILL 2,122
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOORE CREEK 5,570
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
POINSETT 4,944
RANCH CREEK 4,300
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936

SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721
SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE
Tract 30.09
Blocks: 4040, 4041, 4042, 4051 29
Tract 30.11
Blocks: 1002, 1003, 1005, 1006, 1008, 1009, 1010, 1011, 1013, 1014, 1049, 1050, 1066, 1067 313
SYCAMORE Subtotal 342
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
WADE HAMPTON 4,440
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 461,008
County: Spartanburg SC
Abner Creek Baptist 3,407
Anderson Mill Baptist 2,445
Anderson Mill Elementary 3,612
Apalache Baptist 4,795

Arcadia Elementary 3,246
Beaumont Methodist 1,445
Beech Springs Intermediate 3,386
Ben Avon Methodist 1,994
Bethany Baptist 3,284
Bethany Wesleyan 4,245
Boiling Springs Elementary 7,524
Boiling Springs Intermediate 5,936
Broome High School 1,393
C.C. Woodson Recreation 2,374
Canaan 2,078
Cavins Hobbysville 1,496
Cedar Grove Baptist 2,380
Chapman Elementary 3,126
Chapman High School 5,423
Cleveland Elementary 4,464
Converse Fire Station
Tract 222.01
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 2004, 2006, 2008, 2009, 2010, 2013, 2014, 2015, 2034, 2045, 2065 1448
Converse Fire Station Subtotal 1,448
Cornerstone Baptist 2,294
Croft Baptist 2,110
Cross Anchor Fire Station 1,219
Cudd Memorial 2,556
D. R. Hill Middle School 4,636
Daniel Morgan Technology Center 1,608
Dayton Fire Station 2,893
Duncan United Methodist 2,665
E.P. Todd Elementary 3,928
Eastside Baptist 1,891
Ebenezer Baptist 1,522
Enoree First Baptist 2,322
Fairforest Elementary 4,920
Fairforest Middle School 5,043
Gable Middle School 4,093
Glendale Fire Station 2,157
Gramling Methodist 2,501
Greater St. James 4,474

Hayne Baptist 6,402
Hendrix Elementary 4,154
Holly Springs Baptist 5,562
Holy Communion 4,050
Hope 2,106
Jesse Bobo Elementary 3,037
Jesse Boyd Elementary 2,629
Landrum High School 3,992
Landrum United Methodist 4,488
Lyman Elementary 3,242
Lyman Town Hall 6,647
Morningside Baptist 2,639
Motlow Creek Baptist 1,649
Mt. Calvary Presbyterian 4,901
Mt. Moriah Baptist 2,596
Mt. Zion Gospel Baptist 1,353
Pacolet Elementary 3,545
Park Hills Elementary 2,594
Pauline Glenn Springs Elementary 1,635
Pelham Fire Station 3,298
Poplar Springs Fire Station 3,580
Powell Saxon Una 4,548
R.D. Anderson Vocational 2,213
Reidville Elementary 4,379
Reidville Fire Station 5,659
River Ridge Elementary 4,456
Roebuck Bethlehem 2,334
Roebuck Elementary 4,420
Southside Baptist 2,023
Spartanburg High School 3,122
St. John's Lutheran 1,687
Startex Fire Station 1,804
Travelers Rest Baptist 5,948
Trinity Methodist 3,200
Trinity Presbyterian 2,749
Victor Mill Methodist 4,138
Wellford Fire Station 4,862
West View Elementary 2,420
White Stone Methodist 1,323
Woodland Heights Recreation Center 3,347
Woodruff Elementary 4,799

Woodruff Fire Station 1,977
Woodruff Leisure Center 2,356
County Spartanburg SC Subtotal 270,196
DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216
County: Chester SC 32,294
County: Fairfield SC 20,948
County: Kershaw SC 65,403
County: Lancaster SC 96,016
County: Lee SC 16,531
County: Spartanburg SC
Boiling Springs 9th Grade 6,645
Boiling Springs High School 2,556
Boling Springs Jr. High 2,149
Cannons Elementary 1,766
Carlisle Fosters Grove 3,495
Carlisle Wesleyan 2,337
Cherokee Springs Fire Station 2,841
Chesnee Elementary 5,134
Converse Fire Station
Tract 222.01
Blocks: 1000, 1014, 2000, 2001, 2002, 2003, 2005, 2007, 2011, 2012, 2016, 2017, 2018, 2019, 2020, 2021, 2024, 2027, 2028, 2029, 2030, 2031, 2032, 2033 515
Converse Fire Station Subtotal 515
Cooley Springs Baptist 4,474
Cowpens Depot Museum 1,970
Cowpens Fire Station 2,821
Lake Bowen Baptist 6,603
Mayo Elementary 3,008
Oakland Elementary 3,205
Swofford Career Center 5,388
Whitlock Jr. High 2,894

County Spartanburg SC Subtotal 57,801
County: Sumter SC
BIRNIE
Tract 13
Blocks: 1023, 1024, 1032, 1033, 1037, 1038, 2062 146
Tract 15
Blocks: 1002, 1003, 1004, 1005, 1006, 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1043, 1060 225
Tract 16
Blocks: 1022, 1023, 1024, 1025, 1030, 1031, 1032, 1036, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 190
BIRNIE Subtotal 561
BUNRS-DOWNS 1,297
CAUSEWAY BRANCH 1 1,767
CAUSEWAY BRANCH 2 1,316
CHERRYVALE 1,290
DALZELL 1 2,498
DALZELL 2 2,040
DELAINE 2,106
EBENEZER 1 2,093
EBENEZER 2 2,515
FOLSOM PARK 2,980
FURMAN 2,392
GREEN SWAMP 4,461
GREEN SWAMP 2 1,441
HILLCREST 1,527
HORATIO 652
MANCHESTER FOREST 2,258
MCCRAYS MILL 1 2,366
MCCRAYS MILL 2 2,353
MILLWOOD 1,019
MULBERRY 1,731
OAKLAND PLANTATION 1 1,948
OAKLAND PLANTATION 2 1,610
OSWEGO 1,564

PALMETTO PARK	2,593
PINEWOOD	2,592
PRIVATEER	3,361
REMBERT	2,888
SAINT PAUL	3,117
SALTERSTOWN	1,262
SECOND MILL	2,195
SHAW	2,088
SPECTRUM	1,811
SUMTER HIGH 1	1,024
SUMTER HIGH 2	1,849
SUNSET	2,001
THOMAS SUMTER	1,588
WILSON HALL	2,507
County Sumter SC Subtotal	76,661
County: Union SC	27,244
County: York SC	282,090
DISTRICT 5 Total	731,204

Area	Population

DISTRICT 6

Area	Population
County: Allendale SC	8,039
County: Bamberg SC	13,311
County: Calhoun SC	14,119
County: Charleston SC	
Charleston 1	795
Charleston 10	1,336
Charleston 11	2,040
Charleston 12	4,169
Charleston 13	1,457
Charleston 14	1,748
Charleston 15	2,793
Charleston 16	1,384
Charleston 17	1,307
Charleston 18	1,735
Charleston 19	986
Charleston 2	976

Charleston 20 1,576
Charleston 21 1,168
Charleston 3 1,062
Charleston 4 1,145
Charleston 5 1,053
Charleston 6 1,736
Charleston 7 2,498
Charleston 8 1,697
Charleston 9 1,389
Deer Park 1A 2,730
Deer Park 1B 7,708
Deer Park 2A 5,042
Deer Park 2B 3,280
Deer Park 2C 1,540
Deer Park 3 4,771
Ladson 5,160
Licolnville 3,471
North Charleston 1 1,110
North Charleston 10 2,970
North Charleston 11 1,055
North Charleston 12 1,379
North Charleston 13 1,662
North Charleston 14 931
North Charleston 15 2,365
North Charleston 16 1,555
North Charleston 17 1,526
North Charleston 18 3,448
North Charleston 19 1,843
North Charleston 2 1,789
North Charleston 20 1,280
North Charleston 21 2,704
North Charleston 22 2,642
North Charleston 23 3,360
North Charleston 24 5,435
North Charleston 25 1,018
North Charleston 26 922
North Charleston 27 3,061
North Charleston 28 3,038
North Charleston 29 2,738
North Charleston 3 1,594
North Charleston 30 2,995

North Charleston 4 1,807
North Charleston 5 2,709
North Charleston 6 2,048
North Charleston 7 2,354
North Charleston 8 1,267
North Charleston 9 2,754
St. Andrews 1 885
St. Andrews 10 1,484
St. Andrews 11 1,127
St. Andrews 12 1,305
St. Andrews 13 1,603
St. Andrews 14 1,977
St. Andrews 15 2,036
St. Andrews 16 1,233
St. Andrews 17 2,290
St. Andrews 18 2,724
St. Andrews 19 424
St. Andrews 2 1,393
St. Andrews 20 3,922
St. Andrews 21 1,385
St. Andrews 22 1,516
St. Andrews 23 1,491
St. Andrews 24 2,004
St. Andrews 25 2,305
St. Andrews 26 1,848
St. Andrews 27 6,553
St. Andrews 28 4,758
St. Andrews 29 5,106
St. Andrews 3 1,571
St. Andrews 30 2,771
St. Andrews 31 1,800
St. Andrews 32 1,476
St. Andrews 33 1,037
St. Andrews 34 3,060
St. Andrews 35 2,078
St. Andrews 36 2,058
St. Andrews 37 6,444
St. Andrews 4 1,993
St. Andrews 5 1,669
St. Andrews 6 1,432
St. Andrews 7 2,117

St. Andrews 8 1,100
St. Andrews 9 1,743
St. Pauls 1 1,103
St. Pauls 2A 1,261
St. Pauls 2B 1,786
St. Pauls 3 2,385
St. Pauls 4 2,400
St. Pauls 5 1,821
St. Pauls 6 2,907
County Charleston SC Subtotal 228,492
County: Clarendon SC 31,144
County: Colleton SC
Ashton-Lodge 734
Bells 464
Berea-Smoaks 1,245
Canady's 763
Cottageville 2,438
Edisto 466
Hendersonville 1,353
Horse Pen 1,050
Hudson Mill 734
Jacksonboro 457
Maple Cane 1,477
Mashawville 948
Peeples 2,134
Peniel 1,754
Petits 365
Rice Patch 847
Ritter 924
Round O 1,562
Ruffin 370
Sidneys 901
Sniders 978
Stokes 980
Walterboro No. 1 1,918
Walterboro No. 2 1,996
Walterboro No. 3 1,960
Walterboro No. 4 2,161
Walterboro No. 5 2,136
Walterboro No. 6 2,119
Williams 404

Wolfe Creek 608
County Colleton SC Subtotal 36,246
County: Dorchester SC
Archdale 1,733
Archdale 2 2,115
Ashley River 3,361
Beech Hill 2
Tract 108.01
Blocks: 2013, 2014, 2015, 2016, 2027, 2028, 2029, 4018, 4019 18
Beech Hill 2 Subtotal 18
Cypress
Tract 105.01
Blocks: 1000, 1001, 1002, 1011 103
Cypress Subtotal 103
Delemars
Tract 108.01
Blocks: 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1095, 1096 675
Delemars Subtotal 675
Four Hole 1,452
Givhans
Tract 104
Blocks: 3010, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3032, 3033, 3035, 3036, 3037, 3038 139
Givhans Subtotal 139
Givhans 2
Tract 104
Blocks: 4006, 4030, 4031 114
Givhans 2 Subtotal 114
Grover 1,184
Harleyville 1,016

Indian Field 794
Indian Field 2 1,186
Lincoln
Tract 108.18
Blocks: 1032, 1033, 1034, 1035, 1036, 1037, 1045, 1046, 1047, 1048, 1049, 1050, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3020, 3021, 3022, 3023, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049 3362
Lincoln Subtotal 3,362
Patriot 3,087
Reevesville 1,344
Ridgeville 1,268
Ridgeville 2 2,001
Rosinville 1,717
Rosses 1,375
Saul Dam 793
St. George No. 1 1,711
St. George No. 2 1,053
Windsor
Tract 108.17
Blocks: 1013 0
Tract 108.18
Blocks: 2000, 2001, 2002, 2004, 2005, 2006, 2007, 2008, 2014, 2015, 4000, 4001 1352
Windsor Subtotal 1,352
Windsor 2 1,044
County Dorchester SC Subtotal 33,997
County: Florence SC
High Hill 784
Lake City No. 1 2,213
Lake City No. 2 1,668
Lake City No. 3 2,414
Lake City No. 4 2,767
Leo 477
Scranton
Tract 20

Blocks: 2012, 2018, 2019, 2020, 2021, 2022, 2029, 2030, 3004 286
Scranton Subtotal 286
County Florence SC Subtotal 10,609
County: Hampton SC 18,561
County: Jasper SC
COOSAWHATCHIE 599
GILLISONVILLE 816
GRAHAMVILLE 1 1,675
GRAHAMVILLE 2 4,213
GRAYS 943
HARDEEVILLE 1 2,211
HARDEEVILLE 2 1,668
HARDEEVILLE 3 941
LEVY 3,059
OAKATIE 1,178
PINELAND 966
RIDGELAND 1 1,593
RIDGELAND 2 1,993
RIDGELAND 3 1,348
TILLMAN 1,007
County Jasper SC Subtotal 24,210
County: Orangeburg SC
Bethel 895
Bowman 1 1,720
Bowman 2 1,038
Branchville 1 1,425
Branchville 2 680
Brookdale 1,673
Elloree 1 1,310
Elloree 2 950
Eutawville 1 1,861
Eutawville 2 2,519
Four Holes 753
Holly Hill 1 2,662
Holly Hill 2 2,468
Jamison 2,405
Nix 1,579
Orangeburg Ward 1 1,035
Orangeburg Ward 10 1,018
Orangeburg Ward 2 988

Orangeburg Ward 3 2,075
Orangeburg Ward 4 2,768
Orangeburg Ward 5 1,022
Orangeburg Ward 6 1,095
Orangeburg Ward 7 958
Orangeburg Ward 8 1,022
Orangeburg Ward 9 805
Providence 1,372
Rowesville 758
Santee 1 1,844
Santee 2 1,507
Suburban 1 1,296
Suburban 2 748
Suburban 3 2,035
Suburban 4 769
Suburban 5 1,805
Suburban 6 1,308
Suburban 7 2,517
Suburban 8 1,169
Suburban 9 2,460
Vance 1,904
Whittaker 1,613
County Orangeburg SC Subtotal 59,829
County: Richland SC
Ardincaple 944
Beatty Road 2,018
Bluff 3,208
Caughman Road 2,657
College Place 2,288
Dennyside 1,696
Dentsville 3,133
Eastover 1,502
Edgewood 2,771
Fairlawn 4,466
Fairwold 1,046
Gadsden 1,606
Garners 1,378
Greenview 2,022
Hampton
Tract 26.02
Blocks: 2035, 2036, 2037, 2038, 2040 158

Tract 26.05
Blocks: 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1019, 2040, 2041, 2042, 2043, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3041, 3042, 3043, 3044 1216
Hampton Subtotal 1,374
Hopkins 1 1,825
Hopkins 2 2,151
Horrell Hill 3,759
Hunting Creek 693
Keels 1 3,359
Keels 2 2,846
Keenan 2,553
Killian 4,335
Kingswood 4,179
Lincolnshire 2,980
Longleaf 2,991
Lykesland 2,531
McEntire 1,070
Meadowlake 3,678
Mill Creek 2,127
North Springs 3
Tract 114.19
Blocks: 1014, 1015 424
North Springs 3 Subtotal 424
Oakwood 1,335
Olympia 6,111
Pine Grove 2,726
Pine Lakes 1 1,810
Pine Lakes 2 2,522
Pinewood 3,022
Ridgewood 987
Riverside 2,275
Sandlapper 4,584
Skyland 1,964
Spring Valley West 4,099
St. Andrews 2,109
Trinity 2,530

Valley State Park 5,427
Walden 6,558
Ward 1 6,183
Ward 10 1,991
Ward 11 2,190
Ward 12 2,039
Ward 13 2,788
Ward 14 2,026
Ward 15 1,271
Ward 18 2,026
Ward 19 2,163
Ward 2 2,394
Ward 20 2,383
Ward 21 2,570
Ward 22 2,175
Ward 23 1,308
Ward 29 2,030
Ward 3 2,011
Ward 30 2,342
Ward 31 1,728
Ward 32 1,205
Ward 33 1,388
Ward 34 1,476
Ward 4 1,969
Ward 5 8,651
Ward 6 1,834
Ward 7 1,809
Ward 8 1,591
Ward 9 1,379
Webber 1,598
Westminster 3,214
Whitewell 3,325
County Richland SC Subtotal 192,726
County: Sumter SC
BATES 746
BIRNIE
Tract 13
Blocks: 1014, 1015, 1016, 1018, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1039, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2040, 2041, 2042, 2043, 2044, 2045, 2046,

2047, 2048, 2049, 2050, 2058, 2059, 2060, 2061 676
Tract 15
Blocks: 1001 0
BIRNIE Subtotal 676
CROSSWELL 2,173
HAMPTON PARK 1,061
LEMIRA 1,967
LORING 1,774
MAGNOLIA-HARMONY 1,213
MAYESVILLE 614
MAYEWOOD 1,723
MORRIS COLLEGE 1,750
POCOTALIGO 1 2,970
POCOTALIGO 2 2,335
SAINT JOHN 1,513
SALEM 480
SAVAGE-GLOVER 708
SOUTH LIBERTY 810
SOUTH RED BAY 1,084
STONE HILL 814
SWAN LAKE 1,576
TURKEY CREEK 1,686
WILDER 1,222
County Sumter SC Subtotal 28,895
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,204

Area Population

DISTRICT 7

Area Population

County: Chesterfield SC 43,273
County: Darlington SC 62,905
County: Dillon SC 28,292
County: Florence SC
Back Swamp 1,101
Brookgreen 1,150
Cartersville 1,142

Claussen 2,856
Coles Crossroads 3,889
Cowards No. 1 1,447
Cowards No. 2 1,730
Delmae No. 1 4,361
Delmae No. 2 2,328
Ebenezer No. 1 4,992
Ebenezer No. 2 3,944
Ebenezer No. 3 1,995
Effingham 1,595
Elim-Glenwood 2,575
Evergreen 1,484
Florence Ward 1 1,595
Florence Ward 10 1,078
Florence Ward 11 1,428
Florence Ward 12 3,662
Florence Ward 14 3,103
Florence Ward 15 964
Florence Ward 2 1,930
Florence Ward 3 1,954
Florence Ward 4 1,125
Florence Ward 5 1,864
Florence Ward 6 1,161
Florence Ward 7 2,826
Florence Ward 8 2,411
Florence Ward 9 2,034
Friendfield 766
Gilbert 3,555
Greenwood 3,368
Hannah 1,007
Johnsonville 3,452
Kingsburg-Stone 1,359
Mars Bluff No. 1 5,161
Mars Bluff No. 2 2,265
McAllister Mill 1,246
Mill Branch 858
Oak Grove-Sardis 1,602
Olanta 1,944
Pamplico No. 1 1,558
Pamplico No. 2 963
Prospect 664

Quinby 1,316
Salem 925
Savannah Grove 6,121
Scranton
Tract 20
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1054, 1055, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2016, 2017, 2023, 2024, 2025, 2026, 2027, 2028 915
Tract 23
Blocks: 1061, 1062, 1068, 3010, 3011, 3017 116
Scranton Subtotal 1,031
South Florence 1 4,235
South Florence 2 3,023
Spaulding 1,474
Tans Bay 2,613
Timmonsville 1 2,145
Timmonsville 2 2,017
Vox 954
West Florence 1 4,948
West Florence 2 2,156
County Florence SC Subtotal 126,450
County: Georgetown SC 63,404
County: Horry SC 351,029
County: Marion SC 29,183
County: Marlboro SC 26,667
DISTRICT 7 Total 731,203
“

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to

apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.
Amend title to conform.

Senator RANKIN explained the amendments.
Senator MASSEY spoke on the amendment.
Senator TALLEY spoke on the amendment.
Senator CAMPSEN spoke on the amendment.
Senator MALLOY spoke on the amendment.
Senator KIMPSON spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 26; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Rankin	Rice
Shealy	Talley	Turner
Verdin	Young	

Total--26

NAYS

Allen	Fanning	Harpootlian
Hutto	*Johnson, Kevin*	Kimpson
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

The amendment was adopted.

AMENDMENT RFH-2

Senator HARPOOTLIAN proposed the following amendment (AHB\865C005.BH.AHB22), which was tabled:

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

/PART I
Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Beaufort SC	187,117
County: Berkeley SC	
Bushy Park	42
Cainhoy	
Tract 204.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1014, 1015, 1016, 1022, 1023	18
Tract 204.05	
Blocks: 1038, 1039, 1041, 1042, 1043, 1044, 1054, 2016, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2033, 2034, 2035, 2036, 2037, 2043, 2044, 2051, 2052, 2053, 2054, 2055, 2056, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2077, 2078, 2079, 2081, 2082, 2083, 2084, 2085, 2086, 2087	961
Cainhoy Subtotal	979
Daniel Island 1	2,858
Daniel Island 2	2,513
Daniel Island 3	2,658
Daniel Island 4	4,103
Foster Creek 1	1,863
Foster Creek 2	2,960
Foster Creek 3	2,732
Hanahan 1	3,439
Hanahan 2	2,527
Hanahan 3	2,578
Hanahan 4	2,486
Hanahan 5	2,829
Harbour Lake	3,979
Howe Hall 1	4,146
Howe Hall 2	1,993
Liberty Hall	3,754
Pine Grove	0
Pomflant	6
Sedgefield 1	3,030

Sedgefield 2 5,590
Sedgefield 3 957
St. James 3,114
The Village 3,549
Yellow House 3,772
County Berkeley SC Subtotal 68,457
County: Charleston SC 408,235
County: Colleton SC 38,604
County: Jasper SC 28,791
DISTRICT 1 Total 731,204

Area Population

DISTRICT 2

Area Population

County: Abbeville SC 24,295
County: Aiken SC 168,808
County: Edgefield SC 25,657
County: Greenwood SC 69,351
County: Laurens SC
BAILEY
Tract 9203.02
Blocks: 1000, 1001, 1002, 1018, 1019, 1020, 2000, 2001, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2034, 2035, 2036, 2047, 2048, 2060, 3000, 3001, 3006, 3026, 3028, 3029, 3030, 3038, 3040, 3041, 3044, 3046, 3047, 4002, 4005 1501
Tract 9207
Blocks: 3005, 3006, 3007, 3009, 3010, 3022, 3023, 3039, 3040, 3063 190
BAILEY Subtotal 1,691
BREWERTON - PRINCETON 1,123
CLINTON 1 2,550
CLINTON 2 2,759
CLINTON 3 2,348

CLINTON MILL
Tract 9206
Blocks: 3004, 3005, 3066, 3067, 3079, 3080, 3081, 3082, 3087, 3088, 3089, 3090, 3124 190
Tract 9207
Blocks: 1000, 1002, 1005, 1009, 1010, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1028, 1029, 1030, 2007, 2015, 2016, 2025, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050 1691
CLINTON MILL Subtotal 1,881
CROSS HILL 2,286
EKOM 919
JOANNA 3,039
LAURENS 1 1,037
LAURENS 2 964
LAURENS 3 2,155
LAURENS 4 1,308
LAURENS 5 2,349
LAURENS 6
Tract 9203.01
Blocks: 1007, 1010, 1011, 1012, 1017, 1018, 1019, 1020, 1022, 1023, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 2000, 2001, 2003 588
Tract 9204
Blocks: 1002, 1003, 1004, 1005, 1009, 1011, 1012, 1013, 1014, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1034, 1038, 2014, 2033, 2034, 5009, 5010, 5011 914
Tract 9205.04
Blocks: 3046 33
LAURENS 6 Subtotal 1,535
LYDIA MILL 2,086

MADDENS 1,899
MARTINS-POPLAR SPRINGS 1,078
MOUNT OLIVE 1,830
MOUNTVILLE 970
WATERLOO 2,259
County Laurens SC Subtotal 38,066
County: Lexington SC 293,991
County: McCormick SC 9,526
County: Newberry SC 37,719
County: Richland SC
Ballentine 1 2,309
Ballentine 2 2,585
Dutch Fork 1
Tract 103.13
Blocks: 1003, 2019, 2020 183
Dutch Fork 1 Subtotal 183
Dutch Fork 3
Tract 103.12
Blocks: 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2015, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037 3549
Dutch Fork 3 Subtotal 3,549
Spring Hill 3,572
Springville 1 2,866
Springville 2 2,620
County Richland SC Subtotal 17,684
County: Saluda SC 18,862
County: Union SC 27,244
DISTRICT 2 Total 731,203

Area Population

DISTRICT 3

Area Population

County: Anderson SC 203,718
County: Greenville SC
ASHETON LAKES 4,068

BAKER CREEK 2,435
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BRIDGE FORK 2,014
CAROLINA 2,657
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CONESTEE 3,467
DONALDSON 2,250
DUNKLIN 3,829
FEASTER 2,321
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4
Tract 9
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1014, 1018, 1019, 1020, 1021, 1022, 1023, 1028, 1029, 1030, 1031, 1032, 1033, 1035 712
Tract 10

Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1018 784
Tract 11.02
Blocks: 2002, 2003, 2004, 2005, 2010, 2011, 2012, 2013, 2014, 2017, 2018, 2019 588
Tract 23.03
Blocks: 1040, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1054, 1055 61
Tract 23.04
Blocks: 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1022, 1023, 1024, 1025, 1026, 1027 747
GREENVILLE 4 Subtotal 2,892
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HILLCREST 3,560
HOLLY TREE 1,813
KILGORE FARMS 4,034
LONG CREEK 2,484
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MOORE CREEK 5,570
MT. PLEASANT 4,058
NEELY FARMS 4,822
OAKVIEW 3,861
PELHAM FALLS 1,570
PIEDMONT 5,218
PINEVIEW 1,985
RAINTREE 5,224
RANCH CREEK 4,300
REEDY FORK 4,524
RIVERWALK 3,213

ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
SOUTHSIDE 3,356
SPARROWS POINT 3,721
STANDING SPRINGS 2,507
STONEHAVEN 2,677
SYCAMORE 4,357
TANGLEWOOD 4,775
VERDMONT 3,123
WALNUT SPRINGS 8,550
WARE PLACE 3,160
WELCOME 4,589
WOODMONT 4,225
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 288,002
County: Laurens SC
BAILEY
Tract 9203.02
Blocks: 2011 12
BAILEY Subtotal 12
BARKSDALE-NARINE 1,644
CLINTON MILL
Tract 9207
Blocks: 1001, 1003, 1004, 1006, 1008, 1011, 1012, 1013, 1026, 1027 430
CLINTON MILL Subtotal 430
COOKS 4,556
GRAY COURT 2,098
GREENPOND 2,496
HICKORY TAVERN 3,523
JONES 2,938
LAURENS 6
Tract 9203.01
Blocks: 1006 0

Tract 9205.04
Blocks: 3002, 3006, 3007, 3008, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3020, 3025, 3027, 3028, 3030 313
LAURENS 6 Subtotal 313
LONG BRANCH 1,850
ORA-LANFORD 1,492
OWINGS 1,293
TRINITY RIDGE 1,922
WATTSVILLE 2,870
YOUNGS 2,036
County Laurens SC Subtotal 29,473
County: Oconee SC 78,607
County: Pickens SC 131,404
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Cherokee SC 56,216
County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
AVON 2,641
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BROOKGLENN 1,788
CANEBRAKE 3,597
CASTLE ROCK 4,104
CLEAR CREEK 2,355
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DOVE TREE 2,632
EASTSIDE 3,795
EBENEZER 3,543
EDWARDS FOREST 3,234

ENOREE 4,688
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GREENVILLE 25 3,400
GREENVILLE 4
Tract 9
Blocks: 1009 14
Tract 23.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1034, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 1141
Tract 23.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1021, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037 418
GREENVILLE 4 Subtotal 1,573
JENNINGS MILL 2,193
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
MAPLE CREEK 4,336
MARIDELL 2,888
MISSION 3,421
MONAVIEW 5,928
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
NORTHWOOD 2,740
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
POINSETT 4,944

RIVERSIDE 4,074
ROCK HILL 3,984
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SKYLAND 4,056
SLATER MARIETTA 5,430
SPRING FOREST 3,337
STONE VALLEY 3,525
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
WADE HAMPTON 4,440
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
County Greenville SC Subtotal 237,532
County: Spartanburg SC 327,997
County: York SC
Adnah 1,222
Airport 2,449
Allison Creek 1,579
Bethany 3,160
Bethel 2,376
Bethel School 5,156
Bowling Green 2,396
Bullocks Creek 646
Cannon Mill 2,748
Clover 2,855
Cotton Belt 2,889
Delphia 3,211

Ebenezer 1,556
Ebinport
Tract 607
Blocks: 4025 9
Ebinport Subtotal 9
Filbert 2,805
Hampton Mill 2,488
Hands Mill 2,279
Harvest 1,663
Hickory Grove 1,686
Hollis Lakes 2,992
Lakeshore 3,565
Lakewood 2,313
Larne 2,496
McConnells 2,445
Mill Creek 1,673
Mt. Gallant 2,156
New Home 3,390
Newport 2,916
Northwestern 2,915
Oakridge
Tract 614.03
Blocks: 1024, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 2001, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037 3442
Oakridge Subtotal 3,442
Old Pointe 2,293
Pole Branch 3,242
River Hills 2,305
River's Edge 3,602
Rock Creek 2,154
Roosevelt 2,250
Sharon 2,164
Smyrna 1,134

Tirzah 3,120
Tools Fork 2,355
Wylie 2,600
York No. 1 3,685
York No. 2 5,078
County York SC Subtotal 109,458
DISTRICT 4 Total 731,203

Area Population

DISTRICT 5

Area Population

County: Chester SC 32,294
County: Chesterfield SC 43,273
County: Darlington SC 62,905
County: Dillon SC 28,292
County: Fairfield SC 20,948
County: Florence SC 137,059
County: Kershaw SC 65,403
County: Lancaster SC 96,016
County: Lee SC 16,531
County: Marion SC 29,183
County: Marlboro SC 26,667
County: York SC
Anderson Road 2,695
Baxter 1,798
Carolina 2,475
Catawba 4,313
Celanese 5,409
Crescent 2,704
Dobys Bridge 3,983
Ebinport
Tract 607
Blocks: 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4021, 4022, 4023, 4024,

4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034 2745
Tract 608.03
Blocks: 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 4001, 4005 1398
Tract 609.09
Blocks: 3000, 3001, 3002, 3005, 3023 27
Tract 609.11
Blocks: 2016 0
Tract 609.13
Blocks: 4025 0
Ebinport Subtotal 4,170
Edgewood 4,234
Fairgrounds 5,042
Ferry Branch 1,954
Fewell Park 1,759
Fort Mill No. 1 4,390
Fort Mill No. 2 7,581
Fort Mill No. 3 2,938
Fort Mill No. 4 2,336
Fort Mill No. 5 4,050
Fort Mill No. 6 2,139
Friendship 1,326
Gold Hill 4,779
Highland Park 2,150
Hopewell 2,054
Independence 1,401
India Hook 2,347
Kanawha 3,691
Laurel Creek 1,806
Lesslie 2,181
Manchester 2,077
Mt. Holly 4,180
Nation Ford 4,332
Neelys Creek 1,612
Northside 2,637
Oakridge
Tract 614.03
Blocks: 2000, 2002 39
Tract 614.04

Blocks: 2015, 2016, 2017, 2018, 2027, 2028, 2029, 2031, 2032, 2037, 2040, 2041, 2042 438
Oakridge Subtotal 477
Oakwood 3,126
Ogden 3,208
Orchard Park 2,997
Palmetto 2,952
Pleasant Road 4,953
Riverview 2,460
Rock Hill No. 2 2,444
Rock Hill No. 3 2,890
Rock Hill No. 4 3,576
Rock Hill No. 5 2,352
Rock Hill No. 6 2,394
Rock Hill No. 7 4,236
Rock Hill No. 8 1,601
Rosewood 5,363
Shoreline 3,018
Six Mile 1,774
Springdale 2,231
Springfield 3,272
Stateline 3,674
Steele Creek 3,684
Tega Cay 1,629
University 1,895
Waterstone 3,275
Windjammer 2,608
County York SC Subtotal 172,632
DISTRICT 5 Total 731,203

Area Population

DISTRICT 6

Area Population

County: Allendale SC 8,039
County: Bamberg SC 13,311
County: Barnwell SC 20,589
County: Calhoun SC 14,119
County: Clarendon SC 31,144

County: Georgetown SC
ANDREWS 2,446
ANDREWS OUTSIDE 1,623
BETHEL
Tract 9202.02
Blocks: 1019, 1020, 1035, 2005, 2006, 2008, 2037, 2038 101
Tract 9202.03
Blocks: 1010, 1011, 1072, 1078, 1081, 1082, 1083, 1089, 1090, 1091 8
BETHEL Subtotal 109
PLEASANT HILL 1,153
POTATO BED FERRY 842
County Georgetown SC Subtotal 6,173
County: Hampton SC 18,561
County: Orangeburg SC 84,223
County: Richland SC
Arcadia 2,200
Ardincaple 944
Beatty Road 2,018
Bluff 3,208
Blythewood 1 2,980
Blythewood 2 3,379
Blythewood 3 3,818
Bookman 4,721
Brandon 1 3,590
Brandon 2 3,750
Briarwood 4,389
Bridge Creek 3,169
Caughman Road 2,657
College Place 2,288
Cooper 1,436
Dennyside 1,696
Dentsville 3,133
Dutch Fork 1
Tract 103.12
Blocks: 1016 0
Tract 103.13
Blocks: 1000, 1001, 1002, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 2013, 2014, 2018 1500

Dutch Fork 1 Subtotal 1,500
Dutch Fork 2 1,931
Dutch Fork 3
Tract 103.12
Blocks: 2005 47
Dutch Fork 3 Subtotal 47
Dutch Fork 4 2,474
East Forest Acres 1,545
Eastover 1,502
Edgewood 2,771
Estates 3,005
Fairlawn 4,466
Fairwold 1,046
Friarsgate 1 2,515
Friarsgate 2 2,064
Gadsden 1,606
Garners 1,378
Greenview 2,022
Gregg Park 3,319
Hampton 2,831
Harbison 1 3,481
Harbison 2 1,865
Hopkins 1 1,825
Hopkins 2 2,151
Horrell Hill 3,759
Hunting Creek 693
Keels 1 3,359
Keels 2 2,846
Keenan 2,553
Kelly Mill 3,420
Killian 4,335
Kingswood 4,179
Lake Carolina 4,965
Lincolnshire 2,980
Longcreek 6,737
Longleaf 2,991
Lykesland 2,531
Mallet Hill 4,292
McEntire 1,070
Meadowfield 2,326
Meadowlake 3,678

Midway 4,819
Mill Creek 2,127
Monticello 2,478
North Forest Acres 1,968
North Springs 1 1,758
North Springs 2 4,509
North Springs 3 2,863
Oak Pointe 1 1,871
Oak Pointe 2 1,120
Oak Pointe 3 1,532
Oakwood 1,335
Old Friarsgate 2,035
Olympia 6,111
Parkridge 1 1,534
Parkridge 2 1,784
Parkway 1 3,460
Parkway 2 3,503
Parkway 3 2,592
Pennington 1 1,292
Pennington 2 2,115
Pine Grove 2,726
Pine Lakes 1 1,810
Pine Lakes 2 2,522
Pinewood 3,022
Polo Road 5,320
Pontiac 1 4,592
Pontiac 2 3,436
Rice Creek 1 2,404
Rice Creek 2 4,189
Ridge View 1 3,895
Ridge View 2 4,697
Ridgewood 987
Riverside 2,275
Riversprings 1 1,567
Riversprings 2 1,883
Riversprings 3 1,954
Riverwalk 3,706
Round Top 951
Sandlapper 4,584
Satchelford 2,010
Skyland 1,964

South Beltline	2,584
South Forest Acres	1,995
Spring Valley	3,870
Spring Valley West	4,099
St. Andrews	2,109
Trenholm Road	1,467
Trinity	2,530
Valhalla	3,719
Valley State Park	5,427
Walden	6,558
Ward 1	6,183
Ward 10	1,991
Ward 11	2,190
Ward 12	2,039
Ward 13	2,788
Ward 14	2,026
Ward 15	1,271
Ward 16	1,642
Ward 17	2,113
Ward 18	2,026
Ward 19	2,163
Ward 2	2,394
Ward 20	2,383
Ward 21	2,570
Ward 22	2,175
Ward 23	1,308
Ward 24	1,365
Ward 25	2,579
Ward 26	10,666
Ward 29	2,030
Ward 3	2,011
Ward 30	2,342
Ward 31	1,728
Ward 32	1,205
Ward 33	1,388
Ward 34	1,476
Ward 4	1,969
Ward 5	8,651
Ward 6	1,834
Ward 7	1,809
Ward 8	1,591

Ward 9 1,379
Webber 1,598
Westminster 3,214
Whitewell 3,325
Wildewood 3,982
Woodfield 5,058
Woodlands 2,909
County Richland SC Subtotal 398,463
County: Sumter SC 105,556
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,204

Area Population

DISTRICT 7

Area Population

County: Berkeley SC
Alvin 1,230
Bethera 350
Beverly Hills 2,179
Bonneau 1,892
Bonneau Beach 2,100
Boulder Bluff 3,803
Cainhoy
Tract 204.05
Blocks: 1018, 1019, 1020, 1022, 1030, 1031, 1032, 1033, 1035, 1036, 1037, 2017, 2045, 2046, 2048, 2049, 2057, 2058, 2075 543
Cainhoy Subtotal 543
Cane Bay 5,038
Cane Bay East 1,877
Cane Bay North 2,008
Cane Bay South 3,131
Carnes Cross Road 2 1,460
Carnes Cross Roads 1 2,474
Central 3,890
Cobblestone 3,345
Cordesville 1,777
Cross 1,630

Cypress 3,422
Devon Forest 1 3,611
Devon Forest 2 2,516
Discovery 3,657
Eadytown 869
Fifty-two 2,566
Fox Bank 3,894
Hilton Cross Rd 2,729
Horseshoe 2,005
Huger 1,972
Jamestown 716
Lebanon 1,161
Live Oak 2,502
Macedonia 2,245
Macedonia 2 306
McBeth 1,324
Medway 4,026
Moncks Corner 1 3,070
Moncks Corner 2 2,658
Moncks Corner 3 3,461
Moncks Corner 4 2,159
Moultrie 1,770
Nexton 2,619
North Creek 1,017
Old 52 2,162
Pimlico 1,586
Pinopolis 2,417
Royle 1,991
Russellville 1,755
Sangaree 1 2,055
Sangaree 2 2,316
Sangaree 3 2,109
Seventy Eight 2,595
Shulerville 488
St. Stephen 1 2,059
St. Stephen 2 2,178
Stone Lake 1,899
Stratford 1 4,310
Stratford 2 2,110
Stratford 3 3,338
Stratford 4 3,016

Stratford 5 2,648
Tramway 2,172
Wassamassaw 1 1,636
Wassamassaw 2 3,703
Weatherstone 3,499
Westview 1 1,824
Westview 2 2,417
Westview 3 2,624
Westview 4 2,092
Whitesville 1 3,433
Whitesville 2 1,511
Wildcat Trail 459
County Berkeley SC Subtotal 161,404
County: Dorchester SC 161,540
County: Georgetown SC
BETHEL
Tract 9202.02
Blocks: 1040, 1041, 1042, 2039, 2040 233
Tract 9202.03
Blocks: 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1038, 1039, 1040, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1061, 1062, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1092, 1093, 1095, 1096, 1097, 1098, 1099, 1100, 1102, 1106, 1107 1254
Tract 9203.01
Blocks: 2020, 2021, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2056, 2057, 2058, 2059, 2060 79
BETHEL Subtotal 1,566
BLACK RIVER 2,338
BROWN'S FERRY 2,135
CARVER'S BAY 356
CHOPPEE 1,396
DREAM KEEPERS 1,275
FOLLY GROVE 1,148
GEORGETOWN NO. 1 1,032
GEORGETOWN NO. 3 2,283
GEORGETOWN NO. 4 658

GEORGETOWN NO. 5 2,691
KENSINGTON 1,604
LAMBERT TOWN 743
MURRELL'S INLET NO. 1 3,991
MURRELL'S INLET NO. 2 3,000
MURRELL'S INLET NO. 3 1,233
MURRELL'S INLET NO. 4 1,927
MYERSVILLE 531
PAWLEY'S ISLAND NO. 1 3,539
PAWLEY'S ISLAND NO. 2 4,544
PAWLEY'S ISLAND NO. 3 2,809
PAWLEY'S ISLAND NO. 4 3,231
PAWLEY'S ISLAND NO. 5 3,367
PEE DEE 896
PENNY ROYAL 962
PLANTERSVILLE 874
SAMPIT 1,257
SANTEE 1,671
SPRING GULLY 2,875
WINYAH BAY 1,299
County Georgetown SC Subtotal 57,231
County: Horry SC 351,029
DISTRICT 7 Total 731,204
"

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district

to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HARPOOTLIAN explained the amendment.
Senator MASSEY spoke on the amendment.

The question then was the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 26; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Rice	Shealy

Talley	Turner	Verdin
Williams	Young	

Total--26

NAYS

Allen	Fanning	Harpootlian
Hutto	*Johnson, Kevin*	Kimpson
Matthews	McElveen	McLeod
Sabb	Scott	Setzler
Stephens		

Total--13

The amendment was laid on the table.

AMENDMENT RFH-3

Senator HARPOOTLIAN proposed the following amendment (AHB\865C004.BH.AHB22), which was tabled:

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

/PART I

Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area Population

County: Berkeley SC
Beverly Hills
Tract 208.06
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022,

2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 1192
Tract 208.07
Blocks: 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 3038, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4031, 4032, 4033, 4034, 4035, 4036 954
Beverly Hills Subtotal 2,146
Boulder Bluff 3,803
Cainhoy
Tract 204.04
Blocks: 1000, 1001, 1002, 1003, 1014, 1015, 1016, 1022, 1023 18
Tract 204.05
Blocks: 1038, 1039, 1041, 1044, 1054, 2066, 2072, 2073, 2074, 2078, 2079, 2081, 2082, 2083, 2084, 2085, 2086, 2087 95
Cainhoy Subtotal 113
Carnes Cross Road 2 1,460
Central
Tract 207.07
Blocks: 3010, 3011, 3012, 3013, 3014, 3015 306
Central Subtotal 306
Daniel Island 1 2,858
Daniel Island 2 2,513
Daniel Island 3 2,658
Daniel Island 4 4,103
Discovery 3,657
Foster Creek 1 1,863
Foster Creek 2 2,960
Foster Creek 3 2,732
Hanahan 1 3,439
Hanahan 2 2,527
Hanahan 3 2,578
Hanahan 4 2,486
Hanahan 5 2,829
Harbour Lake 3,979
Hilton Cross Rd 2,729
Howe Hall 1 4,146
Howe Hall 2 1,993
Lebanon 1,161

Liberty Hall 3,754
Nexton 2,619
North Creek 1,017
Pine Grove 0
Pomflant 6
Royle 1,991
Sangaree 1 2,055
Sangaree 2 2,316
Sangaree 3 2,109
Sedgefield 1 3,030
Sedgefield 2 5,590
Sedgefield 3 957
Seventy Eight 2,595
St. James 3,114
Stratford 1 4,310
Stratford 3 3,338
Stratford 4 3,016
Stratford 5 2,648
The Village 3,549
Tramway 2,172
Wassamassaw 2 3,703
Weatherstone 3,499
Westview 3 2,624
Yellow House 3,772
County Berkeley SC Subtotal 122,823
County: Charleston SC 408,235
County: Colleton SC 38,604
County: Dorchester SC 161,540
DISTRICT 1 Total 731,202

Area Population

DISTRICT 2

Area Population

County: Aiken SC 168,808
County: Allendale SC 8,039
County: Barnwell SC
Barnwell No. 1
Tract 9701.02

Blocks: 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100 235
Tract 9703
Blocks: 4012, 4013, 4014, 4015, 4016, 4017, 4019, 4021, 4053, 4063 185
Barnwell No. 1 Subtotal 420
Barnwell No. 2
Tract 9703
Blocks: 4006, 4009, 4010 99
Barnwell No. 2 Subtotal 99
Barnwell No. 4
Tract 9703
Blocks: 1044, 2015, 2016 19
Tract 9705
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016 576
Barnwell No. 4 Subtotal 595
Friendship 987
Hilda 1,298
Kline 792
Snelling 1,665
SRS 5
County Barnwell SC Subtotal 5,861
County: Beaufort SC 187,117
County: Edgefield SC
Edgefield No. 1 1,211
Edgefield No. 2 4,157
Harmony 1,323
Johnston No. 1
Tract 9703
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3057, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4027, 4028, 4034, 4035, 4036, 4037, 4038, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069 389
Johnston No. 1 Subtotal 389
Merriweather No. 1 3,369
Merriweather No. 2 4,776

Trenton No. 1 2,025
Trenton No. 2 2,789
County Edgefield SC Subtotal 20,039
County: Hampton SC 18,561
County: Jasper SC 28,791
County: Lexington SC 293,991
DISTRICT 2 Total 731,207

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Anderson SC 203,718
County: Edgefield SC
Brunson 711
Johnston No. 1
Tract 9703
Blocks: 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3058, 3059, 3061, 3062, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4029, 4030, 4031, 4032, 4033, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058 1426
Johnston No. 1 Subtotal 1,426
Johnston No. 2 1,603
North Side 547
Westside 1,331
County Edgefield SC Subtotal 5,618
County: Greenville SC
BAKER CREEK 2,435

DUNKLIN 3,829
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
JENNINGS MILL 2,193
LONG CREEK 2,484
MARIDELL 2,888
MOORE CREEK 5,570
NEELY FARMS 4,822
PIEDMONT 5,218
PINEVIEW 1,985
RAINTREE 5,224
REEDY FORK 4,524
SIMPSONVILLE 2 3,107
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5
Tract 30.05
Blocks: 1043, 1044, 1045, 1048, 1049, 1050, 1051, 1052, 1053, 1054 124
Tract 30.11
Blocks: 1054, 1062, 1063 246
Tract 31.01
Blocks: 1000, 1001, 1002, 1003, 1008, 1009, 1013, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025 687
SIMPSONVILLE 5 Subtotal 1,057
SIMPSONVILLE 6 3,936
SLATER MARIETTA 5,430
SYCAMORE
Tract 30.09
Blocks: 4012, 4013, 4018, 4019, 4020, 4021, 4022, 4023, 4040, 4041, 4042, 4043, 4051 871
Tract 30.11
Blocks: 1001, 1004, 1006, 1008 350
SYCAMORE Subtotal 1,221
TUBBS MOUNTAIN 3,582
VERDMONT 3,123
WALNUT SPRINGS
Tract 30.09
Blocks: 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 4024,

4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4044, 4046, 4047, 4049 480
WALNUT SPRINGS Subtotal 480
WARE PLACE 3,160
WOODMONT 4,225
County Greenville SC Subtotal 84,565
County: Greenwood SC 69,351
County: Laurens SC 67,539
County: McCormick SC 9,526
County: Newberry SC 37,719
County: Oconee SC 78,607
County: Pickens SC 131,404
County: Saluda SC 18,862
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355

CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
EASTSIDE 3,795
EBENEZER 3,543
EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567

GROVE 3,512
HILLCREST 3,560
HOLLY TREE 1,813
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
MAPLE CREEK 4,336
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
POINSETT 4,944
RANCH CREEK 4,300
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067

SIMPSONVILLE 3 3,685
SIMPSONVILLE 5
Tract 30.05
Blocks: 1039, 1040, 1042, 1046 0
Tract 30.11
Blocks: 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1055, 1056, 1058, 1059, 1060, 1061, 1064, 1065, 1068 2234
Tract 31.01
Blocks: 1004, 1005, 1006, 1007, 1045 492
SIMPSONVILLE 5 Subtotal 2,726
SKYLAND 4,056
SOUTHSIDE 3,356
SPARROWS POINT 3,721
SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE
Tract 30.09
Blocks: 3013, 3014, 3015, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4014, 4015, 4016, 4017 1576
Tract 30.10
Blocks: 1037, 1038, 1039, 1040, 1041, 1042, 1043 1098
Tract 30.11
Blocks: 1000, 1002, 1003, 1005, 1007, 1009, 1010, 1011, 1012, 1013, 1014, 1049, 1050, 1057, 1066, 1067 462
SYCAMORE Subtotal 3,136
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784

TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TYGER RIVER 2,462
WADE HAMPTON 4,440
WALNUT SPRINGS
Tract 28.21
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 2462
Tract 28.22
Blocks: 1014, 1015, 1016, 1017, 1018 921
Tract 30.09
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1013, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 4038, 4039, 4045, 4048, 4050, 4052, 4053 4687
WALNUT SPRINGS Subtotal 8,070
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 440,969
County: Spartanburg SC
Abner Creek Baptist 3,407
Anderson Mill Baptist 2,445
Anderson Mill Elementary 3,612
Apalache Baptist 4,795
Arcadia Elementary 3,246
Beaumont Methodist 1,445
Beech Springs Intermediate 3,386
Ben Avon Methodist
Tract 213.02
Blocks: 1007, 1011, 1012, 1013, 1014, 1015, 1019, 1020, 1025, 1026, 1027, 1028, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046 257

Tract 221.01
Blocks: 1005, 1006, 2016, 2017 137
Tract 221.02
Blocks: 1005, 1029 90
Ben Avon Methodist Subtotal 484
Bethany Baptist 3,284
Bethany Wesleyan 4,245
Boiling Springs 9th Grade 6,645
Boiling Springs Elementary 7,524
Boiling Springs High School 2,556
Boiling Springs Intermediate 5,936
Boling Springs Jr. High 2,149
C.C. Woodson Recreation 2,374
Canaan 2,078
Cavins Hobbysville 1,496
Cedar Grove Baptist 2,380
Chapman Elementary 3,126
Chapman High School 5,423
Cleveland Elementary 4,464
Cornerstone Baptist 2,294
Croft Baptist 2,110
Cross Anchor Fire Station 1,219
Cudd Memorial 2,556
D. R. Hill Middle School 4,636
Daniel Morgan Technology Center 1,608
Dayton Fire Station 2,893
Duncan United Methodist 2,665
E.P. Todd Elementary 3,928
Eastside Baptist 1,891
Ebenezer Baptist 1,522
Enoree First Baptist 2,322
Fairforest Elementary 4,920
Fairforest Middle School 5,043
Gable Middle School 4,093
Gramling Methodist 2,501
Greater St. James 4,474
Hayne Baptist 6,402
Hendrix Elementary 4,154
Holly Springs Baptist 5,562
Holy Communion 4,050
Hope 2,106

Jesse Bobo Elementary 3,037
Jesse Boyd Elementary 2,629
Lake Bowen Baptist 6,603
Landrum High School 3,992
Landrum United Methodist 4,488
Lyman Elementary 3,242
Lyman Town Hall 6,647
Morningside Baptist 2,639
Motlow Creek Baptist 1,649
Mt. Calvary Presbyterian 4,901
Mt. Moriah Baptist 2,596
Mt. Zion Gospel Baptist 1,353
Oakland Elementary 3,205
Pacolet Elementary 3,545
Park Hills Elementary 2,594
Pauline Glenn Springs Elementary 1,635
Pelham Fire Station 3,298
Poplar Springs Fire Station 3,580
Powell Saxon Una 4,548
R.D. Anderson Vocational 2,213
Reidville Elementary 4,379
Reidville Fire Station 5,659
River Ridge Elementary 4,456
Roebuck Bethlehem 2,334
Roebuck Elementary 4,420
Southside Baptist 2,023
Spartanburg High School 3,122
St. John's Lutheran 1,687
Startex Fire Station 1,804
Swofford Career Center 5,388
Travelers Rest Baptist 5,948
Trinity Methodist 3,200
Trinity Presbyterian 2,749
Victor Mill Methodist 4,138
Wellford Fire Station 4,862
West View Elementary 2,420
White Stone Methodist 1,323
Woodland Heights Recreation Center 3,347
Woodruff Elementary 4,799
Woodruff Fire Station 1,977
Woodruff Leisure Center 2,356

County Spartanburg SC Subtotal 290,234
DISTRICT 4 Total 731,203

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216
County: Chester SC 32,294
County: Chesterfield SC 43,273
County: Darlington SC 62,905
County: Kershaw SC 65,403
County: Lancaster SC 96,016
County: Lee SC 16,531
County: Marlboro SC
Adamsville 556
Brightsville 1,095
East McColl 1,169
McColl 2,156
Quicks X Roads 2,587
Redhill
Tract 9602.01
Blocks: 4038, 4039, 4044, 4045 72
Tract 9602.02
Blocks: 1059, 1060, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 515
Tract 9606
Blocks: 1004, 1005, 1006, 1007, 1010, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1068, 1069, 2054, 2055, 2057 806
Redhill Subtotal 1,393

Tatum 521
Wallace 1,993
County Marlboro SC Subtotal 11,470
County: Spartanburg SC
Ben Avon Methodist
Tract 213.02
Blocks: 1000, 1001, 1021, 1022, 1023, 1024, 1029, 1030 252
Tract 221.01
Blocks: 1000, 1002, 1003, 1004 258
Tract 221.02
Blocks: 1004, 1011, 1012, 1013, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1030, 1031, 1032, 1033, 1034, 2020 1000
Ben Avon Methodist Subtotal 1,510
Broome High School 1,393
Cannons Elementary 1,766
Carlisle Fosters Grove 3,495
Carlisle Wesleyan 2,337
Cherokee Springs Fire Station 2,841
Chesnee Elementary 5,134
Converse Fire Station 1,963
Cooley Springs Baptist 4,474
Cowpens Depot Museum 1,970
Cowpens Fire Station 2,821
Glendale Fire Station 2,157
Mayo Elementary 3,008
Whitlock Jr. High 2,894
County Spartanburg SC Subtotal 37,763
County: Union SC 27,244
County: York SC 282,090
DISTRICT 5 Total 731,205

Area Population

DISTRICT 6

Area Population

County: Bamberg SC 13,311

County: Barnwell SC
Barnwell No. 1
Tract 9703
Blocks: 3012, 3013, 3014, 3015, 3017, 3027, 3028, 3029, 3030, 4007, 4008, 4018, 4020, 4048, 4049, 4050, 4051, 4052, 4054, 4055, 4056, 4057, 4058, 4060, 4061, 4062, 4064 855
Barnwell No. 1 Subtotal 855
Barnwell No. 2
Tract 9701.02
Blocks: 1065, 1066, 1067, 1068, 1069, 1070, 1072, 1073, 1074, 1075, 1076, 1077 285
Tract 9702
Blocks: 4037 58
Tract 9703
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3031, 3032, 3033, 4001, 4002, 4004, 4005, 4011, 4022, 4023, 4024, 4028, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4059 963
Tract 9704.01
Blocks: 2000, 2001, 2002, 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043 1025
Barnwell No. 2 Subtotal 2,331
Barnwell No. 3 2,223
Barnwell No. 4
Tract 9703
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040,

1041, 1042, 1043, 1045, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2017, 2018 1293
Barnwell No. 4 Subtotal 1,293
Blackville No. 1 1,299
Blackville No. 2 769
Elko 695
Healing Springs 1,207
Williston No. 1 1,863
Williston No. 2 825
Williston No. 3 1,368
County Barnwell SC Subtotal 14,728
County: Calhoun SC 14,119
County: Clarendon SC 31,144
County: Fairfield SC 20,948
County: Orangeburg SC 84,223
County: Richland SC 416,147
County: Sumter SC 105,556
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,202

Area Population

DISTRICT 7

Area Population

County: Berkeley SC
Alvin 1,230
Bethera 350
Beverly Hills
Tract 208.06
Blocks: 2010, 2011, 2012 33
Beverly Hills Subtotal 33
Bonneau 1,892
Bonneau Beach 2,100
Bushy Park 42
Cainhoy
Tract 204.04
Blocks: 1004 0
Tract 204.05

Blocks: 1018, 1019, 1020, 1022, 1030, 1031, 1032, 1033, 1035, 1036, 1037, 1042, 1043, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2033, 2034, 2035, 2036, 2037, 2043, 2044, 2045, 2046, 2048, 2049, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2067, 2068, 2069, 2070, 2071, 2075, 2077 1409

Cainhoy Subtotal 1,409
Cane Bay 5,038
Cane Bay East 1,877
Cane Bay North 2,008
Cane Bay South 3,131
Carnes Cross Roads 1 2,474
Central
Tract 207.07
Blocks: 1099, 1100, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009 3584

Central Subtotal 3,584
Cobblestone 3,345
Cordesville 1,777
Cross 1,630
Cypress 3,422
Devon Forest 1 3,611
Devon Forest 2 2,516
Eadytown 869
Fifty-two 2,566
Fox Bank 3,894
Horseshoe 2,005
Huger 1,972
Jamestown 716
Live Oak 2,502
Macedonia 2,245
Macedonia 2 306

McBeth 1,324
Medway 4,026
Moncks Corner 1 3,070
Moncks Corner 2 2,658
Moncks Corner 3 3,461
Moncks Corner 4 2,159
Moultrie 1,770
Old 52 2,162
Pimlico 1,586
Pinopolis 2,417
Russellville 1,755
Shulerville 488
St. Stephen 1 2,059
St. Stephen 2 2,178
Stone Lake 1,899
Stratford 2 2,110
Wassamassaw 1 1,636
Westview 1 1,824
Westview 2 2,417
Westview 4 2,092
Whitesville 1 3,433
Whitesville 2 1,511
Wildcat Trail 459
County Berkeley SC Subtotal 107,038
County: Dillon SC 28,292
County: Florence SC 137,059
County: Georgetown SC 63,404
County: Horry SC 351,029
County: Marion SC 29,183
County: Marlboro SC
Blenheim 399
Brownsville 453
Clio 1,913
East Bennettsville 2,465
North Bennettsville 5,040
Redhill
Tract 9602.01
Blocks: 3071, 3072, 3078, 4017, 4040, 4046 79
Tract 9602.02
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2019, 2020 172

Tract 9606
Blocks: 1002, 1003, 1008, 1009, 1011, 1012, 1013, 1018 339
Redhill Subtotal 590
South Bennettsville 1,377
West Bennettsville 2,960
County Marlboro SC Subtotal 15,197
DISTRICT 7 Total 731,202
"

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.
Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

The question then was the adoption of the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

AMENDMENT RFH-7

Senator MARTIN proposed the following amendment (AHB\ 865C012.BH.AHB22), which was tabled:

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

/PART I
Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Beaufort SC	187,117
County: Berkeley SC	229,861
County: Charleston SC	
Awendaw	1,621
Christ Church	1,164
Edisto Island	1,884
Folly Beach 1	920
Folly Beach 2	1,196
Isle Of Palms 1A	1,120

Isle of Palms 1B 1,524
Isle of Palms 1C 1,758
James Island 10 2,195
James Island 11 2,559
James Island 12 1,661
James Island 13 2,088
James Island 14 1,129
James Island 15 2,166
James Island 17 2,355
James Island 19 2,233
James Island 1A 2,687
James Island 1B 1,408
James Island 2 7,318
James Island 20 1,976
James Island 22 1,920
James Island 3 1,069
James Island 5A 1,875
James Island 5B 1,108
James Island 6 2,102
James Island 7 2,684
James Island 8A 1,842
James Island 8B 2,568
James Island 9 1,837
Johns Island 1A 2,742
Johns Island 1B 3,313
Johns Island 3A 5,443
Johns Island 3B 2,184
Johns Island 4 1,860
Kiawah Island 2,012
McClellanville 1,975
Mt. Pleasant 1 1,904
Mt. Pleasant 10 1,358
Mt. Pleasant 11 1,903
Mt. Pleasant 12 3,436
Mt. Pleasant 13 1,630
Mt. Pleasant 14 2,113
Mt. Pleasant 15 2,919
Mt. Pleasant 16 948
Mt. Pleasant 17 3,786
Mt. Pleasant 18 1,528
Mt. Pleasant 19 2,968

Mt. Pleasant 2 1,564
Mt. Pleasant 20 1,715
Mt. Pleasant 21 2,194
Mt. Pleasant 22 2,266
Mt. Pleasant 23 2,724
Mt. Pleasant 24 1,040
Mt. Pleasant 25 1,402
Mt. Pleasant 26 734
Mt. Pleasant 27 4,062
Mt. Pleasant 28 1,560
Mt. Pleasant 29 385
Mt. Pleasant 3 1,914
Mt. Pleasant 30 2,607
Mt. Pleasant 31 2,093
Mt. Pleasant 32 3,609
Mt. Pleasant 33 5,428
Mt. Pleasant 34 2,358
Mt. Pleasant 35 7,539
Mt. Pleasant 36 2,481
Mt. Pleasant 37 4,732
Mt. Pleasant 38 2,331
Mt. Pleasant 39 5,875
Mt. Pleasant 4 2,032
Mt. Pleasant 5 1,644
Mt. Pleasant 6 2,648
Mt. Pleasant 7 1,353
Mt. Pleasant 8 1,193
Mt. Pleasant 9 1,354
Sullivans Island 1,891
Town of Seabrook 2,178
Wadmalaw Island 1 1,406
Wadmalaw Island 2 1,442
County Charleston SC Subtotal 179,743
County: Colleton SC
Edisto Beach 1,253
Green Pond 1,105
County Colleton SC Subtotal 2,358
County: Dorchester SC
Ashborough East 2,166
Ashborough East 2 1,045
Ashborough West 924

Ashborough West 2 1,538
Bacons Bridge 3,470
Bacons Bridge 2 1,332
Beech Hill 1,657
Beech Hill 2
Tract 108.01
Blocks: 4000, 4001, 4002, 4003, 4004, 4008, 4009, 4010, 4012, 4013, 4014 2191
Beech Hill 2 Subtotal 2,191
Brandymill 993
Brandymill 2 1,956
Briarwood 2,153
Briarwood 2 1,522
Briarwood 3 1,008
Butternut 2,971
Carolina 2,965
Central 2,206
Central 2 2,486
Clemson 2,367
Clemson 2 4,253
Clemson 3 2,849
Coastal 2,082
Coastal 2 2,266
Coastal 3 1,179
Coosaw 4,919
Coosaw 2 3,371
Coosaw 3 2,322
Cypress
Tract 105.01
Blocks: 1003, 1004, 1005, 1006, 1007, 1017, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 3000, 3001, 3002, 3003, 3004, 3008, 3010, 3011, 3012, 3013 4659
Cypress Subtotal 4,659
Cypress 2 1,273
Delemars
Tract 108.01
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016 416
Delemars Subtotal 416

Dorchester 1,644
Dorchester 2 1,166
Flowertown 3,521
Flowertown 2 2,389
Flowertown 3 2,321
Germantown 2,026
Givhans
Tract 104
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3011, 3012, 3013, 3014, 3015, 3017, 3029, 3030, 3031, 3034 1280
Givhans Subtotal 1,280
Givhans 2
Tract 104
Blocks: 4000, 4001, 4002, 4003, 4004, 4005, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4032 1565
Givhans 2 Subtotal 1,565
Greenhurst 1,875
Greenwave 2,208
Irongate 881
Irongate 2 836
Irongate 3 880
King's Grant 2,190
King's Grant 2 2,819
Knightsville 2,214
Lincoln
Tract 108.18
Blocks: 2010, 2011, 2012, 2013 418
Lincoln Subtotal 418
Miles/Jamison 2,931
Newington 1,417
Newington 2 961
North Summerville 620
North Summerville 2 1,964
Oakbrook 6,235
Oakbrook 2 2,002
Sawmill Branch 2,109
Spann 1,788

Stallsville 1,429
Tranquil 1,339
Tranquil 2 2,264
Tranquil 3 2,136
Trolley 2,522
Tupperway 1,344
Tupperway 2 1,657
Windsor
Tract 108.18
Blocks: 2003 53
Windsor Subtotal 53
County Dorchester SC Subtotal 127,543
County: Jasper SC
OAKATIE 2 1,893
SUN CITY 2,688
County Jasper SC Subtotal 4,581
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area Population

County: Aiken SC 168,808
County: Barnwell SC 20,589
County: Lexington SC 293,991
County: Orangeburg SC
Bolentown 1,973
Cope 904
Cordova 1 2,071
Cordova 2 2,622
Edisto 1,541
Limestone 1 2,616
Limestone 2 2,430
Neeses-Livingston 1,757
North 1 1,789
North 2 1,769
Norway 1,671
Pine Hill 1,650
Springfield 1,601

County Orangeburg SC Subtotal 24,394
County: Richland SC
Arcadia 2,200
Ballentine 1 2,309
Ballentine 2 2,585
Blythewood 1 2,980
Blythewood 2 3,379
Blythewood 3 3,818
Bookman 4,721
Brandon 1 3,590
Brandon 2 3,750
Briarwood 4,389
Bridge Creek 3,169
Cooper 1,436
Dutch Fork 1 1,683
Dutch Fork 2 1,931
Dutch Fork 3 3,596
Dutch Fork 4 2,474
East Forest Acres 1,545
Estates 3,005
Friarsgate 1 2,515
Friarsgate 2 2,064
Gregg Park 3,319
Hampton
Tract 25
Blocks: 4013, 4014 0
Tract 26.05
Blocks: 1004, 2000, 2001, 2002, 2003, 2004, 2005, 2015, 2030, 2031, 2032, 2044, 2050, 2051, 2052, 2053, 2054, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3021, 3022, 3035, 3036, 3037, 3038, 3039, 3040, 3045, 3046, 3047 1457
Hampton Subtotal 1,457
Harbison 1 3,481
Harbison 2 1,865
Kelly Mill 3,420
Lake Carolina 4,965
Longcreek 6,737

Mallet Hill 4,292
Meadowfield 2,326
Midway 4,819
Monticello 2,478
North Forest Acres 1,968
North Springs 1 1,758
North Springs 2 4,509
North Springs 3
Tract 114.19
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023 2439
North Springs 3 Subtotal 2,439
Oak Pointe 1 1,871
Oak Pointe 2 1,120
Oak Pointe 3 1,532
Old Friarsgate 2,035
Parkridge 1 1,534
Parkridge 2 1,784
Parkway 1 3,460
Parkway 2 3,503
Parkway 3 2,592
Pennington 1 1,292
Pennington 2 2,115
Polo Road 5,320
Pontiac 1 4,592
Pontiac 2 3,436
Rice Creek 1 2,404
Rice Creek 2 4,189
Ridge View 1 3,895
Ridge View 2 4,697
Riversprings 1 1,567
Riversprings 2 1,883
Riversprings 3 1,954
Riverwalk 3,706
Round Top 951
Satchelford 2,010
South Beltline 2,584
South Forest Acres 1,995
Spring Hill 3,572

Spring Valley 3,870
Springville 1 2,866
Springville 2 2,620
Trenholm Road 1,467
Valhalla 3,719
Ward 16 1,642
Ward 17 2,113
Ward 24 1,365
Ward 25 2,579
Ward 26 10,666
Wildewood 3,982
Woodfield 5,058
Woodlands 2,909
County Richland SC Subtotal 223,421
DISTRICT 2 Total 731,203

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Anderson SC 203,718
County: Edgefield SC 25,657
County: Greenville SC
BAKER CREEK 2,435
DUNKLIN 3,829
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
GRAZE BRANCH
Tract 30.08
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3013, 3014, 3015, 3016, 3017, 3018, 3019 2143
Tract 30.09
Blocks: 3012 54
Tract 30.10
Blocks: 1000, 3015 25
GRAZE BRANCH Subtotal 2,222

HILLCREST 3,560
LONG CREEK 2,484
MOORE CREEK 5,570
NEELY FARMS 4,822
PIEDMONT 5,218
PINEVIEW 1,985
RAINTREE 5,224
REEDY FORK 4,524
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
STANDING SPRINGS 2,507
SYCAMORE 4,357
VERDMONT 3,123
WALNUT SPRINGS 8,550
WARE PLACE 3,160
WOODMONT 4,225
County Greenville SC Subtotal 100,445
County: Greenwood SC 69,351
County: Laurens SC 67,539
County: McCormick SC 9,526
County: Newberry SC
Bush River
Tract 9507
Blocks: 2037, 2038, 2040, 2041 80
Bush River Subtotal 80
Chappells 889
Silverstreet
Tract 9507
Blocks: 2010, 2017, 2020, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2039, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2052, 2053, 2054, 3025, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062,

3063, 3064, 3065, 3066, 3078, 3090, 3091, 3095, 3113 831
Silverstreet Subtotal 831
County Newberry SC Subtotal 1,800
County: Oconee SC 78,607
County: Pickens SC 131,404
County: Saluda SC 18,862
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
EASTSIDE 3,795

EBENEZER 3,543
EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH
Tract 30.08
Blocks: 3012 55
GRAZE BRANCH Subtotal 55
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034

LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
POINSETT 4,944
RANCH CREEK 4,300
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721

SPRING FOREST 3,337
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
WADE HAMPTON 4,440
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 425,089
County: Spartanburg SC
Abner Creek Baptist 3,407
Anderson Mill Baptist 2,445
Anderson Mill Elementary 3,612
Apalache Baptist 4,795
Arcadia Elementary 3,246
Beaumont Methodist 1,445
Beech Springs Intermediate 3,386
Ben Avon Methodist 1,994
Bethany Baptist 3,284
Bethany Wesleyan 4,245
Boiling Springs 9th Grade 6,645
Boiling Springs Elementary 7,524
Boiling Springs High School 2,556
Boiling Springs Intermediate 5,936
Boling Springs Jr. High 2,149
Broome High School 1,393
C.C. Woodson Recreation 2,374

Canaan 2,078
Cannons Elementary 1,766
Cavins Hobbysville 1,496
Cedar Grove Baptist 2,380
Chapman Elementary 3,126
Chapman High School 5,423
Cherokee Springs Fire Station
Tract 224.10
Blocks: 1000, 1003 339
Cherokee Springs Fire Station Subtotal 339
Cleveland Elementary 4,464
Converse Fire Station 1,963
Cornerstone Baptist 2,294
Cowpens Depot Museum 1,970
Cowpens Fire Station 2,821
Croft Baptist 2,110
Cross Anchor Fire Station 1,219
Cudd Memorial 2,556
D. R. Hill Middle School 4,636
Daniel Morgan Technology Center 1,608
Dayton Fire Station 2,893
Duncan United Methodist 2,665
E.P. Todd Elementary 3,928
Eastside Baptist 1,891
Ebenezer Baptist 1,522
Enoree First Baptist 2,322
Fairforest Elementary 4,920
Fairforest Middle School 5,043
Gable Middle School 4,093
Glendale Fire Station 2,157
Gramling Methodist 2,501
Greater St. James 4,474
Hayne Baptist 6,402
Hendrix Elementary 4,154
Holly Springs Baptist 5,562
Holy Communion 4,050
Hope 2,106
Jesse Bobo Elementary 3,037
Jesse Boyd Elementary 2,629
Lake Bowen Baptist
Tract 224.04

Blocks: 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2000, 2001, 2002, 2003, 2017, 2021, 3010, 3011, 3012, 3020 3306

Tract 224.07

Blocks: 1019 0

Tract 228.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1012, 1013, 1014, 1015, 1016, 1017, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1041, 1042, 1043 1225

Tract 228.04

Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3018, 3019, 3020, 3028, 3029, 3030, 3031, 3032 1143

Lake Bowen Baptist Subtotal 5,674
Landrum High School 3,992
Landrum United Methodist 4,488
Lyman Elementary 3,242
Lyman Town Hall 6,647
Morningside Baptist 2,639
Motlow Creek Baptist 1,649
Mt. Calvary Presbyterian 4,901
Mt. Moriah Baptist 2,596
Mt. Zion Gospel Baptist 1,353
Oakland Elementary 3,205
Pacolet Elementary 3,545
Park Hills Elementary 2,594
Pauline Glenn Springs Elementary 1,635
Pelham Fire Station 3,298
Poplar Springs Fire Station 3,580
Powell Saxon Una 4,548
R.D. Anderson Vocational 2,213
Reidville Elementary 4,379
Reidville Fire Station 5,659
River Ridge Elementary 4,456
Roebuck Bethlehem 2,334
Roebuck Elementary 4,420
Southside Baptist 2,023

Spartanburg High School 3,122
St. John's Lutheran 1,687
Startex Fire Station 1,804
Swofford Career Center
Tract 224.07
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046 2933
Tract 224.08
Blocks: 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1031, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2032, 2033, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3023, 3024, 3025, 3026, 3027, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3044 2193
Tract 225
Blocks: 1014, 1021, 1022, 1023, 1024, 1063, 1065, 1066, 1121 259
Swofford Career Center Subtotal 5,385
Travelers Rest Baptist 5,948
Trinity Methodist 3,200
Trinity Presbyterian 2,749
Victor Mill Methodist 4,138
Wellford Fire Station 4,862
West View Elementary 2,420
White Stone Methodist 1,323
Whitlock Jr. High 2,894
Woodland Heights Recreation Center 3,347
Woodruff Elementary 4,799
Woodruff Fire Station 1,977

Woodruff Leisure Center 2,356
County Spartanburg SC Subtotal 306,115
DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216
County: Chester SC 32,294
County: Fairfield SC 20,948
County: Kershaw SC 65,403
County: Lancaster SC 96,016
County: Lee SC 16,531
County: Newberry SC
Beth - Eden 1,333
Bush River
Tract 9507
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1110, 1112, 1114, 2002, 2003, 2004, 2007, 2008, 2009, 2011, 2012, 2013, 2014 361
Bush River Subtotal 361
Consolidated Number 5 1,504
Fairview 2,076
Hartford 1,831
Helena 1,121
Johnstone 934
Kinards-Jalapa 679
Little Mountain 2,009
Maybinton 78
Mt. Bethel-Garmany 2,131
Newberry Ward 1 724
Newberry Ward 2 2,330
Newberry Ward 3 1,519
Newberry Ward 4 857

Newberry Ward 5 1,297
Newberry Ward 6 1,998
Oakland 1,661
O'Neal 1,792
Peak 157
Pomaria 817
Prosperity City 1,099
Prosperity Outside 1,632
Silverstreet
Tract 9507
Blocks: 2015, 2016, 2018, 2019, 2021, 2050, 2051, 3016, 3017, 3018, 3022, 3023, 3024, 3029, 3030, 3031, 3067, 3111 196
Silverstreet Subtotal 196
St. Phillips-Jolly Street 1,504
Stoney Hill 1,083
Wheeland 649
Whitmire City 1,300
Whitmire Outside 1,247
County Newberry SC Subtotal 35,919
County: Spartanburg SC
Carlisle Fosters Grove 3,495
Carlisle Wesleyan 2,337
Cherokee Springs Fire Station
Tract 214.02
Blocks: 2004 0
Tract 223.06
Blocks: 3004, 3005, 3010, 3011, 3012, 3013, 3015, 3016, 3017, 3019 269
Tract 224.11
Blocks: 1017, 1018, 1022, 1023, 1024, 1029, 1030, 1031, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053 2233
Cherokee Springs Fire Station Subtotal 2,502

Chesnee Elementary 5,134
Cooley Springs Baptist 4,474
Lake Bowen Baptist
Tract 224.04
Blocks: 1000, 1001, 1002, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3009, 3013, 3014, 3015, 3030 929
Lake Bowen Baptist Subtotal 929
Mayo Elementary 3,008
Swofford Career Center
Tract 224.08
Blocks: 1029, 1030, 1035 3
Swofford Career Center Subtotal 3
County Spartanburg SC Subtotal 21,882
County: Sumter SC
BIRNIE
Tract 13
Blocks: 1023, 1024, 1032, 1033, 1037, 1038, 2062 146
Tract 15
Blocks: 1002, 1003, 1004, 1005, 1006, 1007, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1043, 1060 225
Tract 16
Blocks: 1022, 1023, 1024, 1025, 1030, 1031, 1032, 1036, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047 190
BIRNIE Subtotal 561
BUNRS-DOWNS 1,297
CAUSEWAY BRANCH 1 1,767
CAUSEWAY BRANCH 2 1,316
CHERRYVALE 1,290
DALZELL 1 2,498
DALZELL 2 2,040
DELAINE 2,106
EBENEZER 1 2,093
EBENEZER 2 2,515
FOLSOM PARK 2,980

FURMAN	2,392
GREEN SWAMP	4,461
GREEN SWAMP 2	1,441
HILLCREST	1,527
HORATIO	652
MANCHESTER FOREST	2,258
MCCRAYS MILL 1	2,366
MCCRAYS MILL 2	2,353
MILLWOOD	1,019
MULBERRY	1,731
OAKLAND PLANTATION 1	1,948
OAKLAND PLANTATION 2	1,610
OSWEGO	1,564
PALMETTO PARK	2,593
PINEWOOD	2,592
PRIVATEER	3,361
REMBERT	2,888
SAINT PAUL	3,117
SALTERSTOWN	1,262
SECOND MILL	2,195
SHAW	2,088
SPECTRUM	1,811
SUMTER HIGH 1	1,024
SUMTER HIGH 2	1,849
SUNSET	2,001
THOMAS SUMTER	1,588
WILSON HALL	2,507
County Sumter SC Subtotal	76,661
County: Union SC	27,244
County: York SC	282,090
DISTRICT 5 Total	731,204

Area	Population

DISTRICT 6

Area	Population
County: Allendale SC	8,039
County: Bamberg SC	13,311
County: Calhoun SC	14,119

County: Charleston SC

Charleston 1	795
Charleston 10	1,336
Charleston 11	2,040
Charleston 12	4,169
Charleston 13	1,457
Charleston 14	1,748
Charleston 15	2,793
Charleston 16	1,384
Charleston 17	1,307
Charleston 18	1,735
Charleston 19	986
Charleston 2	976
Charleston 20	1,576
Charleston 21	1,168
Charleston 3	1,062
Charleston 4	1,145
Charleston 5	1,053
Charleston 6	1,736
Charleston 7	2,498
Charleston 8	1,697
Charleston 9	1,389
Deer Park 1A	2,730
Deer Park 1B	7,708
Deer Park 2A	5,042
Deer Park 2B	3,280
Deer Park 2C	1,540
Deer Park 3	4,771
Ladson	5,160
Licolnville	3,471
North Charleston 1	1,110
North Charleston 10	2,970
North Charleston 11	1,055
North Charleston 12	1,379
North Charleston 13	1,662
North Charleston 14	931
North Charleston 15	2,365
North Charleston 16	1,555
North Charleston 17	1,526
North Charleston 18	3,448
North Charleston 19	1,843

North Charleston 2 1,789
North Charleston 20 1,280
North Charleston 21 2,704
North Charleston 22 2,642
North Charleston 23 3,360
North Charleston 24 5,435
North Charleston 25 1,018
North Charleston 26 922
North Charleston 27 3,061
North Charleston 28 3,038
North Charleston 29 2,738
North Charleston 3 1,594
North Charleston 30 2,995
North Charleston 4 1,807
North Charleston 5 2,709
North Charleston 6 2,048
North Charleston 7 2,354
North Charleston 8 1,267
North Charleston 9 2,754
St. Andrews 1 885
St. Andrews 10 1,484
St. Andrews 11 1,127
St. Andrews 12 1,305
St. Andrews 13 1,603
St. Andrews 14 1,977
St. Andrews 15 2,036
St. Andrews 16 1,233
St. Andrews 17 2,290
St. Andrews 18 2,724
St. Andrews 19 424
St. Andrews 2 1,393
St. Andrews 20 3,922
St. Andrews 21 1,385
St. Andrews 22 1,516
St. Andrews 23 1,491
St. Andrews 24 2,004
St. Andrews 25 2,305
St. Andrews 26 1,848
St. Andrews 27 6,553
St. Andrews 28 4,758
St. Andrews 29 5,106

St. Andrews 3 1,571
St. Andrews 30 2,771
St. Andrews 31 1,800
St. Andrews 32 1,476
St. Andrews 33 1,037
St. Andrews 34 3,060
St. Andrews 35 2,078
St. Andrews 36 2,058
St. Andrews 37 6,444
St. Andrews 4 1,993
St. Andrews 5 1,669
St. Andrews 6 1,432
St. Andrews 7 2,117
St. Andrews 8 1,100
St. Andrews 9 1,743
St. Pauls 1 1,103
St. Pauls 2A 1,261
St. Pauls 2B 1,786
St. Pauls 3 2,385
St. Pauls 4 2,400
St. Pauls 5 1,821
St. Pauls 6 2,907
County Charleston SC Subtotal 228,492
County: Clarendon SC 31,144
County: Colleton SC
Ashton-Lodge 734
Bells 464
Berea-Smoaks 1,245
Canady's 763
Cottageville 2,438
Edisto 466
Hendersonville 1,353
Horse Pen 1,050
Hudson Mill 734
Jacksonboro 457
Maple Cane 1,477
Mashawville 948
Peeples 2,134
Peniel 1,754
Petits 365
Rice Patch 847

Ritter 924
Round O 1,562
Ruffin 370
Sidneys 901
Sniders 978
Stokes 980
Walterboro No. 1 1,918
Walterboro No. 2 1,996
Walterboro No. 3 1,960
Walterboro No. 4 2,161
Walterboro No. 5 2,136
Walterboro No. 6 2,119
Williams 404
Wolfe Creek 608
County Colleton SC Subtotal 36,246
County: Dorchester SC
Archdale 1,733
Archdale 2 2,115
Ashley River 3,361
Beech Hill 2
Tract 108.01
Blocks: 2013, 2014, 2015, 2016, 2027, 2028, 2029, 4018, 4019 18
Beech Hill 2 Subtotal 18
Cypress
Tract 105.01
Blocks: 1000, 1001, 1002, 1011 103
Cypress Subtotal 103
Delemars
Tract 108.01
Blocks: 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1095, 1096 675
Delemars Subtotal 675

Four Hole 1,452
Givhans
Tract 104
Blocks: 3010, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3032, 3033, 3035, 3036, 3037, 3038 139
Givhans Subtotal 139
Givhans 2
Tract 104
Blocks: 4006, 4030, 4031 114
Givhans 2 Subtotal 114
Grover 1,184
Harleyville 1,016
Indian Field 794
Indian Field 2 1,186
Lincoln
Tract 108.18
Blocks: 1032, 1033, 1034, 1035, 1036, 1037, 1045, 1046, 1047, 1048, 1049, 1050, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3020, 3021, 3022, 3023, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049 3362
Lincoln Subtotal 3,362
Patriot 3,087
Reevesville 1,344
Ridgeville 1,268
Ridgeville 2 2,001
Rosinville 1,717
Rosses 1,375
Saul Dam 793
St. George No. 1 1,711
St. George No. 2 1,053
Windsor
Tract 108.17
Blocks: 1013 0
Tract 108.18
Blocks: 2000, 2001, 2002, 2004, 2005, 2006, 2007, 2008, 2014, 2015, 4000, 4001 1352

Windsor Subtotal 1,352
Windsor 2 1,044
County Dorchester SC Subtotal 33,997
County: Florence SC
High Hill 784
Lake City No. 1 2,213
Lake City No. 2 1,668
Lake City No. 3 2,414
Lake City No. 4 2,767
Leo 477
Scranton
Tract 20
Blocks: 2012, 2018, 2019, 2020, 2021, 2022, 2029, 2030, 3004 286
Scranton Subtotal 286
County Florence SC Subtotal 10,609
County: Hampton SC 18,561
County: Jasper SC
COOSAWHATCHIE 599
GILLISONVILLE 816
GRAHAMVILLE 1 1,675
GRAHAMVILLE 2 4,213
GRAYS 943
HARDEEVILLE 1 2,211
HARDEEVILLE 2 1,668
HARDEEVILLE 3 941
LEVY 3,059
OAKATIE 1,178
PINELAND 966
RIDGELAND 1 1,593
RIDGELAND 2 1,993
RIDGELAND 3 1,348
TILLMAN 1,007
County Jasper SC Subtotal 24,210
County: Orangeburg SC
Bethel 895
Bowman 1 1,720
Bowman 2 1,038
Branchville 1 1,425
Branchville 2 680
Brookdale 1,673

Elloree 1 1,310
Elloree 2 950
Eutawville 1 1,861
Eutawville 2 2,519
Four Holes 753
Holly Hill 1 2,662
Holly Hill 2 2,468
Jamison 2,405
Nix 1,579
Orangeburg Ward 1 1,035
Orangeburg Ward 10 1,018
Orangeburg Ward 2 988
Orangeburg Ward 3 2,075
Orangeburg Ward 4 2,768
Orangeburg Ward 5 1,022
Orangeburg Ward 6 1,095
Orangeburg Ward 7 958
Orangeburg Ward 8 1,022
Orangeburg Ward 9 805
Providence 1,372
Rowesville 758
Santee 1 1,844
Santee 2 1,507
Suburban 1 1,296
Suburban 2 748
Suburban 3 2,035
Suburban 4 769
Suburban 5 1,805
Suburban 6 1,308
Suburban 7 2,517
Suburban 8 1,169
Suburban 9 2,460
Vance 1,904
Whittaker 1,613
County Orangeburg SC Subtotal 59,829
County: Richland SC
Ardincaple 944
Beatty Road 2,018
Bluff 3,208
Caughman Road 2,657
College Place 2,288

Dennyside 1,696
Dentsville 3,133
Eastover 1,502
Edgewood 2,771
Fairlawn 4,466
Fairwold 1,046
Gadsden 1,606
Garners 1,378
Greenview 2,022
Hampton
  Tract 26.02
    Blocks: 2035, 2036, 2037, 2038, 2040 158
  Tract 26.05
    Blocks: 1000, 1001, 1002, 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1019, 2040, 2041, 2042, 2043, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3041, 3042, 3043, 3044 1216
Hampton Subtotal 1,374
Hopkins 1 1,825
Hopkins 2 2,151
Horrell Hill 3,759
Hunting Creek 693
Keels 1 3,359
Keels 2 2,846
Keenan 2,553
Killian 4,335
Kingswood 4,179
Lincolnshire 2,980
Longleaf 2,991
Lykesland 2,531
McEntire 1,070
Meadowlake 3,678
Mill Creek 2,127
North Springs 3
  Tract 114.19
    Blocks: 1014, 1015 424
North Springs 3 Subtotal 424
Oakwood 1,335

Olympia 6,111
Pine Grove 2,726
Pine Lakes 1 1,810
Pine Lakes 2 2,522
Pinewood 3,022
Ridgewood 987
Riverside 2,275
Sandlapper 4,584
Skyland 1,964
Spring Valley West 4,099
St. Andrews 2,109
Trinity 2,530
Valley State Park 5,427
Walden 6,558
Ward 1 6,183
Ward 10 1,991
Ward 11 2,190
Ward 12 2,039
Ward 13 2,788
Ward 14 2,026
Ward 15 1,271
Ward 18 2,026
Ward 19 2,163
Ward 2 2,394
Ward 20 2,383
Ward 21 2,570
Ward 22 2,175
Ward 23 1,308
Ward 29 2,030
Ward 3 2,011
Ward 30 2,342
Ward 31 1,728
Ward 32 1,205
Ward 33 1,388
Ward 34 1,476
Ward 4 1,969
Ward 5 8,651
Ward 6 1,834
Ward 7 1,809
Ward 8 1,591
Ward 9 1,379

Webber 1,598
Westminster 3,214
Whitewell 3,325
County Richland SC Subtotal 192,726
County: Sumter SC
BATES 746
BIRNIE
Tract 13
Blocks: 1014, 1015, 1016, 1018, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1039, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2058, 2059, 2060, 2061 676
Tract 15
Blocks: 1001 0
BIRNIE Subtotal 676
CROSSWELL 2,173
HAMPTON PARK 1,061
LEMIRA 1,967
LORING 1,774
MAGNOLIA-HARMONY 1,213
MAYESVILLE 614
MAYEWOOD 1,723
MORRIS COLLEGE 1,750
POCOTALIGO 1 2,970
POCOTALIGO 2 2,335
SAINT JOHN 1,513
SALEM 480
SAVAGE-GLOVER 708
SOUTH LIBERTY 810
SOUTH RED BAY 1,084
STONE HILL 814
SWAN LAKE 1,576
TURKEY CREEK 1,686
WILDER 1,222
County Sumter SC Subtotal 28,895
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,204

Area Population

DISTRICT 7

Area	Population
County: Chesterfield SC	43,273
County: Darlington SC	62,905
County: Dillon SC	28,292
County: Florence SC	
Back Swamp	1,101
Brookgreen	1,150
Cartersville	1,142
Claussen	2,856
Coles Crossroads	3,889
Cowards No. 1	1,447
Cowards No. 2	1,730
Delmae No. 1	4,361
Delmae No. 2	2,328
Ebenezer No. 1	4,992
Ebenezer No. 2	3,944
Ebenezer No. 3	1,995
Effingham	1,595
Elim-Glenwood	2,575
Evergreen	1,484
Florence Ward 1	1,595
Florence Ward 10	1,078
Florence Ward 11	1,428
Florence Ward 12	3,662
Florence Ward 14	3,103
Florence Ward 15	964
Florence Ward 2	1,930
Florence Ward 3	1,954
Florence Ward 4	1,125
Florence Ward 5	1,864
Florence Ward 6	1,161
Florence Ward 7	2,826
Florence Ward 8	2,411
Florence Ward 9	2,034
Friendfield	766
Gilbert	3,555
Greenwood	3,368
Hannah	1,007

Johnsonville 3,452
Kingsburg-Stone 1,359
Mars Bluff No. 1 5,161
Mars Bluff No. 2 2,265
McAllister Mill 1,246
Mill Branch 858
Oak Grove-Sardis 1,602
Olanta 1,944
Pamplico No. 1 1,558
Pamplico No. 2 963
Prospect 664
Quinby 1,316
Salem 925
Savannah Grove 6,121
Scranton
Tract 20
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1054, 1055, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2016, 2017, 2023, 2024, 2025, 2026, 2027, 2028 915
Tract 23
Blocks: 1061, 1062, 1068, 3010, 3011, 3017 116
Scranton Subtotal 1,031
South Florence 1 4,235
South Florence 2 3,023
Spaulding 1,474
Tans Bay 2,613
Timmonsville 1 2,145
Timmonsville 2 2,017
Vox 954
West Florence 1 4,948
West Florence 2 2,156
County Florence SC Subtotal 126,450
County: Georgetown SC 63,404
County: Horry SC 351,029

County: Marion SC 29,183
County: Marlboro SC 26,667
DISTRICT 7 Total 731,203
“

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in

accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

Senator CROMER moved to lay the amendment on the table.

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

Ayes 25; Nays 11

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	*Johnson, Michael*
Loftis	Malloy	Massey
Rankin	Rice	Setzler
Turner	Verdin	Williams
Young		

Total--25

NAYS

Fanning	Harpootlian	Hutto
Kimpson	Martin	Matthews
McElveen	McLeod	Sabb
Scott	Stephens	

Total--11

The amendment was laid on the table.

AMENDMENT RFH-4

Senator HUTTO proposed the following amendment (AHB\ 865C013.BH.AHB22), which was tabled:

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

/PART I
Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Beaufort SC	187,117
County: Berkeley SC	
Bushy Park	42
Cainhoy	1,522
Daniel Island 1	2,858
Daniel Island 2	2,513
Daniel Island 3	2,658
Daniel Island 4	4,103
Foster Creek 1	
Tract 208.10	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1013	561
Tract 208.11	
Blocks: 1000, 1002, 1010	796
Tract 208.12	
Blocks: 1000, 1001, 1002, 1003, 1004, 1022, 1025, 1035, 2001, 2003, 2004	321
Tract 209.04	
Blocks: 1000	0
Foster Creek 1 Subtotal	1,678
Foster Creek 2	2,960
Foster Creek 3	2,732
Hanahan 1	
Tract 208.09	
Blocks: 1038	0
Tract 208.10	
Blocks: 1011, 1012	0
Tract 208.12	
Blocks: 1023, 1024	0
Tract 209.04	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007,	

2008, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 3000, 3003 3439
Hanahan 1 Subtotal 3,439
Hanahan 2 2,527
Hanahan 3 2,578
Hanahan 4 2,486
Hanahan 5 2,829
Huger
Tract 204.05
Blocks: 1017, 1021 32
Huger Subtotal 32
Pine Grove 0
Pomflant 6
Sedgefield 1
Tract 208.04
Blocks: 1000, 1001, 1002, 1014, 1024, 1025 288
Sedgefield 1 Subtotal 288
Sedgefield 2 5,590
The Village 3,549
Yellow House 3,772
County Berkeley SC Subtotal 48,162
County: Charleston SC 408,235
County: Colleton SC 38,604
County: Dorchester SC
Archdale 1,733
County Dorchester SC Subtotal 1,733
County: Hampton SC 18,561
County: Jasper SC 28,791
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area Population

County: Aiken SC
Jackson
Tract 221
Blocks: 2007, 2008, 2010, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2024, 2025, 2026,

2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2047, 2049, 2050, 2051, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061 310
Jackson Subtotal 310
SRS 0
County Aiken SC Subtotal 310
County: Allendale SC 8,039
County: Bamberg SC 13,311
County: Barnwell SC 20,589
County: Calhoun SC 14,119
County: Chesterfield SC 43,273
County: Clarendon SC 31,144
County: Darlington SC 62,905
County: Dorchester SC
Archdale 2 2,115
Ashborough East 2,166
Ashborough East 2 1,045
Ashborough West 924
Ashborough West 2 1,538
Ashley River 3,361
Bacons Bridge 3,470
Bacons Bridge 2 1,332
Beech Hill 1,657
Beech Hill 2 2,209
Brandymill 993
Brandymill 2 1,956
Briarwood 2,153
Briarwood 2 1,522
Briarwood 3 1,008
Butternut 2,971
Carolina 2,965
Central 2,206
Central 2 2,486
Clemson 2,367
Clemson 2 4,253
Clemson 3 2,849
Coastal 2,082
Coastal 2 2,266
Coastal 3 1,179
Coosaw 4,919

Coosaw 2 3,371
Coosaw 3 2,322
Cypress 4,762
Cypress 2 1,273
Delemars 1,091
Dorchester 1,644
Dorchester 2 1,166
Flowertown 3,521
Flowertown 2 2,389
Flowertown 3 2,321
Four Hole 1,452
Germantown 2,026
Givhans 1,419
Givhans 2 1,679
Greenhurst 1,875
Greenwave 2,208
Grover 1,184
Harleyville 1,016
Indian Field 794
Indian Field 2 1,186
Irongate 881
Irongate 2 836
Irongate 3 880
King's Grant 2,190
King's Grant 2 2,819
Knightsville 2,214
Lincoln 3,780
Miles/Jamison 2,931
Newington 1,417
Newington 2 961
North Summerville 620
North Summerville 2 1,964
Oakbrook 6,235
Oakbrook 2 2,002
Patriot 3,087
Reevesville 1,344
Ridgeville 1,268
Ridgeville 2 2,001
Rosinville 1,717
Rosses 1,375
Saul Dam 793

Sawmill Branch 2,109
Spann 1,788
St. George No. 1 1,711
St. George No. 2 1,053
Stallsville 1,429
Tranquil 1,339
Tranquil 2 2,264
Tranquil 3 2,136
Trolley 2,522
Tupperway 1,344
Tupperway 2 1,657
Windsor 1,405
Windsor 2 1,044
County Dorchester SC Subtotal 159,807
County: Florence SC
Back Swamp 1,101
Brookgreen 1,150
Cartersville 1,142
Coles Crossroads 3,889
Delmae No. 1 4,361
Delmae No. 2 2,328
Ebenezer No. 1 4,992
Ebenezer No. 2 3,944
Ebenezer No. 3 1,995
Florence Ward 1 1,595
Florence Ward 10 1,078
Florence Ward 11 1,428
Florence Ward 12 3,662
Florence Ward 14 3,103
Florence Ward 15 964
Florence Ward 2 1,930
Florence Ward 3 1,954
Florence Ward 4 1,125
Florence Ward 5 1,864
Florence Ward 6 1,161
Florence Ward 7 2,826
Florence Ward 8 2,411
Florence Ward 9 2,034
Gilbert
Tract 3

Blocks: 2011, 2013, 2014, 2015, 2016, 2034, 2035, 2036 465
Tract 4
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2015, 2016, 2017, 2018, 2019 976
Tract 5.02
Blocks: 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2025, 2026, 2027, 2028, 2029, 2030, 3000, 3001, 3002, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022 1709
Tract 7
Blocks: 2020, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2034, 2035, 2039, 2051, 2052, 2053, 2054, 2055 386
Tract 8
Blocks: 1038, 1039 0
Tract 9801
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010 0
Gilbert Subtotal 3,536
Greenwood
Tract 16.01
Blocks: 2006, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2023, 2024, 2025, 2031, 2032, 2034, 2035, 2036, 2037, 2038, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3037, 3038, 3039, 3040 3329
Greenwood Subtotal 3,329
Oak Grove-Sardis 1,602
Quinby 1,316
Savannah Grove 6,121
South Florence 1 4,235
South Florence 2
Tract 15.05

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1035, 1048 686

Tract 16.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 2028, 2029, 2030, 2033, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3028, 3029, 3030, 3031, 3032 2277

South Florence 2 Subtotal 2,963

Spaulding 1,474

Tans Bay 2,613

Timmonsville 1 2,145

Timmonsville 2

Tract 15.03

Blocks: 2040, 2043, 2048, 2053, 2054, 2055, 2056, 2057, 2058, 2060, 2061, 2062, 2063, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019 564

Tract 15.04

Blocks: 1020, 1021, 1022, 1023, 1024, 1025, 1051, 1059, 1060, 3004, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032 488

Tract 26

Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4014, 4022, 4035 962

Timmonsville 2 Subtotal 2,014

West Florence 1 4,948

West Florence 2 2,156

County Florence SC Subtotal 90,489

County: Kershaw SC
Airport 1,946
Antioch 1,231
Camden No. 1 2,357
Camden No. 2 & 3 559
Camden No. 5 1,103
Camden No. 5-A 794
Camden No. 6 534
Charlotte Thompson 2,009
Doby's Mill 3,060
E. Camden-Hermitage 798
Elgin No. 1 3,419
Elgin No. 2 2,644
Elgin No. 3 1,969
Elgin No. 4 3,154
Elgin No. 5 2,255
Elgin No. 6 2,041
Hobkirk's Hill 2,222
Lugoff No. 1 2,070
Lugoff No. 2 2,692
Lugoff No. 3 2,228
Lugoff No. 4 1,838
Malvern Hill 2,169
Rabon's X Roads 2,641
Riverdale 1,376
Salt Pond 2,096
Springdale 2,434
Whites Gardens 2,602
County Kershaw SC Subtotal 54,241
County: Lee SC 16,531
County: Marlboro SC 26,667
County: Orangeburg SC 84,223
County: Sumter SC 105,556
DISTRICT 2 Total 731,204

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Aiken SC
Aiken No. 1 1,505
Aiken No. 2 1,717
Aiken No. 3 3,160
Aiken No. 4 1,087
Aiken No. 47 1,460
Aiken No. 5 1,616
Aiken No. 6 1,387
Anderson Pond No. 69 2,136
Ascauga Lake No. 63 1,341
Ascauga Lake No. 84 1,548
Bath 1,431
Beech Island 2,354
Belvedere No. 44 2,152
Belvedere No. 62 1,827
Belvedere No. 74 1,083
Belvedere No. 9 2,621
Breezy Hill 4,804
Carolina Heights 2,099
Cedar Creek No. 64 1,897
China Springs 2,546
Clearwater 1,424
College Acres 2,379
Couchton 1,878
Eureka 2,614
Fox Creek No. 58 2,036
Fox Creek No. 73 1,878
Gem Lakes No. 60 1,461
Gem Lakes No. 77 1,882
Gloverville 1,678
Graniteville 1,930
Hammond No. 48 1,613
Hammond No. 81 1,804
Hitchcock No. 66 1,463
Hollow Creek 1,529
Jackson
Tract 221
Blocks: 1011, 1023, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1036, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045,

1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1068, 1069, 1073, 1074, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2009, 2011, 2019, 2020, 2021, 2022, 2023, 2042, 2043, 2044, 2045, 2046, 2048, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037 1872

Tract 9801

Blocks: 1083, 1084, 1085, 1120, 1121 0

Jackson Subtotal 1,872
Langley 2,324
Levels No. 52 1,521
Levels No. 72 1,425
Levels No. 83 1,492
Lynwood 1,463
Midland Valley No. 51 3,282
Midland Valley No. 71 2,999
Millbrook 2,408
Misty Lakes 3,058
Monetta 1,868
Montmorenci No. 22 2,507
Montmorenci No. 78 1,438
N. Augusta No. 25 2,565
N. Augusta No. 26 1,559
N. Augusta No. 27 1,927
N. Augusta No. 28 1,392
N. Augusta No. 29 2,320
N. Augusta No. 54 2,076
N. Augusta No. 55 1,352
N. Augusta No. 67 1,676
N. Augusta No. 68 3,300
N. Augusta No. 80 1,279
New Ellenton 2,247
New Holland 1,315
Oak Grove 1,804
Perry 1,242

Pine Forest 2,668
Redds Branch 2,311
Salley 888
Sandstone No. 70 1,597
Sandstone No. 79 1,571
Shaws Fork 970
Shiloh 2,730
Silver Bluff 2,651
Six Points No. 35 2,953
Six Points No. 46 1,967
Sleepy Hollow No. 65 2,170
South Aiken No. 75 2,359
South Aiken No. 76 2,642
Tabernacle 962
Talatha 2,655
Vaucluse 3,073
Wagener 2,870
Ward 2,206
Warrenville 2,939
White Pond 1,184
Willow Springs 2,282
Windsor No. 43 2,037
Windsor No. 82 1,762
County Aiken SC Subtotal 168,498
County: Anderson SC 203,718
County: Chester SC 32,294
County: Edgefield SC 25,657
County: Greenville SC
DUNKLIN
Tract 31.04
Blocks: 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046 238
Tract 32.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,

1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3000, 3001, 3002, 3003, 3004, 3006, 3007, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035 3588

DUNKLIN Subtotal 3,826

WARE PLACE

Tract 32.02

Blocks: 3005, 3008, 3009 32

Tract 32.03

Blocks: 1015, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1026 384

Tract 32.04

Blocks: 1019, 1020, 1021, 1027 99

Tract 33.01

Blocks: 1022, 1023, 1027 0

WARE PLACE Subtotal 515

County Greenville SC Subtotal 4,341

County: Greenwood SC 69,351

County: Laurens SC 67,539

County: McCormick SC 9,526

County: Newberry SC

Beth - Eden 1,333

Bush River 441

Chappells 889

Consolidated Number 5 1,504

Fairview 2,076

Hartford 1,831

Helena 1,121

Johnstone 934

Kinards-Jalapa 679

Little Mountain 2,009

Maybinton 78

Mt. Bethel-Garmany 2,131
Newberry Ward 1 724
Newberry Ward 2 2,330
Newberry Ward 3 1,519
Newberry Ward 4 857
Newberry Ward 5 1,297
Newberry Ward 6 1,998
Oakland 1,661
O'Neal 1,792
Peak
Tract 9501
Blocks: 2037, 2038, 2039, 2043, 2044, 2059 2
Tract 9506.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005 37
Peak Subtotal 39
Pomaria 817
Prosperity City 1,099
Prosperity Outside 1,632
Silverstreet 1,027
St. Phillips-Jolly Street 1,504
Stoney Hill 1,083
Wheeland 649
Whitmire City 1,300
Whitmire Outside 1,247
County Newberry SC Subtotal 37,601
County: Saluda SC 18,862
County: Spartanburg SC
Bethany Wesleyan 4,245
Canaan 2,078
Cavins Hobbysville 1,496
Cross Anchor Fire Station 1,219
Enoree First Baptist 2,322
Gable Middle School 4,093
Mt. Calvary Presbyterian 4,901
Pacolet Elementary 3,545
Pauline Glenn Springs Elementary 1,635
R.D. Anderson Vocational 2,213
Reidville Elementary
Tract 234.05
Blocks: 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014,

3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029 1883
Tract 234.08
Blocks: 2039, 2040 6
Tract 234.09
Blocks: 1030, 1031, 1032, 1033, 1034, 1044, 1045, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043 2135
Reidville Elementary Subtotal 4,024
Reidville Fire Station
Tract 234.09
Blocks: 1002, 1003, 1004 52
Reidville Fire Station Subtotal 52
River Ridge Elementary
Tract 234.09
Blocks: 1000 0
River Ridge Elementary Subtotal 0
White Stone Methodist 1,323
Woodruff Elementary 4,799
Woodruff Fire Station 1,977
Woodruff Leisure Center 2,356
County Spartanburg SC Subtotal 42,278
County: Union SC 27,244
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068

AVON 2,641
BAKER CREEK 2,435
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
DUNKLIN
Tract 32.04
Blocks: 1040 3
DUNKLIN Subtotal 3
EASTSIDE 3,795
EBENEZER 3,543
EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388

GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HILLCREST 3,560
HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
LONG CREEK 2,484
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930

MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOORE CREEK 5,570
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NEELY FARMS 4,822
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
PIEDMONT 5,218
PINEVIEW 1,985
POINSETT 4,944
RAINTREE 5,224
RANCH CREEK 4,300
REEDY FORK 4,524
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721

SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE 4,357
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
VERDMONT 3,123
WADE HAMPTON 4,440
WALNUT SPRINGS 8,550
WARE PLACE
Tract 32.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1025, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2043, 2044, 2045, 2050, 2051, 2052, 2053, 2054, 2055, 2056 1840
Tract 32.04
Blocks: 1018, 1022, 1023, 1024, 1025, 1026, 1028, 1042 371
Tract 33.01
Blocks: 1014, 1016, 1017, 1020, 1021, 1024, 1025, 1026 273
Tract 33.03
Blocks: 2015, 2016, 2017, 2026 161
WARE PLACE Subtotal 2,645
WELCOME 4,589
WELLINGTON 2,137

WESTCLIFFE 3,693
WESTSIDE 5,107
WOODMONT 4,225
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 521,193
County: Oconee SC 78,607
County: Pickens SC 131,404
DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216
County: Kershaw SC
Bethune 1,838
Buffalo 1,767
Cassatt 2,601
Gates Ford 592
Liberty Hill 663
Shaylor's Hill 1,149
Westville 2,552
County Kershaw SC Subtotal 11,162
County: Lancaster SC 96,016
County: Spartanburg SC
Abner Creek Baptist 3,407
Anderson Mill Baptist 2,445
Anderson Mill Elementary 3,612
Apalache Baptist 4,795
Arcadia Elementary 3,246
Beaumont Methodist 1,445
Beech Springs Intermediate 3,386
Ben Avon Methodist 1,994
Bethany Baptist 3,284
Boiling Springs 9th Grade 6,645
Boiling Springs Elementary 7,524
Boiling Springs High School 2,556
Boiling Springs Intermediate 5,936
Boling Springs Jr. High 2,149

Broome High School 1,393
C.C. Woodson Recreation 2,374
Cannons Elementary 1,766
Carlisle Fosters Grove 3,495
Carlisle Wesleyan 2,337
Cedar Grove Baptist 2,380
Chapman Elementary 3,126
Chapman High School 5,423
Cherokee Springs Fire Station 2,841
Chesnee Elementary 5,134
Cleveland Elementary 4,464
Converse Fire Station 1,963
Cooley Springs Baptist 4,474
Cornerstone Baptist 2,294
Cowpens Depot Museum 1,970
Cowpens Fire Station 2,821
Croft Baptist 2,110
Cudd Memorial 2,556
D. R. Hill Middle School 4,636
Daniel Morgan Technology Center 1,608
Dayton Fire Station 2,893
Duncan United Methodist 2,665
E.P. Todd Elementary 3,928
Eastside Baptist 1,891
Ebenezer Baptist 1,522
Fairforest Elementary 4,920
Fairforest Middle School 5,043
Glendale Fire Station 2,157
Gramling Methodist 2,501
Greater St. James 4,474
Hayne Baptist 6,402
Hendrix Elementary 4,154
Holly Springs Baptist 5,562
Holy Communion 4,050
Hope 2,106
Jesse Bobo Elementary 3,037
Jesse Boyd Elementary 2,629
Lake Bowen Baptist 6,603
Landrum High School 3,992
Landrum United Methodist 4,488
Lyman Elementary 3,242

Lyman Town Hall 6,647
Mayo Elementary 3,008
Morningside Baptist 2,639
Motlow Creek Baptist 1,649
Mt. Moriah Baptist 2,596
Mt. Zion Gospel Baptist 1,353
Oakland Elementary 3,205
Park Hills Elementary 2,594
Pelham Fire Station 3,298
Poplar Springs Fire Station 3,580
Powell Saxon Una 4,548
Reidville Elementary
Tract 234.05
Blocks: 3000, 3001 7
Tract 234.09
Blocks: 1024, 1025, 1026, 1027, 1028, 1029, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043 348
Reidville Elementary Subtotal 355
Reidville Fire Station
Tract 232.02
Blocks: 4006, 4007 43
Tract 234.08
Blocks: 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2041, 2042, 2043, 2044, 2045, 2047, 2048, 2049 4585
Tract 234.09
Blocks: 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023 979
Reidville Fire Station Subtotal 5,607
River Ridge Elementary
Tract 231.01
Blocks: 3042, 3043, 3044, 3045 0
Tract 232.02
Blocks: 4000 71

Tract 234.06
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008 2971
Tract 234.08
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1018, 2000, 2001, 2009, 2046 1414
Tract 234.09
Blocks: 1001 0
River Ridge Elementary Subtotal 4,456
Roebuck Bethlehem 2,334
Roebuck Elementary 4,420
Southside Baptist 2,023
Spartanburg High School 3,122
St. John's Lutheran 1,687
Startex Fire Station 1,804
Swofford Career Center 5,388
Travelers Rest Baptist 5,948
Trinity Methodist 3,200
Trinity Presbyterian 2,749
Victor Mill Methodist 4,138
Wellford Fire Station 4,862
West View Elementary 2,420
Whitlock Jr. High 2,894
Woodland Heights Recreation Center 3,347
County Spartanburg SC Subtotal 285,719
County: York SC 282,090
DISTRICT 5 Total 731,203

Area Population

DISTRICT 6

Area Population

County: Fairfield SC 20,948
County: Lexington SC 293,991
County: Newberry SC
Peak
Tract 9506.03

Blocks: 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1019, 1020, 1021, 1038 118
Peak Subtotal 118
County Newberry SC Subtotal 118
County: Richland SC 416,147
DISTRICT 6 Total 731,204

Area Population

DISTRICT 7

Area Population

County: Berkeley SC
Alvin 1,230
Bethera 350
Beverly Hills 2,179
Bonneau 1,892
Bonneau Beach 2,100
Boulder Bluff 3,803
Cane Bay 5,038
Cane Bay East 1,877
Cane Bay North 2,008
Cane Bay South 3,131
Carnes Cross Road 2 1,460
Carnes Cross Roads 1 2,474
Central 3,890
Cobblestone 3,345
Cordesville 1,777
Cross 1,630
Cypress 3,422
Devon Forest 1 3,611
Devon Forest 2 2,516
Discovery 3,657
Eadytown 869
Fifty-two 2,566
Foster Creek 1
Tract 208.09
Blocks: 1034, 1035, 1036 0
Tract 208.11
Blocks: 1001, 1003 185

Foster Creek 1 Subtotal 185
Fox Bank 3,894
Hanahan 1
Tract 208.09
Blocks: 1032, 1033 0
Hanahan 1 Subtotal 0
Harbour Lake 3,979
Hilton Cross Rd 2,729
Horseshoe 2,005
Howe Hall 1 4,146
Howe Hall 2 1,993
Huger
Tract 204.01
Blocks: 1126, 1127, 1128, 1133, 1134, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 2087, 2090, 2114, 2115, 2116, 2123, 2124, 2125, 2126, 2130, 2131, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146 405
Tract 204.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1034, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2030, 2031, 2032, 2038, 2039, 2040, 2041, 2042, 2047, 2050, 2076 1535
Huger Subtotal 1,940
Jamestown 716
Lebanon 1,161
Liberty Hall 3,754
Live Oak 2,502
Macedonia 2,245

Macedonia 2 306
McBeth 1,324
Medway 4,026
Moncks Corner 1 3,070
Moncks Corner 2 2,658
Moncks Corner 3 3,461
Moncks Corner 4 2,159
Moultrie 1,770
Nexton 2,619
North Creek 1,017
Old 52 2,162
Pimlico 1,586
Pinopolis 2,417
Royle 1,991
Russellville 1,755
Sangaree 1 2,055
Sangaree 2 2,316
Sangaree 3 2,109
Sedgefield 1
Tract 208.04
Blocks: 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007 2742
Sedgefield 1 Subtotal 2,742
Sedgefield 3 957
Seventy Eight 2,595
Shulerville 488
St. James 3,114
St. Stephen 1 2,059
St. Stephen 2 2,178
Stone Lake 1,899
Stratford 1 4,310
Stratford 2 2,110
Stratford 3 3,338
Stratford 4 3,016
Stratford 5 2,648
Tramway 2,172
Wassamassaw 1 1,636
Wassamassaw 2 3,703

Weatherstone 3,499
Westview 1 1,824
Westview 2 2,417
Westview 3 2,624
Westview 4 2,092
Whitesville 1 3,433
Whitesville 2 1,511
Wildcat Trail 459
County Berkeley SC Subtotal 181,699
County: Dillon SC 28,292
County: Florence SC
Claussen 2,856
Cowards No. 1 1,447
Cowards No. 2 1,730
Effingham 1,595
Elim-Glenwood 2,575
Evergreen 1,484
Friendfield 766
Gilbert
Tract 5.02
Blocks: 2002, 2024 19
Gilbert Subtotal 19
Greenwood
Tract 16.01
Blocks: 3027, 3033 39
Greenwood Subtotal 39
Hannah 1,007
High Hill 784
Johnsonville 3,452
Kingsburg-Stone 1,359
Lake City No. 1 2,213
Lake City No. 2 1,668
Lake City No. 3 2,414
Lake City No. 4 2,767
Leo 477
Mars Bluff No. 1 5,161
Mars Bluff No. 2 2,265
McAllister Mill 1,246
Mill Branch 858
Olanta 1,944
Pamplico No. 1 1,558

Pamplico No. 2 963
Prospect 664
Salem 925
Scranton 1,317
South Florence 2
Tract 16.01
Blocks: 3034, 3035, 3036 60
South Florence 2 Subtotal 60
Timmonsville 2
Tract 26
Blocks: 4017, 4018, 4023 3
Timmonsville 2 Subtotal 3
Vox 954
County Florence SC Subtotal 46,570
County: Georgetown SC 63,404
County: Horry SC 351,029
County: Marion SC 29,183
County: Williamsburg SC 31,026
DISTRICT 7 Total 731,203
"

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the

constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

The amendment was laid on the table.

AMENDMENT RFH-5

Senator HUTTO proposed the following amendment (AHB\ 865C010.BH.AHB22), which was tabled:

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

/PART I
Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Beaufort SC	
Beaufort 1	1,606
Beaufort 2	1,438
Beaufort 3	1,932
Burton 1A	3,780
Burton 1B	2,305
Burton 1C	2,843
Burton 1D	3,232
Burton 2A	8,096
Burton 2B	3,410
Burton 2C	2,785
Burton 3	3,109
Dale Lobeco	1,448
Ladys Island 1A	2,323
Ladys Island 1B	2,121
Ladys Island 2A	2,096
Ladys Island 2B	1,732
Ladys Island 2C	1,336
Ladys Island 3A	1,138
Ladys Island 3B	1,738
Ladys Island 3C	1,568
Mossy Oaks 1A	1,447
Mossy Oaks 1B	1,624
Mossy Oaks 2	1,781
Port Royal 1	1,960
Port Royal 2	2,070
Seabrook 1	2,057
Seabrook 2	1,196
Seabrook 3	2,161
Sheldon 1	1,434
Sheldon 2	1,100
St. Helena 1A	1,651
St. Helena 1B	1,663
St. Helena 1C	1,396
St. Helena 2A	1,556
St. Helena 2B	1,756
St. Helena 2C	1,192
County Beaufort SC Subtotal	76,080

County: Berkeley SC 229,861
County: Charleston SC 408,235
County: Colleton SC
Cottageville
Tract 9707.01
Blocks: 1003, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1032, 1033, 1034, 1035, 1036, 1037, 1041, 1042, 1047, 1049, 1056, 1057, 1064, 1065 1149
Cottageville Subtotal 1,149
Edisto Beach 1,253
Green Pond 1,105
Hendersonville 1,353
Jacksonboro 457
Mashawville 948
Peniel
Tract 9703.01
Blocks: 2020, 2021, 2022, 2029, 2030, 2032, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2049, 2050, 2051, 2053, 2054, 2055, 3005, 3006, 3007, 3008, 3010, 3011, 3012, 3013, 3014, 3015, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3059, 3060, 3061 1701
Peniel Subtotal 1,701
Petits
Tract 9703.01
Blocks: 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067 113
Petits Subtotal 113
Ritter 924
Round O
Tract 9706.01
Blocks: 1000 53

Tract 9707.01
Blocks: 1029, 1030 161
Tract 9707.02
Blocks: 1018, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035 149
Round O Subtotal 363
Walterboro No. 1 1,918
Walterboro No. 2
Tract 9705.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 2009, 2021, 2022 1077
Tract 9706.01
Blocks: 3032 0
Walterboro No. 2 Subtotal 1,077
Walterboro No. 3 1,960
Walterboro No. 4
Tract 9703.01
Blocks: 2027, 2028, 2031, 2034, 2035, 2039 51
Tract 9705.02
Blocks: 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2047, 2048, 2049, 2054, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2067, 2068, 2069 536
Walterboro No. 4 Subtotal 587
Walterboro No. 6 2,119
County Colleton SC Subtotal 17,027
County: Hampton SC
Yemassee
Tract 9203
Blocks: 2002, 2003 0
Yemassee Subtotal 0
County Hampton SC Subtotal 0
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area	Population
County: Aiken SC	
Aiken No. 1	1,505
Aiken No. 2	1,717
Aiken No. 3	3,160
Aiken No. 4	1,087
Aiken No. 47	1,460
Aiken No. 5	1,616
Aiken No. 6	1,387
Anderson Pond No. 69	2,136
Breezy Hill	4,804
Cedar Creek No. 64	1,897
China Springs	2,546
College Acres	2,379
Couchton	1,878
Eureka	2,614
Gem Lakes No. 60	1,461
Gem Lakes No. 77	1,882
Graniteville	
Tract 203.04	
Blocks: 2017, 2018, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052	420
Tract 204.01	
Blocks: 2043	8
Tract 204.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038	1502
Graniteville Subtotal	1,930

Hitchcock No. 66 1,463
Hollow Creek 1,529
Levels No. 52 1,521
Levels No. 72 1,425
Levels No. 83 1,492
Midland Valley No. 51
Tract 204.01
Blocks: 1013, 1014, 1015, 1017, 1021 333
Midland Valley No. 51 Subtotal 333
Millbrook 2,408
Misty Lakes
Tract 204.01
Blocks: 1022 0
Tract 205
Blocks: 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038 2012
Tract 206.01
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 1046
Tract 206.04
Blocks: 1000, 1001, 1002, 1003 0
Misty Lakes Subtotal 3,058
Monetta 1,868
Montmorenci No. 22 2,507
Montmorenci No. 78 1,438
New Ellenton
Tract 220.01
Blocks: 1032, 1033, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 2001, 2002, 2003, 2004, 2005, 2009, 2010 889
New Ellenton Subtotal 889
New Holland 1,315

Oak Grove 1,804
Perry 1,242
Redds Branch 2,311
Salley 888
Sandstone No. 70 1,597
Sandstone No. 79 1,571
Shaws Fork 970
Shiloh 2,730
Six Points No. 35 2,953
Six Points No. 46 1,967
South Aiken No. 75 2,359
South Aiken No. 76 2,642
SRS
Tract 220.01
Blocks: 2038 0
Tract 9801
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1024, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1086, 1087, 1088, 1126, 1127 0
SRS Subtotal 0
Tabernacle 962
Talatha
Tract 220.01
Blocks: 1005, 1006, 1008, 1009, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1027, 1028, 1029, 1030, 1031, 1034, 1052, 1053, 1054, 1055, 1056, 1078, 2000, 2006, 2007, 2008, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039 878
Tract 220.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 626

Tract 9801
Blocks: 1019, 1025 0
Talatha Subtotal 1,504
Vaucluse 3,073
Wagener 2,870
Ward 2,206
Warrenville
Tract 211.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054 1013
Tract 212.01
Blocks: 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4033, 4034, 4035, 4041, 4049, 4050 690
Warrenville Subtotal 1,703
White Pond 1,184
Windsor No. 43 2,037
Windsor No. 82 1,762
County Aiken SC Subtotal 97,040
County: Allendale SC 8,039
County: Bamberg SC
Colston 228
Edisto
Tract 9604
Blocks: 1000, 1001 14
Edisto Subtotal 14
Ehrhardt
Tract 9604
Blocks: 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,

1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 2008, 2009, 2010, 2011, 2012, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2080, 2081, 2082, 2083, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2111, 2112, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124 983

Ehrhardt Subtotal 983

Govan

Tract 9603

Blocks: 1008, 1009, 1010, 1011, 1012, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1035, 1039, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1070, 1071, 1072, 1073 208

Govan Subtotal 208

Hightowers Mill

Tract 9603

Blocks: 1007 5

Hightowers Mill Subtotal 5

Hunter's Chapel

Tract 9604

Blocks: 1002 3

Hunter's Chapel Subtotal 3

Kearse 187

Little Swamp 161

Olar 497

County Bamberg SC Subtotal 2,286

County: Barnwell SC 20,589

County: Beaufort SC

Belfair 2,568

Bluffton 1A 2,885

Bluffton 1B 1,769

Bluffton 1C 3,263

Bluffton 1D 3,776

Bluffton 2A 2,380
Bluffton 2B 2,351
Bluffton 2C 3,831
Bluffton 2D 2,976
Bluffton 2E 3,197
Bluffton 3 1,289
Bluffton 4A 1,384
Bluffton 4B 2,308
Bluffton 4C 3,038
Bluffton 4D 2,483
Bluffton 5A 2,881
Bluffton 5B 1,906
Chechessee 1 1,772
Chechessee 2 2,442
Daufuskie 557
Hilton Head 10 2,663
Hilton Head 11 1,505
Hilton Head 12 969
Hilton Head 13 1,196
Hilton Head 14 1,050
Hilton Head 15A 588
Hilton Head 15B 936
Hilton Head 1A 2,249
Hilton Head 1B 1,923
Hilton Head 2A 2,048
Hilton Head 2B 3,809
Hilton Head 2C 1,703
Hilton Head 3 1,002
Hilton Head 4A 906
Hilton Head 4B 1,300
Hilton Head 4C 1,125
Hilton Head 4D 1,140
Hilton Head 5A 1,078
Hilton Head 5B 975
Hilton Head 5C 1,041
Hilton Head 6 1,474
Hilton Head 7A 1,608
Hilton Head 7B 1,716
Hilton Head 8 1,059
Hilton Head 9A 1,878
Hilton Head 9B 1,462

Moss Creek 1,677
New River 4,169
Palmetto Bluff 931
Rose Hill 2,053
Sandy Pointe 2,470
Sun City 1 1,417
Sun City 2 1,148
Sun City 3 1,662
Sun City 4 1,336
Sun City 5 1,463
Sun City 6 1,345
Sun City 7 1,222
Sun City 8 2,685
County Beaufort SC Subtotal 111,037
County: Colleton SC
Ashton-Lodge 734
Bells 464
Berea-Smoaks 1,245
Canady's 763
Cottageville
Tract 9707.01
Blocks: 1000, 1001, 1002, 1004, 1038, 1039, 1040, 1048, 1050, 2006, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043 1289
Cottageville Subtotal 1,289
Edisto 466
Horse Pen 1,050
Hudson Mill 734
Maple Cane 1,477
Peeples 2,134
Peniel
Tract 9703.01
Blocks: 2047, 2048, 3058 53
Peniel Subtotal 53
Petits
Tract 9703.01

Blocks: 1020, 1022, 1023, 1024, 1028, 1029, 1030, 1031, 1046, 1047, 1048, 1049, 1050, 1052, 1053 252
Petits Subtotal 252
Rice Patch 847
Round O
Tract 9706.01
Blocks: 2005, 2008, 2022 48
Tract 9707.01
Blocks: 2005, 2007, 2008 386
Tract 9707.02
Blocks: 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1028 765
Round O Subtotal 1,199
Ruffin 370
Sidneys 901
Sniders 978
Stokes 980
Walterboro No. 2
Tract 9705.01
Blocks: 1018, 1019, 1020 40
Tract 9706.01
Blocks: 2006, 2007, 2009, 2010, 2011, 2014, 2015, 2016, 2018, 2019, 2020, 2021, 2023, 2024, 2025, 3022, 3023, 3027, 3028, 3029, 3030, 3031, 3033, 3034 879
Walterboro No. 2 Subtotal 919
Walterboro No. 4
Tract 9703.01
Blocks: 2019, 2026 0
Tract 9704.02
Blocks: 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2041, 2042, 2043, 2044, 2045, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3069, 3070, 3071, 3072 248
Tract 9705.02
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019,

2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2046, 2050, 2051, 2052, 2053, 2055, 2063, 2064, 2065, 2066, 2070, 2071, 2072 1326
Walterboro No. 4 Subtotal 1,574
Walterboro No. 5 2,136
Williams 404
Wolfe Creek 608
County Colleton SC Subtotal 21,577
County: Dorchester SC 161,540
County: Edgefield SC
Harmony
Tract 9703
Blocks: 2088 0
Harmony Subtotal 0
Trenton No. 1
Tract 9704
Blocks: 2047 6
Trenton No. 1 Subtotal 6
County Edgefield SC Subtotal 6
County: Hampton SC
Black Creek 319
Bonnett 1,023
Brunson 897
Crocket-Miley 789
Cummings 1,025
Early Branch 587
Estill 4,109
Furman 431
Garnett 211
Gifford 393
Hampton No. 1 1,632
Hampton No. 2 1,982
Hopewell 418
Horse Gall 117
Rivers Mill 103
Scotia 479
Varnville 2,675
Yemassee
Tract 9203

Blocks: 1052, 1071, 1072, 1073, 1078, 1079, 1080, 1081, 1082, 1083, 2000, 2001, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121 1371

Yemassee Subtotal 1,371

County Hampton SC Subtotal 18,561

County: Jasper SC 28,791

County: Lexington SC

BARR ROAD 1 1,987

BARR ROAD 2 5,274

BATESBURG 3,002

BEULAH CHURCH 3,318

BOILING SPRINGS 3,727

BOILING SPRINGS SOUTH 2,300

BUSH RIVER 2,120

Carolina Springs 3,348

CAYCE 2A

Tract 202.02

Blocks: 1005, 1008, 1017, 1018, 1022, 1023, 1024, 1025, 1030, 1031, 1032, 1033, 1038, 1039, 1040, 1041, 2000, 2001, 2002, 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034 1424

Tract 206.01
Blocks: 2013, 2015, 2024, 2031 59
Tract 206.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1028, 1029 638
CAYCE 2A Subtotal 2,121
CAYCE NO. 1
Tract 202.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2026, 2027, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061 2074
Tract 203
Blocks: 1028, 1029, 1030, 2015, 2018, 2019, 2020, 2021, 2022, 2025, 2026, 2027, 2055, 2056 792
CAYCE NO. 1 Subtotal 2,866
CAYCE NO. 3 1,041
CEDARCREST 2,743
CHALLEDON 2,449
COLDSTREAM 2,431
CONGAREE 1 3,187
CONGAREE 2 1,720
CROMER 2,172
EDMUND 1 2,575
EDMUND 2 3,266
EMMANUEL CHURCH 3,261
FAIRVIEW 2,329
FAITH CHURCH 2,732
GARDENDALE 2,190
GASTON 1
Tract 207.05
Blocks: 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025,

1026, 1027, 1028, 1029, 1030, 1034, 1035, 1036, 1037 1287
Tract 208.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1026 801
GASTON 1 Subtotal 2,088
GASTON 2
Tract 207.05
Blocks: 2035 12
Tract 207.07
Blocks: 2024 0
Tract 208.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2012, 2013, 2014, 2015, 2016, 2035, 2036, 2039, 2042 168
Tract 208.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1007, 1008, 1025, 1026, 1027, 1028, 1029, 1030, 1031 379
Tract 208.06
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1025, 1026, 1027, 1028, 1029, 1030, 1031 1209
Tract 208.07
Blocks: 1000, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042 1528
GASTON 2 Subtotal 3,296
GILBERT 3,311
GRENADIER 2,905
HOLLOW CREEK 3,790
HOOK'S STORE 3,746
IRMO 3,241
KITTI WAKE 2,646
LAKE MURRAY 1 3,078

LAKE MURRAY 2 5,407
LEAPHART ROAD 2,916
LEESVILLE 3,412
LEXINGTON NO. 1 4,224
LEXINGTON NO. 2 2,995
LEXINGTON NO. 3 4,896
LEXINGTON NO. 4 5,186
LINCREEK 3,141
MACK-EDISTO 1,323
MIDWAY 1,904
MIMS 2,387
MOUNT HOREB 3,132
MT. HEBRON 2,040
MURRAYWOOD 2,684
OAKWOOD 4,509
OLD BARNWELL ROAD 3,267
PARK ROAD 1 3,091
PARK ROAD 2 1,852
PELION 1 2,527
PELION 2 2,508
PILGRIM CHRUCH 4,006
PINE RIDGE 1
Tract 206.05
Blocks: 1011, 1013, 1014, 1015, 1016, 1017, 1018, 1021, 1026, 1027, 2039, 2040, 2041, 2042, 2043, 2044, 2045 894
Tract 207.08
Blocks: 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2029, 2033, 2034, 2035, 2036, 2039, 2040 783
PINE RIDGE 1 Subtotal 1,677
PINE RIDGE 2 3,753
PINEVIEW 2,909
Platt Springs 1 2,044
Platt Springs 2 5,471
POND BRANCH 3,645
PROVIDENCE CHURCH 3,212
QUAIL HOLLOW 3,015
QUAIL VALLEY

Tract 211.11
Blocks: 1003 0
Tract 211.12
Blocks: 1001, 1002, 1003, 1004, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1020, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036 2668

QUAIL VALLEY Subtotal 2,668
RED BANK 6,015
RED BANK SOUTH 1 3,973
RED BANK SOUTH 2 2,756
RIDGE ROAD 2,856
RIVER BLUFF 4,281
ROUND HILL 6,417
SALUDA RIVER 3,061
SAND HILL 3,638
SEVEN OAKS 2,488
SHARPE'S HILL 3,806
SPRINGDALE 2,813
SPRINGDALE SOUTH 1,069
ST. DAVIDS 3,939
ST. MICHAEL 2,685
SUMMIT 2,284
SWANSEA 1 1,997
SWANSEA 2 2,666
WEST COLUMBIA NO. 1 1,929
WEST COLUMBIA NO. 2 1,650
WEST COLUMBIA NO. 3 1,034
WEST COLUMBIA NO. 4 2,838
WESTOVER 2,086
WHITE KNOLL 4,115
WHITEHALL 2,750
WOODLAND HILLS 2,530

County Lexington SC Subtotal 261,737
DISTRICT 2 Total 731,203

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Aiken SC
Ascauga Lake No. 63 1,341
Ascauga Lake No. 84 1,548
Bath 1,431
Beech Island 2,354
Belvedere No. 44 2,152
Belvedere No. 62 1,827
Belvedere No. 74 1,083
Belvedere No. 9 2,621
Carolina Heights 2,099
Clearwater 1,424
Fox Creek No. 58 2,036
Fox Creek No. 73 1,878
Gloverville 1,678
Graniteville
Tract 204.01
Blocks: 1000 0
Graniteville Subtotal 0
Hammond No. 48 1,613
Hammond No. 81 1,804
Jackson 2,182
Langley 2,324
Lynwood 1,463
Midland Valley No. 51
Tract 204.01
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1016, 1018, 1019, 1020, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030 2945
Tract 211.01

Blocks: 2000, 2001, 2002, 2005, 2006, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2041 4
Midland Valley No. 51 Subtotal 2,949
Midland Valley No. 71 2,999
Misty Lakes
Tract 206.04
Blocks: 1004 0
Misty Lakes Subtotal 0
N. Augusta No. 25 2,565
N. Augusta No. 26 1,559
N. Augusta No. 27 1,927
N. Augusta No. 28 1,392
N. Augusta No. 29 2,320
N. Augusta No. 54 2,076
N. Augusta No. 55 1,352
N. Augusta No. 67 1,676
N. Augusta No. 68 3,300
N. Augusta No. 80 1,279
New Ellenton
Tract 220.04
Blocks: 2004, 2005, 2007, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2022, 2023, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078 1358
New Ellenton Subtotal 1,358
Pine Forest 2,668
Silver Bluff 2,651
Sleepy Hollow No. 65 2,170
SRS
Tract 221
Blocks: 2052, 2053 0
Tract 9801
Blocks: 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049,

1050, 1051, 1052, 1053, 1054, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1122, 1123, 1124, 1125 0

SRS Subtotal 0

Talatha

Tract 220.03

Blocks: 1000, 1001, 1002, 1016, 1017, 1032, 2009, 2010, 2011, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 729

Tract 220.04

Blocks: 1000, 1008, 2000, 2001, 2002, 2003, 2006, 2008, 2019, 2020, 2021, 2024, 2025, 2026, 2027, 2079, 2080, 2081 422

Talatha Subtotal 1,151

Warrenville

Tract 211.01

Blocks: 2003, 2004, 2007, 2021, 2022, 2025, 2026, 2027 66

Tract 211.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2026, 2027 1170

Warrenville Subtotal 1,236

Willow Springs 2,282

County Aiken SC Subtotal 71,768

County: Anderson SC

Anderson 1/1 2,837

Anderson 1/2 1,772

Anderson 2/1 1,962

Anderson 2/2 5,186

Anderson 3/1 1,798

Anderson 3/2 2,093

Anderson 4/1 2,544

Anderson 4/2 3,352

Anderson 5/B 2,459

Anderson 6/1 2,878

Anderson 6/2 2,602
Appleton-Equinox 1,916
Barker's Creek 586
Belton 3,376
Belton Annex 2,832
Bishop's Branch 3,108
Bowling Green 1,232
Broadview 829
Broadway 1,332
Brushy Creek 3,341
Cedar Grove 2,437
Center Rock 3,616
Centerville Station A 4,083
Centerville Station B 4,150
Chiquola Mill 1,411
Concrete 4,982
Cox Creek 1,878
Craytonville 1,617
Denver-Sandy Springs 2,091
Edgewood Station A 3,590
Edgewood Station B 2,776
Five Forks 2,051
Flat Rock 2,591
Fork No. 1 1,967
Fork No. 2 2,241
Friendship 1,366
Glenview 2,700
Gluck Mill 2,953
Green Pond Station A 3,705
Hall 2,603
Hammond Annex 2,618
Hammond School 3,547
High Point 854
Homeland Park 933
Honea Path 2,192
Hopewell 2,228
Hunt Meadows 6,104
Iva 2,661
Jackson Mill 2,001
La France 1,516
Lakeside 3,816

Melton 855
Mount Tabor 3,316
Mountain Creek 1,751
Mt. Airy 3,365
Neals Creek 3,379
North Point 2,584
Pelzer
  Tract 103
    Blocks: 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035 854
  Tract 104.03
    Blocks: 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2061 265
  Tract 104.04
    Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2017, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2029, 2030, 2031 315
Pelzer Subtotal 1,434
Pendleton 4,750
Piedmont 1,663
Piercetown 3,100
Powdersville 5,048
Rock Mill 1,486
Rock Spring 1,172
Shirleys Store 1,232
Simpsonville 4,165
South Fant 2,489
Starr 1,304
Three and Twenty 4,138
Toney Creek 1,140
Town Creek 2,162
Townville 1,107
Varennes 2,297
West Pelzer
  Tract 103

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1024, 1029, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 4036, 4037 3080

West Pelzer Subtotal 3,080
West Savannah 893
White Plains 4,799
Williamston 3,465
Williamston Mill 5,038
Wrights School 1,193
County Anderson SC Subtotal 203,718
County: Edgefield SC
Brunson 711
Edgefield No. 1 1,211
Edgefield No. 2 4,157
Harmony
Tract 9702.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2037, 2038, 2039, 2040, 2062 407
Tract 9703
Blocks: 2021, 2022, 2023, 2024, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2089, 2090, 2091, 2092, 3060 910

Tract 9704
Blocks: 1000, 1003 6
Harmony Subtotal 1,323
Johnston No. 1 1,815
Johnston No. 2 1,603
Merriweather No. 1 3,369
Merriweather No. 2 4,776
North Side 547
Trenton No. 1
Tract 9702.03
Blocks: 2044, 2045, 2046 7
Tract 9702.04
Blocks: 4019, 4020 24
Tract 9704
Blocks: 1001, 1002, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1067, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2050, 2051, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3011, 3012, 3016, 3017 1988
Trenton No. 1 Subtotal 2,019
Trenton No. 2 2,789
Westside 1,331
County Edgefield SC Subtotal 25,651
County: Greenville SC
CAROLINA
Tract 36.02
Blocks: 2018 0
CAROLINA Subtotal 0
DUNKLIN

Tract 31.04
Blocks: 1035 0
DUNKLIN Subtotal 0
FORK SHOALS
Tract 31.04
Blocks: 1029 13
FORK SHOALS Subtotal 13
FOUNTAIN INN 2
Tract 31.03
Blocks: 1038 23
FOUNTAIN INN 2 Subtotal 23
GROVE
Tract 35
Blocks: 1061 0
GROVE Subtotal 0
PIEDMONT
Tract 33.01
Blocks: 2032, 2048, 4007 0
PIEDMONT Subtotal 0
TANGLEWOOD
Tract 36.01
Blocks: 4006 0
TANGLEWOOD Subtotal 0
WALNUT SPRINGS
Tract 30.09
Blocks: 2002, 2016 14
WALNUT SPRINGS Subtotal 14
WARE PLACE
Tract 33.01
Blocks: 1027 0
WARE PLACE Subtotal 0
County Greenville SC Subtotal 50
County: Greenwood SC 69,351
County: Laurens SC 67,539
County: McCormick SC 9,526
County: Newberry SC
Beth - Eden 1,333
Bush River 441
Chappells 889
Fairview
Tract 9506.01

Blocks: 1091, 1092, 1093, 3001 45
Tract 9506.04
Blocks: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1014, 1015, 1017, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 4002, 4003, 4004, 4005, 4011, 4018, 4019, 4021 1904
Fairview Subtotal 1,949
Hartford 1,831
Helena 1,121
Johnstone 934
Kinards-Jalapa 679
Little Mountain
Tract 9506.01
Blocks: 1025, 1082, 1083, 1084, 1085 134
Little Mountain Subtotal 134
Mt. Bethel-Garmany
Tract 9502.01
Blocks: 1011, 1014, 1015, 1016, 1017, 1018, 1019, 1024, 1025, 1026, 1034, 1035, 1041, 1042, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013 1233
Tract 9502.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1018, 1019, 1020, 1021, 1045, 1046, 1047, 1048, 1049, 1055, 1084, 1085, 1087, 1088, 1089, 1090, 1091, 1093, 1094, 1097, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2008, 2009, 2010, 2015, 2016, 2025, 2028, 2031, 2037, 2060, 2061 401
Mt. Bethel-Garmany Subtotal 1,634
Newberry Ward 1 724
Newberry Ward 2 2,330
Newberry Ward 3 1,519
Newberry Ward 4 857
Newberry Ward 5 1,297
Newberry Ward 6 1,998
Oakland 1,661

O'Neal 1,792
Prosperity City 1,099
Prosperity Outside
Tract 9506.01
Blocks: 1008, 1015, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1038, 1042, 1044, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1067, 1069, 1070, 1090, 1094, 1095, 1096, 1097, 1098, 2002, 2005, 2012, 2015, 2016, 2018, 2019, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2044, 2049, 2054, 2055, 2058, 3000, 3002 1576
Prosperity Outside Subtotal 1,576
Silverstreet 1,027
St. Phillips-Jolly Street
Tract 9501
Blocks: 3039, 3049 20
Tract 9502.01
Blocks: 1023, 1036, 1037 14
St. Phillips-Jolly Street Subtotal 34
Stoney Hill 1,083
Wheeland
Tract 9506.04
Blocks: 1000, 1002, 4000, 4001, 4012, 4013, 4014, 4015, 4020 188
Wheeland Subtotal 188
Whitmire City 1,300
Whitmire Outside
Tract 9503
Blocks: 1000, 1001, 1004, 1005, 1006, 1008, 1015, 1017, 1018, 1019, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2030, 2038, 2040, 2041, 2042, 2043, 2044, 2046, 4012, 4015, 4017, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4046, 4051, 4052, 4053, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4079, 4080, 4081, 4082 1003

Whitmire Outside Subtotal 1,003
County Newberry SC Subtotal 30,433
County: Oconee SC 78,607
County: Pickens SC 131,404
County: Saluda SC 18,862
County: Spartanburg SC
Enoree First Baptist
Tract 237
Blocks: 2031 0
Enoree First Baptist Subtotal 0
Woodruff Elementary
Tract 236.01
Blocks: 1052 0
Tract 236.02
Blocks: 2027 0
Woodruff Elementary Subtotal 0
County Spartanburg SC Subtotal 0
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Anderson SC
Pelzer
Tract 104.03
Blocks: 2000 0
Pelzer Subtotal 0
West Pelzer
Tract 103
Blocks: 2013, 2016 0
West Pelzer Subtotal 0
County Anderson SC Subtotal 0
County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BAKER CREEK 2,435

BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA
Tract 36.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2011, 2012, 2013, 2014, 2017, 2019 2657
CAROLINA Subtotal 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
DUNKLIN
Tract 31.04
Blocks: 1030, 1031, 1033, 1034, 1036, 1037, 1038, 1039, 1041, 1042, 1043, 1044, 1045, 1046 238
Tract 32.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040,

1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3000, 3001, 3002, 3003, 3004, 3006, 3007, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035 3588

Tract 32.04

Blocks: 1040 3

DUNKLIN Subtotal 3,829

EASTSIDE 3,795

EBENEZER 3,543

EDWARDS FOREST 3,234

ENOREE 4,688

FEASTER 2,321

FORK SHOALS

Tract 31.03

Blocks: 1025, 1026, 1030, 1031, 1032, 1033 282

Tract 31.04

Blocks: 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1021, 1025, 1026, 1027, 1028, 1032, 1040 1479

Tract 32.02

Blocks: 1055 0

Tract 32.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1041 1273

FORK SHOALS Subtotal 3,034

FOUNTAIN INN 1 5,157

FOUNTAIN INN 2

Tract 31.01
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065 2326
Tract 31.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1013, 1035, 1036, 1037, 1039, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034 379
FOUNTAIN INN 2 Subtotal 2,705
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338

GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE
Tract 20.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2017, 2020, 2021, 2022, 2023, 2024, 2028 769
Tract 35
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1038, 1039, 1040, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 2743
GROVE Subtotal 3,512
HILLCREST 3,560
HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
LONG CREEK 2,484
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930

MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOORE CREEK 5,570
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NEELY FARMS 4,822
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
PIEDMONT
Tract 33.01
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2033, 2034, 2035, 2036, 2037, 2038, 2049, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3026, 3027, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031 5091
Tract 35
Blocks: 1017, 1036, 1037, 1041, 1042, 1043, 1044 127
PIEDMONT Subtotal 5,218
PINEVIEW 1,985
POINSETT 4,944
RAINTREE 5,224
RANCH CREEK 4,300
REEDY FORK 4,524
RIVERSIDE 4,074

RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721
SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE 4,357
TANGLEWOOD
Tract 36.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 4000, 4001, 4002, 4003, 4004, 4005, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021 4768
Tract 36.02
Blocks: 2010, 2015, 2016 7
TANGLEWOOD Subtotal 4,775
TAYLORS 3,650

THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
VERDMONT 3,123
WADE HAMPTON 4,440
WALNUT SPRINGS
Tract 28.21
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014 2462
Tract 28.22
Blocks: 1014, 1015, 1016, 1017, 1018 921
Tract 30.09
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1013, 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4052, 4053 5153
WALNUT SPRINGS Subtotal 8,536
WARE PLACE
Tract 32.02
Blocks: 3005, 3008, 3009 32
Tract 32.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2043, 2044, 2045, 2050, 2051, 2052, 2053, 2054, 2055, 2056 2224

Tract 32.04
Blocks: 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1042 470
Tract 33.01
Blocks: 1014, 1016, 1017, 1020, 1021, 1022, 1023, 1024, 1025, 1026 273
Tract 33.03
Blocks: 2015, 2016, 2017, 2026 161
WARE PLACE Subtotal 3,160
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODMONT 4,225
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 525,484
County: Spartanburg SC
Abner Creek Baptist 3,407
Anderson Mill Baptist 2,445
Anderson Mill Elementary 3,612
Apalache Baptist 4,795
Arcadia Elementary 3,246
Beech Springs Intermediate 3,386
Bethany Wesleyan 4,245
Boiling Springs Elementary
Tract 218.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1024, 1025 3601
Boiling Springs Elementary Subtotal 3,601
Boiling Springs Intermediate
Tract 228.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033 2825
Tract 228.06

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2026, 2027, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 3000, 3001, 3002, 3003, 3010, 3011, 3013, 3018, 3038, 3039, 3040 2952

Tract 229.01

Blocks: 2068 0

Tract 229.02

Blocks: 1000, 1001, 1002, 1003, 1065, 1066, 1067, 1070, 1073 59

Boiling Springs Intermediate Subtotal 5,836

C.C. Woodson Recreation 2,374

Canaan 2,078

Cavins Hobbysville 1,496

Cedar Grove Baptist 2,380

Chapman High School

Tract 228.04

Blocks: 2021, 2022, 2023, 2024, 2025, 2034 526

Tract 229.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2059, 2060, 2061, 2062, 2064, 2065, 2066, 2067, 2078, 2079 2013

Tract 229.02

Blocks: 1004, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4023, 4026, 4027, 4028, 4029, 4030, 4038, 4039, 4040, 4046, 4048 1860

Chapman High School Subtotal 4,399
Cleveland Elementary
Tract 203.01
Blocks: 1019, 1020, 1023, 1024, 1028 14
Tract 204
Blocks: 1000, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1038, 1039, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2010, 2011, 2013, 2014, 2015, 2018, 2019, 2020, 2021 947
Tract 205
Blocks: 1000, 1001, 1002, 1004, 1015, 1016, 1017 184
Tract 217
Blocks: 2051 0
Cleveland Elementary Subtotal 1,145
Cross Anchor Fire Station
Tract 237
Blocks: 1029, 1030, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 2000, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030 1219
Cross Anchor Fire Station Subtotal 1,219
D. R. Hill Middle School 4,636
Duncan United Methodist 2,665
E.P. Todd Elementary
Tract 220.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2016, 2017 2392

E.P. Todd Elementary Subtotal 2,392
Ebenezer Baptist 1,522
Enoree First Baptist
Tract 237
Blocks: 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076 2322
Enoree First Baptist Subtotal 2,322
Fairforest Elementary 4,920
Fairforest Middle School 5,043
Gable Middle School 4,093
Gramling Methodist
Tract 227.02
Blocks: 1000, 1001, 1002, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2038, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088 2276
Gramling Methodist Subtotal 2,276
Greater St. James 4,474
Hayne Baptist
Tract 218.04
Blocks: 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015 603

Tract 218.05
Blocks: 1005, 1007, 1008, 1010, 1011, 1012, 1013, 1021 264
Tract 219.04
Blocks: 1000, 1001, 1002, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1035, 1036, 1037, 1038 218
Hayne Baptist Subtotal 1,085
Hendrix Elementary
Tract 218.03
Blocks: 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2021, 2023 2349
Hendrix Elementary Subtotal 2,349
Holly Springs Baptist 5,562
Holy Communion 4,050
Hope
Tract 218.03
Blocks: 1023, 2020, 3018 0
Tract 218.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 2000, 2001, 2002, 2003, 2004 1533
Tract 218.05
Blocks: 3006 0
Tract 228.06
Blocks: 1000, 1001, 1002, 1004, 2024, 2025, 2028 573
Hope Subtotal 2,106
Jesse Bobo Elementary 3,037
Landrum High School
Tract 225
Blocks: 1025, 1030, 1031, 1032, 1037, 1043, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1064, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097,

1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 3021, 3022, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080 3156

Tract 227.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1045, 1048, 1081, 1082, 1083, 1089, 1098, 1099, 1101, 1102 316

Tract 227.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2020, 2021, 2022 278

Landrum High School Subtotal 3,750

Landrum United Methodist 4,488

Lyman Elementary 3,242

Lyman Town Hall 6,647

Motlow Creek Baptist 1,649

Mt. Calvary Presbyterian 4,901

Mt. Moriah Baptist

Tract 209

Blocks: 1000, 1001, 1005, 1006, 1007, 1008 326

Tract 210.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 2000 1134
Mt. Moriah Baptist Subtotal 1,460
Mt. Zion Gospel Baptist 1,353
Park Hills Elementary 2,594
Pauline Glenn Springs Elementary 1,635
Pelham Fire Station 3,298
Poplar Springs Fire Station 3,580
Powell Saxon Una
Tract 204
Blocks: 2008, 2009, 2012, 2016, 2017, 2022 84
Tract 205
Blocks: 1018, 1019, 1031 15
Tract 206.01
Blocks: 2005, 2006, 2007, 2008 44
Tract 217
Blocks: 1009, 1010, 1011, 1012, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033 3848
Powell Saxon Una Subtotal 3,991
R.D. Anderson Vocational 2,213
Reidville Elementary 4,379
Reidville Fire Station 5,659
River Ridge Elementary 4,456
Roebuck Bethlehem 2,334
Roebuck Elementary 4,420
Southside Baptist

Tract 208
Blocks: 1014, 1015, 1016, 1017, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1032, 1033 970
Tract 209
Blocks: 1002, 1003, 1004, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027 872
Tract 212
Blocks: 1071, 1075, 1083, 1088, 1090, 1091, 1095, 1097, 1098, 1100, 1129 83
Southside Baptist Subtotal 1,925
Startex Fire Station 1,804
Swofford Career Center
Tract 225
Blocks: 1014, 1021, 1022, 1023, 1024, 1063, 1065, 1066 253
Swofford Career Center Subtotal 253
Travelers Rest Baptist 5,948
Trinity Methodist 3,200
Trinity Presbyterian 2,749
Victor Mill Methodist 4,138
Wellford Fire Station 4,862
White Stone Methodist
Tract 238.04
Blocks: 1000, 1001, 1002, 1003, 2000, 2001, 2002, 2003, 2004, 2005 117
White Stone Methodist Subtotal 117
Woodland Heights Recreation Center 3,347
Woodruff Elementary
Tract 235
Blocks: 3025, 3028, 3029, 3030, 3033, 3035, 3038, 3039, 3040, 3041, 3042, 3043 299
Tract 236.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040,

1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1053, 1054, 1055 1334

Tract 236.02

Blocks: 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2028, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045 3166

Woodruff Elementary Subtotal 4,799

Woodruff Fire Station 1,977

Woodruff Leisure Center 2,356

County Spartanburg SC Subtotal 205,720

DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216

County: Chester SC 32,294

County: Kershaw SC 65,403

County: Lancaster SC 96,016

County: Lexington SC

AMICKS FERRY 3,919

CHAPIN 4,743

DREHER ISLAND 2,160

DUTCHMAN SHORES 3,304

OLD LEXINGTON 4,121

County Lexington SC Subtotal 18,247
County: Newberry SC
Consolidated Number 5 1,504
Fairview
Tract 9506.03
Blocks: 2018, 2019, 2020, 2021, 2022 127
Fairview Subtotal 127
Little Mountain
Tract 9506.01
Blocks: 1013, 1014, 1022, 1023, 1024, 1086 58
Tract 9506.03
Blocks: 1017, 1018, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2013, 2014, 2015, 2025, 2026, 2027 1817
Little Mountain Subtotal 1,875
Maybinton 78
Mt. Bethel-Garmany
Tract 9502.01
Blocks: 1012, 1013 497
Mt. Bethel-Garmany Subtotal 497
Peak 157
Pomaria 817
Prosperity Outside
Tract 9506.01
Blocks: 1009, 1010, 1011, 1012 56
Prosperity Outside Subtotal 56
St. Phillips-Jolly Street
Tract 9501

Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3037, 3038, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3063 1311

Tract 9502.01

Blocks: 1038, 1039, 1040 159

St. Phillips-Jolly Street Subtotal 1,470

Wheeland

Tract 9506.03

Blocks: 2011, 2012, 2016, 2017, 2023, 2024, 2028, 2029, 2030, 2031, 2032, 2033 461

Wheeland Subtotal 461

Whitmire Outside

Tract 9503

Blocks: 1033, 4009, 4010, 4011, 4034, 4042, 4043, 4044, 4045, 4047, 4048, 4049, 4050, 4054, 4083, 4085 244

Whitmire Outside Subtotal 244

County Newberry SC Subtotal 7,286

County: Richland SC

Ballentine 1 2,309

Ballentine 2 2,585

Dutch Fork 1 1,683

Dutch Fork 2 1,931

Dutch Fork 3 3,596

Dutch Fork 4 2,474

Friarsgate 1

Tract 103.11

Blocks: 1038, 1039, 1046, 1047, 1050, 1051, 1052, 1053, 1054, 1055 495

Friarsgate 1 Subtotal 495

Spring Hill 3,572

Springville 1 2,866

Springville 2 2,620

County Richland SC Subtotal 24,131

County: Spartanburg SC

Beaumont Methodist 1,445
Ben Avon Methodist 1,994
Bethany Baptist 3,284
Boiling Springs 9th Grade 6,645
Boiling Springs Elementary
Tract 218.03
Blocks: 2000 0
Tract 218.06
Blocks: 1005, 1006, 1010 35
Tract 224.06
Blocks: 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 2001, 2002, 2003, 2004, 2005, 2006, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017, 2018, 2019 3888
Boiling Springs Elementary Subtotal 3,923
Boiling Springs High School 2,556
Boiling Springs Intermediate
Tract 228.04
Blocks: 2000, 2001 100
Boiling Springs Intermediate Subtotal 100
Boling Springs Jr. High 2,149
Broome High School 1,393
Cannons Elementary 1,766
Carlisle Fosters Grove 3,495
Carlisle Wesleyan 2,337
Chapman Elementary 3,126
Chapman High School
Tract 228.03
Blocks: 1019, 1020, 1021, 1022, 1023, 1037, 1038, 1039, 1040 362
Tract 228.04
Blocks: 3016, 3017, 3021, 3022, 3023, 3024, 3025, 3026, 3027 662
Chapman High School Subtotal 1,024
Cherokee Springs Fire Station 2,841
Chesnee Elementary 5,134
Cleveland Elementary
Tract 203.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012,

1013, 1014, 1015, 1016, 1017, 1018, 1021, 1022, 1025, 1026, 1027, 1029, 2000, 2001, 2002, 2003, 2004, 2007, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024 2920

Tract 204

Blocks: 1001 0

Tract 212

Blocks: 1017, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1066, 1067, 1068 131

Tract 215

Blocks: 1037, 1038, 1039, 3011, 3012 0

Tract 216

Blocks: 1031, 1032, 1036, 1037, 1038, 1041, 1042, 1068, 1069, 1076 268

Cleveland Elementary Subtotal 3,319

Converse Fire Station 1,963

Cooley Springs Baptist 4,474

Cornerstone Baptist 2,294

Cowpens Depot Museum 1,970

Cowpens Fire Station 2,821

Croft Baptist 2,110

Cross Anchor Fire Station

Tract 237

Blocks: 1065, 1078 0

Cross Anchor Fire Station Subtotal 0

Cudd Memorial 2,556

Daniel Morgan Technology Center 1,608

Dayton Fire Station 2,893

E.P. Todd Elementary

Tract 211

Blocks: 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4023, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4035, 4036, 4037, 4038 914

Tract 220.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015 622
E.P. Todd Elementary Subtotal 1,536
Eastside Baptist 1,891
Glendale Fire Station 2,157
Gramling Methodist
Tract 228.03
Blocks: 1024, 1025, 1026, 1027 225
Gramling Methodist Subtotal 225
Hayne Baptist
Tract 218.03
Blocks: 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032 975
Tract 218.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1006, 1009, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 3000, 3001, 3002, 3003, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025 2487
Tract 218.06
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 3000, 3001, 3002, 3003, 3004, 3005, 3008, 3009 1855
Hayne Baptist Subtotal 5,317
Hendrix Elementary
Tract 218.03
Blocks: 2001, 2002, 2003, 2022, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3019, 3020, 3021 1805
Tract 218.05
Blocks: 3004, 3005, 3007 0
Tract 218.06
Blocks: 1007, 1008 0
Hendrix Elementary Subtotal 1,805

Hope
Tract 218.03
Blocks: 3017 0
Hope Subtotal 0
Jesse Boyd Elementary 2,629
Lake Bowen Baptist 6,603
Landrum High School
Tract 228.03
Blocks: 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1018, 1044 242
Landrum High School Subtotal 242
Mayo Elementary 3,008
Morningside Baptist 2,639
Mt. Moriah Baptist
Tract 211
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1022, 1023, 2003 681
Tract 212
Blocks: 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1081, 1082, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 3034 455
Mt. Moriah Baptist Subtotal 1,136
Oakland Elementary 3,205
Pacolet Elementary 3,545
Powell Saxon Una
Tract 217
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1026 557
Powell Saxon Una Subtotal 557
Southside Baptist
Tract 212

Blocks: 1033, 1034, 1060, 1061, 1062, 1063, 1064, 1065, 1072, 1073, 1074, 1076, 1077, 1078, 1079, 1080, 1084, 1085, 1086, 1087, 1089, 1096 98

Southside Baptist Subtotal 98

Spartanburg High School 3,122

St. John's Lutheran 1,687

Swofford Career Center

Tract 224.07

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1020, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046 2933

Tract 224.08

Blocks: 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2032, 2033, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3023, 3024, 3025, 3026, 3027, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3044 2196

Tract 225

Blocks: 1121 6

Swofford Career Center Subtotal 5,135

West View Elementary 2,420

White Stone Methodist

Tract 221.01

Blocks: 1022, 1026, 2015, 2023, 2024, 2025, 2026, 2027, 2028, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055 456

Tract 239.01
Blocks: 1015, 1016, 1017, 1018, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1033, 1036, 1037, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068 750
White Stone Methodist Subtotal 1,206
Whitlock Jr. High 2,894
County Spartanburg SC Subtotal 122,277
County: Union SC 27,244
County: York SC 282,090
DISTRICT 5 Total 731,204

Area Population

DISTRICT 6

Area Population

County: Bamberg SC
East Denmark 3,078
Edisto
Tract 9602.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1036, 1037, 1038, 1039, 1040, 1044, 1045, 1046, 1047 396
Edisto Subtotal 396
Ehrhardt
Tract 9602.02
Blocks: 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3074, 3075 30
Ehrhardt Subtotal 30
Govan
Tract 9603
Blocks: 1005, 1006, 1013, 1014, 1015, 1016, 1017, 1031, 1032, 1033, 1034 144
Govan Subtotal 144

Hightowers Mill
Tract 9601.02
Blocks: 1022, 1023, 1024, 1025, 1026, 1027, 1028 64
Tract 9603
Blocks: 1000, 1001, 1002, 1003, 1004 42
Hightowers Mill Subtotal 106
Hunter's Chapel
Tract 9602.02
Blocks: 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1030, 1031, 1032, 1033, 1034, 1035, 1041, 1042, 1043, 1048, 1049 271
Hunter's Chapel Subtotal 271
North Bamberg 2,664
South Bamberg 2,738
West Denmark 1,598
County Bamberg SC Subtotal 11,025
County: Calhoun SC 14,119
County: Clarendon SC 31,144
County: Fairfield SC 20,948
County: Florence SC
Lake City No. 1 2,213
Lake City No. 2
Tract 20
Blocks: 3029, 3030, 3064, 4018 0
Tract 22.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3014, 3017, 3019, 3021, 3050, 3051, 3054, 3055 1013
Lake City No. 2 Subtotal 1,013
Lake City No. 3
Tract 20
Blocks: 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3044, 3045, 3046, 3047, 3062 261
Tract 22.03

Blocks: 1002, 2000, 2001, 2002, 2003, 2024, 3003, 3004, 3005, 3006, 3007, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3032, 3033, 3034, 3035, 3036, 3037, 3039 1136

Tract 22.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054 997

Lake City No. 3 Subtotal 2,394

Lake City No. 4 2,767

Leo

Tract 20

Blocks: 4010, 4013, 4016, 4017 41

Tract 22.02

Blocks: 3052, 3053 0

Leo Subtotal 41

McAllister Mill

Tract 24

Blocks: 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4018, 4019, 4020, 4032, 4033, 4034 422

McAllister Mill Subtotal 422

Olanta

Tract 24

Blocks: 1003, 1007, 1008, 1009, 1010, 1011, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051,

3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065 1775
Olanta Subtotal 1,775
County Florence SC Subtotal 10,625
County: Lee SC 16,531
County: Lexington SC
CAYCE 2A
Tract 202.02
Blocks: 2004, 2013 55
CAYCE 2A Subtotal 55
CAYCE NO. 1
Tract 201
Blocks: 2000 0
CAYCE NO. 1 Subtotal 0
CAYCE NO. 2 2,839
CHALK HILL 5,361
EDENWOOD 3,352
GASTON 1
Tract 207.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1031, 1032, 1033, 2032, 2033, 2036, 2037, 2038, 2040, 2043 486
GASTON 1 Subtotal 486
GASTON 2
Tract 207.05
Blocks: 2004, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2034 216
GASTON 2 Subtotal 216
PINE RIDGE 1
Tract 206.04
Blocks: 3035, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056 0
Tract 206.05
Blocks: 1019, 1022, 1023, 1025, 2038 199
Tract 207.05
Blocks: 2042 0
PINE RIDGE 1 Subtotal 199
QUAIL VALLEY
Tract 211.12
Blocks: 1000, 1015 62
QUAIL VALLEY Subtotal 62

SANDY RUN 1,437
County Lexington SC Subtotal 14,007
County: Orangeburg SC 84,223
County: Richland SC
Arcadia 2,200
Ardincaple 944
Beatty Road 2,018
Bluff 3,208
Blythewood 1 2,980
Blythewood 2 3,379
Blythewood 3 3,818
Bookman 4,721
Brandon 1 3,590
Brandon 2 3,750
Briarwood 4,389
Bridge Creek 3,169
Caughman Road 2,657
College Place 2,288
Cooper 1,436
Dennyside 1,696
Dentsville 3,133
East Forest Acres 1,545
Eastover 1,502
Edgewood 2,771
Estates 3,005
Fairlawn 4,466
Fairwold 1,046
Friarsgate 1
Tract 103.05
Blocks: 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4014, 5000, 5001, 6000, 6006, 6007 2020
Friarsgate 1 Subtotal 2,020
Friarsgate 2 2,064
Gadsden 1,606
Garners 1,378
Greenview 2,022
Gregg Park 3,319
Hampton 2,831
Harbison 1 3,481
Harbison 2 1,865

Hopkins 1 1,825
Hopkins 2 2,151
Horrell Hill 3,759
Hunting Creek 693
Keels 1 3,359
Keels 2 2,846
Keenan 2,553
Kelly Mill 3,420
Killian 4,335
Kingswood 4,179
Lake Carolina 4,965
Lincolnshire 2,980
Longcreek 6,737
Longleaf 2,991
Lykesland 2,531
Mallet Hill 4,292
McEntire 1,070
Meadowfield 2,326
Meadowlake 3,678
Midway 4,819
Mill Creek 2,127
Monticello 2,478
North Forest Acres 1,968
North Springs 1 1,758
North Springs 2 4,509
North Springs 3 2,863
Oak Pointe 1 1,871
Oak Pointe 2 1,120
Oak Pointe 3 1,532
Oakwood 1,335
Old Friarsgate 2,035
Olympia 6,111
Parkridge 1 1,534
Parkridge 2 1,784
Parkway 1 3,460
Parkway 2 3,503
Parkway 3 2,592
Pennington 1 1,292
Pennington 2 2,115
Pine Grove 2,726
Pine Lakes 1 1,810

Pine Lakes 2 2,522
Pinewood 3,022
Polo Road 5,320
Pontiac 1 4,592
Pontiac 2 3,436
Rice Creek 1 2,404
Rice Creek 2 4,189
Ridge View 1 3,895
Ridge View 2 4,697
Ridgewood 987
Riverside 2,275
Riversprings 1 1,567
Riversprings 2 1,883
Riversprings 3 1,954
Riverwalk 3,706
Round Top 951
Sandlapper 4,584
Satchelford 2,010
Skyland 1,964
South Beltline 2,584
South Forest Acres 1,995
Spring Valley 3,870
Spring Valley West 4,099
St. Andrews 2,109
Trenholm Road 1,467
Trinity 2,530
Valhalla 3,719
Valley State Park 5,427
Walden 6,558
Ward 1 6,183
Ward 10 1,991
Ward 11 2,190
Ward 12 2,039
Ward 13 2,788
Ward 14 2,026
Ward 15 1,271
Ward 16 1,642
Ward 17 2,113
Ward 18 2,026
Ward 19 2,163
Ward 2 2,394

Ward 20 2,383
Ward 21 2,570
Ward 22 2,175
Ward 23 1,308
Ward 24 1,365
Ward 25 2,579
Ward 26 10,666
Ward 29 2,030
Ward 3 2,011
Ward 30 2,342
Ward 31 1,728
Ward 32 1,205
Ward 33 1,388
Ward 34 1,476
Ward 4 1,969
Ward 5 8,651
Ward 6 1,834
Ward 7 1,809
Ward 8 1,591
Ward 9 1,379
Webber 1,598
Westminster 3,214
Whitewell 3,325
Wildewood 3,982
Woodfield 5,058
Woodlands 2,909
County Richland SC Subtotal 392,016
County: Sumter SC
BATES 746
BIRNIE 1,237
BUNRS-DOWNS 1,297
CAUSEWAY BRANCH 1 1,767
CAUSEWAY BRANCH 2 1,316
CHERRYVALE 1,290
CROSSWELL 2,173
DALZELL 1 2,498
DALZELL 2 2,040
DELAINE 2,106
EBENEZER 1 2,093
EBENEZER 2 2,515
FOLSOM PARK 2,980

FURMAN 2,392
GREEN SWAMP 4,461
GREEN SWAMP 2 1,441
HAMPTON PARK 1,061
HILLCREST 1,527
HORATIO 652
LEMIRA 1,967
LORING 1,774
MAGNOLIA-HARMONY 1,213
MANCHESTER FOREST 2,258
MAYESVILLE 614
MAYEWOOD 1,723
MCCRAYS MILL 1 2,366
MCCRAYS MILL 2 2,353
MILLWOOD 1,019
MORRIS COLLEGE 1,750
MULBERRY 1,731
OAKLAND PLANTATION 1 1,948
OAKLAND PLANTATION 2 1,610
OSWEGO 1,564
PALMETTO PARK 2,593
PINEWOOD 2,592
POCOTALIGO 1 2,970
POCOTALIGO 2 2,335
PRIVATEER 3,361
REMBERT 2,888
SAINT JOHN
Tract 5
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050,

2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075 1497
SAINT JOHN Subtotal 1,497
SAINT PAUL 3,117
SALEM 480
SALTERSTOWN 1,262
SAVAGE-GLOVER 708
SECOND MILL 2,195
SHAW 2,088
SOUTH LIBERTY 810
SOUTH RED BAY 1,084
SPECTRUM 1,811
STONE HILL 814
SUMTER HIGH 1 1,024
SUMTER HIGH 2 1,849
SUNSET 2,001
SWAN LAKE 1,576
THOMAS SUMTER 1,588
TURKEY CREEK 1,686
WILDER 1,222
WILSON HALL 2,507
County Sumter SC Subtotal 105,540
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,204

Area Population

DISTRICT 7

Area Population

County: Chesterfield SC 43,273
County: Darlington SC 62,905
County: Dillon SC 28,292
County: Florence SC
Back Swamp 1,101
Brookgreen 1,150
Cartersville 1,142
Claussen 2,856

Coles Crossroads 3,889
Cowards No. 1 1,447
Cowards No. 2 1,730
Delmae No. 1 4,361
Delmae No. 2 2,328
Ebenezer No. 1 4,992
Ebenezer No. 2 3,944
Ebenezer No. 3 1,995
Effingham 1,595
Elim-Glenwood 2,575
Evergreen 1,484
Florence Ward 1 1,595
Florence Ward 10 1,078
Florence Ward 11 1,428
Florence Ward 12 3,662
Florence Ward 14 3,103
Florence Ward 15 964
Florence Ward 2 1,930
Florence Ward 3 1,954
Florence Ward 4 1,125
Florence Ward 5 1,864
Florence Ward 6 1,161
Florence Ward 7 2,826
Florence Ward 8 2,411
Florence Ward 9 2,034
Friendfield 766
Gilbert 3,555
Greenwood 3,368
Hannah 1,007
High Hill 784
Johnsonville 3,452
Kingsburg-Stone 1,359
Lake City No. 2
Tract 20
Blocks: 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3040, 3041, 3042, 3043, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061 655
Lake City No. 2 Subtotal 655
Lake City No. 3

Tract 22.03
Blocks: 3008 20
Lake City No. 3 Subtotal 20
Leo
Tract 20
Blocks: 3063, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4011, 4012, 4014, 4015, 4019, 4020, 4021, 4022, 4023, 4024, 4030, 4034, 4035, 4036, 4037, 4038, 4039, 4040 436
Leo Subtotal 436
Mars Bluff No. 1 5,161
Mars Bluff No. 2 2,265
McAllister Mill
Tract 20
Blocks: 1023, 1024, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053 185
Tract 22.03
Blocks: 3000, 3001, 3002 72
Tract 24
Blocks: 4000, 4001, 4002, 4014, 4015, 4016, 4017, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031 567
McAllister Mill Subtotal 824
Mill Branch 858
Oak Grove-Sardis 1,602
Olanta
Tract 24
Blocks: 1000, 1001, 1002, 1004, 1006, 1012, 1013, 1014, 1015, 1016 169
Olanta Subtotal 169
Pamplico No. 1 1,558
Pamplico No. 2 963
Prospect 664
Quinby 1,316
Salem 925
Savannah Grove 6,121
Scranton 1,317
South Florence 1 4,235
South Florence 2 3,023
Spaulding 1,474

Tans Bay 2,613
Timmonsville 1 2,145
Timmonsville 2 2,017
Vox 954
West Florence 1 4,948
West Florence 2 2,156
County Florence SC Subtotal 126,434
County: Georgetown SC 63,404
County: Horry SC 351,029
County: Marion SC 29,183
County: Marlboro SC 26,667
County: Sumter SC
SAINT JOHN
Tract 5
Blocks: 2014 16
SAINT JOHN Subtotal 16
County Sumter SC Subtotal 16
DISTRICT 7 Total 731,203
"

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the

constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

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

Ayes 27; Nays 12

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Johnson, Michael	Loftis	Malloy
Martin	Massey	Rankin
Rice	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Fanning	Harpootlian	Hutto
Kimpson	Matthews	McElveen
McLeod	Sabb	Scott

Setzler Stephens Williams

Total--12

The amendment was laid on the table.

AMENDMENT RFH-6

Senator HUTTO proposed the following amendment (AHB\ 865C011.BH.AHB22), which was tabled:

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

/PART I

Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area Population

County: Allendale SC 8,039
County: Bamberg SC
Colston 228
East Denmark
Tract 9601.01
Blocks: 1014, 1033, 1034 9
Tract 9601.02
Blocks: 2001, 2017, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2043, 2044, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 4029, 4030, 4031, 4036, 4039, 4040, 4041, 4042 950
East Denmark Subtotal 959
Edisto 410

Ehrhardt 1,013
Govan
Tract 9603
Blocks: 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1039, 1058, 1059, 1060, 1061, 1062, 1064, 1065, 1070, 1071, 1072, 1073 261
Govan Subtotal 261
Hunter's Chapel 274
Kearse 187
Little Swamp 161
North Bamberg
Tract 9602.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 3000, 3001, 3002, 3003, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048 2600
Tract 9602.02
Blocks: 4000, 4001, 4003, 4006, 4007 54
North Bamberg Subtotal 2,654
Olar 497

South Bamberg 2,738
County Bamberg SC Subtotal 9,382
County: Beaufort SC
Dale Lobeco 1,448
Sheldon 1 1,434
Sheldon 2 1,100
County Beaufort SC Subtotal 3,982
County: Berkeley SC 229,861
County: Charleston SC
Charleston 1 795
Charleston 10 1,336
Charleston 11 2,040
Charleston 12 4,169
Charleston 13 1,457
Charleston 14 1,748
Charleston 15 2,793
Charleston 16 1,384
Charleston 17 1,307
Charleston 18 1,735
Charleston 19 986
Charleston 2 976
Charleston 20 1,576
Charleston 21 1,168
Charleston 3 1,062
Charleston 4 1,145
Charleston 5 1,053
Charleston 6 1,736
Charleston 7 2,498
Charleston 8 1,697
Charleston 9 1,389
Deer Park 1A 2,730
Deer Park 1B 7,708
Deer Park 2A 5,042
Deer Park 2B 3,280
Deer Park 2C 1,540
Deer Park 3 4,771
James Island 2 7,318
James Island 22 1,920
Johns Island 1A 2,742
Johns Island 1B 3,313
Ladson 5,160

Licolnville 3,471
North Charleston 1 1,110
North Charleston 10 2,970
North Charleston 11 1,055
North Charleston 12 1,379
North Charleston 13 1,662
North Charleston 14 931
North Charleston 15 2,365
North Charleston 16 1,555
North Charleston 17 1,526
North Charleston 18 3,448
North Charleston 19 1,843
North Charleston 2 1,789
North Charleston 20 1,280
North Charleston 21 2,704
North Charleston 22 2,642
North Charleston 23 3,360
North Charleston 24 5,435
North Charleston 25 1,018
North Charleston 26 922
North Charleston 27 3,061
North Charleston 28 3,038
North Charleston 29 2,738
North Charleston 3 1,594
North Charleston 30 2,995
North Charleston 4 1,807
North Charleston 5 2,709
North Charleston 6 2,048
North Charleston 7 2,354
North Charleston 8 1,267
North Charleston 9 2,754
St. Andrews 1 885
St. Andrews 10 1,484
St. Andrews 11 1,127
St. Andrews 12 1,305
St. Andrews 13 1,603
St. Andrews 14 1,977
St. Andrews 15 2,036
St. Andrews 16 1,233
St. Andrews 17 2,290
St. Andrews 18 2,724

St. Andrews 19 424
St. Andrews 2 1,393
St. Andrews 20 3,922
St. Andrews 21 1,385
St. Andrews 22 1,516
St. Andrews 23 1,491
St. Andrews 24 2,004
St. Andrews 25 2,305
St. Andrews 26 1,848
St. Andrews 27 6,553
St. Andrews 28 4,758
St. Andrews 29 5,106
St. Andrews 3 1,571
St. Andrews 30 2,771
St. Andrews 31 1,800
St. Andrews 32 1,476
St. Andrews 33 1,037
St. Andrews 34 3,060
St. Andrews 35 2,078
St. Andrews 36 2,058
St. Andrews 37 6,444
St. Andrews 4 1,993
St. Andrews 5 1,669
St. Andrews 6 1,432
St. Andrews 7 2,117
St. Andrews 8 1,100
St. Andrews 9 1,743
St. Pauls 1 1,103
St. Pauls 2A 1,261
St. Pauls 2B 1,786
St. Pauls 3 2,385
St. Pauls 4 2,400
St. Pauls 5 1,821
St. Pauls 6 2,907
Wadmalaw Island 1 1,406
County Charleston SC Subtotal..... 245,191
County: Colleton SC
Ashton-Lodge 734
Bells 464
Berea-Smoaks 1,245
Canady's 763

Cottageville 2,438
Edisto 466
Green Pond
Tract 9708
Blocks: 2003, 2009, 2011, 2012, 2014, 2015, 2016 205
Green Pond Subtotal 205
Hendersonville
Tract 9703.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 2009, 2011, 2019, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042 1347
Tract 9708
Blocks: 2054, 2087 0
Hendersonville Subtotal 1,347
Horse Pen 1,050
Hudson Mill 734
Jacksonboro
Tract 9707.01
Blocks: 1031, 1043, 1044, 1045, 1046, 1051, 1052, 1053, 1054, 1055, 1058, 1059, 1060, 1061, 1062, 1063 23
Tract 9708
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041,

1042, 1043, 1044, 1049, 1050, 1051, 1052, 1054, 1055, 1062 431
Jacksonboro Subtotal 454
Maple Cane 1,477
Mashawville 948
Peeples 2,134
Peniel 1,754
Petits 365
Rice Patch 847
Ritter 924
Round O 1,562
Ruffin 370
Sidneys 901
Sniders 978
Stokes 980
Walterboro No. 1 1,918
Walterboro No. 2 1,996
Walterboro No. 3 1,960
Walterboro No. 4 2,161
Walterboro No. 5 2,136
Walterboro No. 6 2,119
Williams 404
Wolfe Creek 608
County Colleton SC Subtotal 36,442
County: Dorchester SC 161,540
County: Hampton SC 18,561
County: Jasper SC
COOSAWHATCHIE 599
GILLISONVILLE 816
GRAHAMVILLE 2 4,213
GRAYS 943
HARDEEVILLE 2 1,668
LEVY 3,059
PINELAND 966
RIDGELAND 1 1,593
RIDGELAND 2 1,993
RIDGELAND 3 1,348
TILLMAN 1,007
County Jasper SC Subtotal 18,205
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area Population

County: Abbeville SC
Abbeville No. 1
Tract 9504.01
Blocks: 1034, 1035, 1036, 1037, 1040, 1041, 1042 97
Tract 9504.02
Blocks: 2043 10
Abbeville No. 1 Subtotal 107
Abbeville No. 2 2,160
Abbeville No. 3 2,169
Abbeville No. 4
Tract 9504.01
Blocks: 2030, 2053 56
Abbeville No. 4 Subtotal 56
Antreville
Tract 9503
Blocks: 1001, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1057, 1058, 1059, 1060, 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2045, 2046, 2047 1646
Antreville Subtotal 1,646
Calhoun Falls 2,347
Lebanon 1,008
Lowndesville 1,572
Smithville 1,089
County Abbeville SC Subtotal 12,154
County: Aiken SC 168,808
County: Anderson SC

Anderson 1/1 2,837
Anderson 1/2 1,772
Anderson 2/1 1,962
Anderson 2/2 5,186
Anderson 3/1 1,798
Anderson 3/2 2,093
Anderson 4/1 2,544
Anderson 4/2 3,352
Anderson 5/B 2,459
Anderson 6/1 2,878
Anderson 6/2 2,602
Appleton-Equinox 1,916
Barker's Creek 586
Belton 3,376
Belton Annex 2,832
Bishop's Branch 3,108
Bowling Green 1,232
Broadview 829
Broadway 1,332
Brushy Creek 3,341
Cedar Grove 2,437
Center Rock 3,616
Centerville Station A 4,083
Centerville Station B 4,150
Chiquola Mill 1,411
Concrete 4,982
Cox Creek 1,878
Craytonville 1,617
Denver-Sandy Springs 2,091
Edgewood Station A 3,590
Edgewood Station B 2,776
Five Forks 2,051
Flat Rock 2,591
Fork No. 1 1,967
Fork No. 2 2,241
Friendship 1,366
Glenview 2,700
Gluck Mill 2,953
Green Pond Station A 3,705
Hall 2,603
Hammond Annex 2,618

Hammond School 3,547
High Point 854
Homeland Park 933
Honea Path 2,192
Hopewell 2,228
Hunt Meadows 6,104
Iva 2,661
Jackson Mill 2,001
La France 1,516
Lakeside 3,816
Melton 855
Mount Tabor 3,316
Mountain Creek 1,751
Mt. Airy 3,365
Neals Creek 3,379
North Point 2,584
Pelzer 1,434
Pendleton 4,750
Piedmont 1,663
Piercetown 3,100
Powdersville 5,048
Rock Mill 1,486
Rock Spring 1,172
Shirleys Store 1,232
Simpsonville 4,165
South Fant 2,489
Starr 1,304
Three and Twenty 4,138
Toney Creek 1,140
Town Creek 2,162
Varennes 2,297
West Pelzer 3,080
West Savannah 893
White Plains 4,799
Williamston 3,465
Williamston Mill 5,038
Wrights School 1,193
County Anderson SC Subtotal 202,611
County: Barnwell SC 20,589
County: Edgefield SC 25,657
County: Greenville SC

BAKER CREEK
Tract 33.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1015, 1018, 1019, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 3025, 3028, 3029, 3030, 3031, 3032, 3033 1207
Tract 33.03
Blocks: 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 4021, 4022, 4023, 4024, 4026 1111
BAKER CREEK Subtotal 2,318
WARE PLACE
Tract 32.02
Blocks: 3005, 3008, 3009 32
Tract 32.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2043, 2044, 2045, 2050, 2051, 2052, 2053, 2055, 2056 2211
Tract 32.04
Blocks: 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1042 470
Tract 33.01
Blocks: 1014, 1016, 1017, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027 273
Tract 33.03
Blocks: 2016, 2017, 2026 144
WARE PLACE Subtotal 3,130
County Greenville SC Subtotal 5,448
County: Lexington SC
AMICKS FERRY 3,919
BARR ROAD 1 1,987
BARR ROAD 2 5,274
BATESBURG 3,002
BEULAH CHURCH 3,318

BOILING SPRINGS 3,727
BOILING SPRINGS SOUTH 2,300
BUSH RIVER 2,120
Carolina Springs 3,348
CEDARCREST 2,743
CHAPIN 4,743
COLDSTREAM 2,431
CONGAREE 1 3,187
CONGAREE 2 1,720
CROMER 2,172
DREHER ISLAND 2,160
DUTCHMAN SHORES 3,304
EDMUND 1 2,575
EDMUND 2 3,266
EMMANUEL CHURCH 3,261
FAIRVIEW 2,329
FAITH CHURCH 2,732
GASTON 1 2,574
GASTON 2 3,512
GILBERT 3,311
HOLLOW CREEK 3,790
IRMO 3,241
KITTI WAKE 2,646
LAKE MURRAY 1 3,078
LAKE MURRAY 2 5,407
LEAPHART ROAD 2,916
LEESVILLE 3,412
LEXINGTON NO. 1 4,224
LEXINGTON NO. 2 2,995
LEXINGTON NO. 3 4,896
LEXINGTON NO. 4 5,186
LINCREEK 3,141
MACK-EDISTO 1,323
MIDWAY 1,904
MIMS 2,387
MOUNT HOREB 3,132
MT. HEBRON 2,040
MURRAYWOOD 2,684
OAKWOOD 4,509
OLD BARNWELL ROAD 3,267
OLD LEXINGTON 4,121

PARK ROAD 1 3,091
PARK ROAD 2 1,852
PELION 1 2,527
PELION 2 2,508
PILGRIM CHRUCH 4,006
PINE RIDGE 1 1,876
PINE RIDGE 2 3,753
PINEVIEW 2,909
Platt Springs 1 2,044
Platt Springs 2 5,471
POND BRANCH 3,645
PROVIDENCE CHURCH 3,212
QUAIL HOLLOW 3,015
QUAIL VALLEY 2,730
RED BANK 6,015
RED BANK SOUTH 1 3,973
RED BANK SOUTH 2 2,756
RIDGE ROAD 2,856
RIVER BLUFF 4,281
ROUND HILL 6,417
SAND HILL 3,638
SANDY RUN 1,437
SHARPE'S HILL 3,806
SPRINGDALE 2,813
SPRINGDALE SOUTH 1,069
ST. DAVIDS 3,939
ST. MICHAEL 2,685
SUMMIT 2,284
SWANSEA 1 1,997
SWANSEA 2 2,666
WHITE KNOLL 4,115
County Lexington SC Subtotal 244,700
County: McCormick SC 9,526
County: Richland SC
Ballentine 1 2,309
Ballentine 2 2,585
Dutch Fork 1 1,683
Dutch Fork 2 1,931
Dutch Fork 3 3,596
Dutch Fork 4 2,474
Friarsgate 1 2,515

Friarsgate 2 2,064
Oak Pointe 1 1,871
Oak Pointe 2 1,120
Oak Pointe 3 1,532
Old Friarsgate 2,035
Parkridge 1 1,534
Riversprings 1 1,567
Riversprings 2 1,883
Riversprings 3 1,954
Spring Hill 3,572
Springville 1 2,866
Springville 2 2,620
County Richland SC Subtotal 41,711
DISTRICT 2 Total 731,204

Area Population

DISTRICT 3

Area Population

County: Anderson SC
Townville 1,107
County Anderson SC Subtotal 1,107
County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BAKER CREEK
Tract 33.03
Blocks: 2000, 2001, 2013, 2014 117
BAKER CREEK Subtotal 117
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788

CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
DUNKLIN 3,829
EASTSIDE 3,795
EBENEZER 3,543
EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FORK SHOALS 3,047
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400

GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HILLCREST 3,560
HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
LONG CREEK 2,484
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOORE CREEK 5,570
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NEELY FARMS 4,822
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705

PEBBLE CREEK 2,799
PELHAM FALLS 1,570
PIEDMONT 5,218
PINEVIEW 1,985
POINSETT 4,944
RAINTREE 5,224
RANCH CREEK 4,300
REEDY FORK 4,524
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075
ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721
SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE 4,357
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420

TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
VERDMONT 3,123
WADE HAMPTON 4,440
WALNUT SPRINGS 8,550
WARE PLACE
Tract 32.03
Blocks: 2054 13
Tract 33.03
Blocks: 2015 17
WARE PLACE Subtotal 30
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODMONT 4,225
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 520,086
County: Oconee SC 78,607
County: Pickens SC 131,404
DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Abbeville SC
Abbeville No. 1
Tract 9504.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1038, 1039, 1043, 1044, 1045, 1046, 1047, 1048 1559

Tract 9504.02
Blocks: 2005, 2007, 2008, 2009, 2010, 2013, 2014, 2015, 2017, 2018, 2019, 2020, 2021, 2022, 2041, 2042 682
Abbeville No. 1 Subtotal 2,241
Abbeville No. 4
Tract 9502
Blocks: 3042, 3043 0
Tract 9503
Blocks: 2039, 2043 15
Tract 9504.01
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2027, 2029, 2048, 2049, 2050, 2051, 2052 1117
Tract 9505
Blocks: 5016 0
Abbeville No. 4 Subtotal 1,132
Antreville
Tract 9503
Blocks: 1020, 1041, 1043, 1055, 1056, 1061, 2040, 2041, 2044 79
Antreville Subtotal 79
Broadmouth 730
Cold Springs 1,483
Donalds 851
Due West 2,698
Hall's Store 1,021
Keowee 1,906
County Abbeville SC Subtotal 12,141
County: Cherokee SC 56,216
County: Greenwood SC 69,351
County: Laurens SC 67,539
County: Newberry SC 37,719
County: Saluda SC 18,862
County: Spartanburg SC 327,997
County: Union SC 27,244
County: York SC
Adnah 1,222
Airport 2,449

Allison Creek 1,579
Bethany 3,160
Bethel 2,376
Bethel School 5,156
Bowling Green 2,396
Bullocks Creek 646
Cannon Mill 2,748
Clover 2,855
Cotton Belt 2,889
Crescent 2,704
Delphia 3,211
Ebinport
  Tract 607
    Blocks: 4033, 4034 4
  Tract 609.09
    Blocks: 3000, 3001, 3002, 3005, 3023 27
  Tract 609.11
    Blocks: 2016 0
Ebinport Subtotal 31
Filbert 2,805
Gold Hill 4,779
Hampton Mill 2,488
Hands Mill 2,279
Harvest
  Tract 609.04
    Blocks: 2010 13
Harvest Subtotal 13
Hickory Grove 1,686
India Hook 2,347
Lakeshore 3,565
Lakewood 2,313
Larne 2,496
Laurel Creek 1,806
McConnells 2,445
Mill Creek 1,673
Mt. Gallant 2,156
New Home 3,390
Newport 2,916
Orchard Park
  Tract 610.09
    Blocks: 3040 15

Orchard Park Subtotal 15
Palmetto 2,952
Pole Branch 3,242
River Hills 2,305
River's Edge 3,602
Rock Creek 2,154
Roosevelt 2,250
Sharon 2,164
Shoreline 3,018
Smyrna 1,134
Tega Cay 1,629
Tirzah 3,120
Windjammer 2,608
Wylie 2,600
York No. 1 3,685
York No. 2 5,078
County York SC Subtotal 114,135
DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Chester SC 32,294
County: Chesterfield SC 43,273
County: Darlington SC 62,905
County: Dillon SC 28,292
County: Florence SC 137,059
County: Horry SC
ADRIAN
Tract 701.01
Blocks: 1002, 1004, 1005, 1006, 1009, 1014, 1015, 1016, 1017 409
Tract 707.01
Blocks: 1015, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1026, 1027, 1028, 1029, 1030, 3000, 3001, 3002, 3015, 3033, 3034, 3035, 3036, 3037, 3038, 3041, 3042, 3043, 3044, 4000, 4001, 4002, 4003, 4004, 4005, 4006,

4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4042, 4043 3047

ADRIAN Subtotal 3,456

ALLSBROOK

Tract 203.01

Blocks: 2007, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3040, 3041, 3042, 3043, 3054, 3056 1046

Tract 203.02

Blocks: 2016, 2021, 2022, 2023, 2024, 2025, 2037, 2038 121

ALLSBROOK Subtotal 1,167

AYNOR 3,011

BAYBORO-GURLEY 2,252

CEDAR GROVE 2,619

COOL SPRINGS 819

DOGBLUFF 1,990

EAST LORIS 4,339

FOUR MILE 3,452

GALLIVANTS FERRY 342

GREEN SEA 1,597

HOMEWOOD

Tract 707.01

Blocks: 2013, 2014, 2015, 3014, 3017, 3018, 3019, 3020, 3021, 3022, 3026, 3027, 3028, 3029, 3031, 3032 574

HOMEWOOD Subtotal 574

HORRY 2,121

JERIGANS CROSSROADS 1,129

JUNIPER BAY 3,535

LIVE OAK 1,328

METHODIST-MILL SWAMP 2,132

MT. OLIVE 2,021

PLEASANT VIEW 1,047

POPLAR HILL 1,329
WEST LORIS 1,421
WHITE OAK
Tract 701.01
Blocks: 1000, 1001, 1003, 1007, 1008, 1010, 1011 407
Tract 701.02
Blocks: 1000, 1001, 1002, 1006 68
WHITE OAK Subtotal 475
County Horry SC Subtotal 42,156
County: Kershaw SC 65,403
County: Lancaster SC 96,016
County: Marion SC 29,183
County: Marlboro SC 26,667
County: York SC
Anderson Road 2,695
Baxter 1,798
Carolina 2,475
Catawba 4,313
Celanese 5,409
Dobys Bridge 3,983
Ebenezer 1,556
Ebinport
Tract 607
Blocks: 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032 2750
Tract 608.03
Blocks: 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 4001, 4005 1398
Tract 609.13
Blocks: 4025 0
Ebinport Subtotal 4,148
Edgewood 4,234
Fairgrounds 5,042

Ferry Branch 1,954
Fewell Park 1,759
Fort Mill No. 1 4,390
Fort Mill No. 2 7,581
Fort Mill No. 3 2,938
Fort Mill No. 4 2,336
Fort Mill No. 5 4,050
Fort Mill No. 6 2,139
Friendship 1,326
Harvest
Tract 609.04
Blocks: 2033, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 4003, 4004, 4005, 4006, 4010, 4013 1650
Tract 609.09
Blocks: 1000 0
Harvest Subtotal 1,650
Highland Park 2,150
Hollis Lakes 2,992
Hopewell 2,054
Independence 1,401
Kanawha 3,691
Lesslie 2,181
Manchester 2,077
Mt. Holly 4,180
Nation Ford 4,332
Neelys Creek 1,612
Northside 2,637
Northwestern 2,915
Oakridge 3,919
Oakwood 3,126
Ogden 3,208
Old Pointe 2,293
Orchard Park
Tract 610.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1024, 1025, 1052 1953
Tract 610.09
Blocks: 3014, 3019, 3041, 3042, 3043, 3044, 3048, 3049, 3050, 3051, 3052, 3053 1029

Orchard Park Subtotal 2,982
Pleasant Road 4,953
Riverview 2,460
Rock Hill No. 2 2,444
Rock Hill No. 3 2,890
Rock Hill No. 4 3,576
Rock Hill No. 5 2,352
Rock Hill No. 6 2,394
Rock Hill No. 7 4,236
Rock Hill No. 8 1,601
Rosewood 5,363
Six Mile 1,774
Springdale 2,231
Springfield 3,272
Stateline 3,674
Steele Creek 3,684
Tools Fork 2,355
University 1,895
Waterstone 3,275
County York SC Subtotal 167,955
DISTRICT 5 Total 731,203

Area Population

DISTRICT 6

Area Population

County: Bamberg SC
East Denmark
Tract 9601.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1035, 1036, 1037, 1038, 1039, 1040, 2009, 2010, 2011, 2030, 2031, 2042, 2043, 2044, 2045 699
Tract 9601.02
Blocks: 1010, 1011, 1039, 1043, 1044, 1045, 1046, 2000, 2002, 2003, 2004, 2005, 2006,

2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3020, 3021, 3022, 3023, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4032, 4033, 4043 1420

East Denmark Subtotal 2,119

Govan

Tract 9603

Blocks: 1005, 1006, 1008, 1009, 1010 91

Govan Subtotal 91

Hightowers Mill 111

North Bamberg

Tract 9602.01

Blocks: 3004 10

North Bamberg Subtotal 10

West Denmark 1,598

County Bamberg SC Subtotal 3,929

County: Calhoun SC 14,119

County: Clarendon SC 31,144

County: Fairfield SC 20,948

County: Lee SC 16,531

County: Lexington SC

CAYCE 2A 2,176

CAYCE NO. 1 2,866

CAYCE NO. 2 2,839

CAYCE NO. 3 1,041

CHALK HILL 5,361

CHALLEDON 2,449

EDENWOOD 3,352

GARDENDALE 2,190

GRENADIER 2,905

HOOK'S STORE 3,746

SALUDA RIVER 3,061

SEVEN OAKS 2,488

WEST COLUMBIA NO. 1 1,929
WEST COLUMBIA NO. 2 1,650
WEST COLUMBIA NO. 3 1,034
WEST COLUMBIA NO. 4 2,838
WESTOVER 2,086
WHITEHALL 2,750
WOODLAND HILLS 2,530
County Lexington SC Subtotal 49,291
County: Orangeburg SC 84,223
County: Richland SC
Arcadia 2,200
Ardincaple 944
Beatty Road 2,018
Bluff 3,208
Blythewood 1 2,980
Blythewood 2 3,379
Blythewood 3 3,818
Bookman 4,721
Brandon 1 3,590
Brandon 2 3,750
Briarwood 4,389
Bridge Creek 3,169
Caughman Road 2,657
College Place 2,288
Cooper 1,436
Dennyside 1,696
Dentsville 3,133
East Forest Acres 1,545
Eastover 1,502
Edgewood 2,771
Estates 3,005
Fairlawn 4,466
Fairwold 1,046
Gadsden 1,606
Garners 1,378
Greenview 2,022
Gregg Park 3,319
Hampton 2,831
Harbison 1 3,481
Harbison 2 1,865
Hopkins 1 1,825

Hopkins 2 2,151
Horrell Hill 3,759
Hunting Creek 693
Keels 1 3,359
Keels 2 2,846
Keenan 2,553
Kelly Mill 3,420
Killian 4,335
Kingswood 4,179
Lake Carolina 4,965
Lincolnshire 2,980
Longcreek 6,737
Longleaf 2,991
Lykesland 2,531
Mallet Hill 4,292
McEntire 1,070
Meadowfield 2,326
Meadowlake 3,678
Midway 4,819
Mill Creek 2,127
Monticello 2,478
North Forest Acres 1,968
North Springs 1 1,758
North Springs 2 4,509
North Springs 3 2,863
Oakwood 1,335
Olympia 6,111
Parkridge 2 1,784
Parkway 1 3,460
Parkway 2 3,503
Parkway 3 2,592
Pennington 1 1,292
Pennington 2 2,115
Pine Grove 2,726
Pine Lakes 1 1,810
Pine Lakes 2 2,522
Pinewood 3,022
Polo Road 5,320
Pontiac 1 4,592
Pontiac 2 3,436
Rice Creek 1 2,404

Rice Creek 2 4,189
Ridge View 1 3,895
Ridge View 2 4,697
Ridgewood 987
Riverside 2,275
Riverwalk 3,706
Round Top 951
Sandlapper 4,584
Satchelford 2,010
Skyland 1,964
South Beltline 2,584
South Forest Acres 1,995
Spring Valley 3,870
Spring Valley West 4,099
St. Andrews 2,109
Trenholm Road 1,467
Trinity 2,530
Valhalla 3,719
Valley State Park 5,427
Walden 6,558
Ward 1 6,183
Ward 10 1,991
Ward 11 2,190
Ward 12 2,039
Ward 13 2,788
Ward 14 2,026
Ward 15 1,271
Ward 16 1,642
Ward 17 2,113
Ward 18 2,026
Ward 19 2,163
Ward 2 2,394
Ward 20 2,383
Ward 21 2,570
Ward 22 2,175
Ward 23 1,308
Ward 24 1,365
Ward 25 2,579
Ward 26 10,666
Ward 29 2,030
Ward 3 2,011

Ward 30	2,342
Ward 31	1,728
Ward 32	1,205
Ward 33	1,388
Ward 34	1,476
Ward 4	1,969
Ward 5	8,651
Ward 6	1,834
Ward 7	1,809
Ward 8	1,591
Ward 9	1,379
Webber	1,598
Westminster	3,214
Whitewell	3,325
Wildewood	3,982
Woodfield	5,058
Woodlands	2,909
County Richland SC Subtotal	374,436
County: Sumter SC	105,556
County: Williamsburg SC	31,026
DISTRICT 6 Total	731,203

Area	Population

DISTRICT 7

Area	Population
County: Beaufort SC	
Beaufort 1	1,606
Beaufort 2	1,438
Beaufort 3	1,932
Belfair	2,568
Bluffton 1A	2,885
Bluffton 1B	1,769
Bluffton 1C	3,263
Bluffton 1D	3,776
Bluffton 2A	2,380
Bluffton 2B	2,351
Bluffton 2C	3,831
Bluffton 2D	2,976

Bluffton 2E 3,197
Bluffton 3 1,289
Bluffton 4A 1,384
Bluffton 4B 2,308
Bluffton 4C 3,038
Bluffton 4D 2,483
Bluffton 5A 2,881
Bluffton 5B 1,906
Burton 1A 3,780
Burton 1B 2,305
Burton 1C 2,843
Burton 1D 3,232
Burton 2A 8,096
Burton 2B 3,410
Burton 2C 2,785
Burton 3 3,109
Chechessee 1 1,772
Chechessee 2 2,442
Daufuskie 557
Hilton Head 10 2,663
Hilton Head 11 1,505
Hilton Head 12 969
Hilton Head 13 1,196
Hilton Head 14 1,050
Hilton Head 15A 588
Hilton Head 15B 936
Hilton Head 1A 2,249
Hilton Head 1B 1,923
Hilton Head 2A 2,048
Hilton Head 2B 3,809
Hilton Head 2C 1,703
Hilton Head 3 1,002
Hilton Head 4A 906
Hilton Head 4B 1,300
Hilton Head 4C 1,125
Hilton Head 4D 1,140
Hilton Head 5A 1,078
Hilton Head 5B 975
Hilton Head 5C 1,041
Hilton Head 6 1,474
Hilton Head 7A 1,608

Hilton Head 7B 1,716
Hilton Head 8 1,059
Hilton Head 9A 1,878
Hilton Head 9B 1,462
Ladys Island 1A 2,323
Ladys Island 1B 2,121
Ladys Island 2A 2,096
Ladys Island 2B 1,732
Ladys Island 2C 1,336
Ladys Island 3A 1,138
Ladys Island 3B 1,738
Ladys Island 3C 1,568
Moss Creek 1,677
Mossy Oaks 1A 1,447
Mossy Oaks 1B 1,624
Mossy Oaks 2 1,781
New River 4,169
Palmetto Bluff 931
Port Royal 1 1,960
Port Royal 2 2,070
Rose Hill 2,053
Sandy Pointe 2,470
Seabrook 1 2,057
Seabrook 2 1,196
Seabrook 3 2,161
St. Helena 1A 1,651
St. Helena 1B 1,663
St. Helena 1C 1,396
St. Helena 2A 1,556
St. Helena 2B 1,756
St. Helena 2C 1,192
Sun City 1 1,417
Sun City 2 1,148
Sun City 3 1,662
Sun City 4 1,336
Sun City 5 1,463
Sun City 6 1,345
Sun City 7 1,222
Sun City 8 2,685
County Beaufort SC Subtotal 183,135
County: Charleston SC

Awendaw 1,621
Christ Church 1,164
Edisto Island 1,884
Folly Beach 1 920
Folly Beach 2 1,196
Isle Of Palms 1A 1,120
Isle of Palms 1B 1,524
Isle of Palms 1C 1,758
James Island 10 2,195
James Island 11 2,559
James Island 12 1,661
James Island 13 2,088
James Island 14 1,129
James Island 15 2,166
James Island 17 2,355
James Island 19 2,233
James Island 1A 2,687
James Island 1B 1,408
James Island 20 1,976
James Island 3 1,069
James Island 5A 1,875
James Island 5B 1,108
James Island 6 2,102
James Island 7 2,684
James Island 8A 1,842
James Island 8B 2,568
James Island 9 1,837
Johns Island 3A 5,443
Johns Island 3B 2,184
Johns Island 4 1,860
Kiawah Island 2,012
McClellanville 1,975
Mt. Pleasant 1 1,904
Mt. Pleasant 10 1,358
Mt. Pleasant 11 1,903
Mt. Pleasant 12 3,436
Mt. Pleasant 13 1,630
Mt. Pleasant 14 2,113
Mt. Pleasant 15 2,919
Mt. Pleasant 16 948
Mt. Pleasant 17 3,786

Mt. Pleasant 18 1,528
Mt. Pleasant 19 2,968
Mt. Pleasant 2 1,564
Mt. Pleasant 20 1,715
Mt. Pleasant 21 2,194
Mt. Pleasant 22 2,266
Mt. Pleasant 23 2,724
Mt. Pleasant 24 1,040
Mt. Pleasant 25 1,402
Mt. Pleasant 26 734
Mt. Pleasant 27 4,062
Mt. Pleasant 28 1,560
Mt. Pleasant 29 385
Mt. Pleasant 3 1,914
Mt. Pleasant 30 2,607
Mt. Pleasant 31 2,093
Mt. Pleasant 32 3,609
Mt. Pleasant 33 5,428
Mt. Pleasant 34 2,358
Mt. Pleasant 35 7,539
Mt. Pleasant 36 2,481
Mt. Pleasant 37 4,732
Mt. Pleasant 38 2,331
Mt. Pleasant 39 5,875
Mt. Pleasant 4 2,032
Mt. Pleasant 5 1,644
Mt. Pleasant 6 2,648
Mt. Pleasant 7 1,353
Mt. Pleasant 8 1,193
Mt. Pleasant 9 1,354
Sullivans Island 1,891
Town of Seabrook 2,178
Wadmalaw Island 2 1,442
County Charleston SC Subtotal..... 163,044
County: Colleton SC
Edisto Beach 1,253
Green Pond
Tract 9703.02
Blocks: 2004, 2007, 2008, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2044 298

Tract 9708
Blocks: 1053, 1056, 1057, 1058, 1059, 1060, 1061, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 2008, 2010, 2013, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2088, 2089 602
Green Pond Subtotal 900
Hendersonville
Tract 9703.02
Blocks: 2020, 2043 6
Tract 9708
Blocks: 2055 0
Hendersonville Subtotal 6
Jacksonboro
Tract 9708
Blocks: 1045, 1046, 1047, 1048 3
Jacksonboro Subtotal 3
County Colleton SC Subtotal 2,162
County: Georgetown SC 63,404
County: Horry SC
ADRIAN
Tract 701.01
Blocks: 1013, 1018, 1019, 1020, 1021, 1022, 3002, 3003, 3004 423
ADRIAN Subtotal 423
ALLSBROOK
Tract 203.01
Blocks: 3039 8
ALLSBROOK Subtotal 8
ATLANTIC BEACH 246

BROOKSVILLE #1 4,354
BROOKSVILLE #2 1,727
BROWNWAY 2,844
BURGESS #1 2,897
BURGESS #2 3,853
BURGESS #3 2,697
BURGESS #4 2,435
BURGESS #5 2,276
CAROLINA BAYS 3,534
CAROLINA FOREST #1 4,796
CAROLINA FOREST #2 3,046
CHERRY GROVE #1 3,035
CHERRY GROVE #2 1,554
COASTAL CAROLINA 4,770
COASTAL LANE #1 1,778
COASTAL LANE #2 3,667
CRESENT 2,463
DAISY 2,329
DEERFIELD 4,572
DOGWOOD 2,167
DUNES #1 3,552
DUNES #2 2,274
DUNES #3 1,246
EAST CONWAY 1,707
EBENEZER 2,832
EMERALD FOREST #1 4,136
EMERALD FOREST #2 7,144
EMERALD FOREST #3 5,088
ENTERPRISE #1 3,161
ENTERPRISE #2 2,555
FORESTBROOK 5,010
GARDEN CITY #1 2,768
GARDEN CITY #2 1,528
GARDEN CITY #3 2,475
GARDEN CITY #4 1,553
GLENNS BAY 2,976
HICKORY GROVE 2,334
HOMEWOOD
Tract 701.01
Blocks: 1034, 1035, 1036, 1037, 1042, 3060 129
Tract 702

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 1015, 1016, 1019, 1020, 1021, 1022, 1031, 2000, 2001, 2002, 2003, 2004, 2005 758

Tract 707.01

Blocks: 2023, 2026, 2027, 2028, 2029, 2030, 2031, 2047, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3016, 3023, 3024, 3025, 3030, 3039, 3040, 4041 1051

HOMEWOOD Subtotal 1,938
INLAND 513
JACKSON BLUFF 940
JAMESTOWN 5,234
JET PORT #1 2,911
JET PORT #2 1,778
JET PORT #3 2,309
JET PORT #4 3,298
LAKE PARK #1 3,408
LAKE PARK #2 3,109
LAKE PARK #3 3,213
LEON 2,435
LITTLE RIVER #1 2,524
LITTLE RIVER #2 4,425
LITTLE RIVER #3 2,014
MAPLE 2,147
MARLOWE #1 2,887
MARLOWE #2 3,431
MARLOWE #3 6,090
MT. VERNON 1,028
MYRTLE TRACE 1,747
MYRTLEWOOD #1 2,332
MYRTLEWOOD #2 2,301
MYRTLEWOOD #3 2,458
NIXONS XROADS #1 3,233
NIXONS XROADS #2 4,312
NIXONS XROADS #3 2,452
NORTH CONWAY #1 2,692
NORTH CONWAY #2 1,514
OCEAN DRIVE #1 2,720
OCEAN DRIVE #2 2,024
OCEAN DRIVE #3 2,220

OCEAN FOREST #1 1,813
OCEAN FOREST #2 2,330
OCEAN FOREST #3 2,972
PALMETTO BAYS 6,073
PAWLEYS SWAMP 1,045
PORT HARRELSON 742
RACEPATH #1 2,273
RACEPATH #2 2,803
RED BLUFF 1,749
RED HILL #1 4,769
RED HILL #2 3,554
RIVER OAKS 4,849
SALEM 3,368
SEA OATS #1 3,365
SEA OATS #2 4,298
SEA WINDS 5,472
SHELL 2,021
SOCASTEE #1 3,175
SOCASTEE #2 3,171
SOCASTEE #3 5,795
SOCASTEE #4 2,633
SURFSIDE #1 3,054
SURFSIDE #2 1,068
SURFSIDE #3 3,248
SURFSIDE #4 3,405
SWEET HOME 1,940
TILLY SWAMP 2,808
TODDVILLE 2,168
WACCAMAW 6,778
WAMPEE 3,161
WEST CONWAY 1,334
WHITE OAK
Tract 203.01
Blocks: 2014, 2022, 2023, 2024, 2025, 3055 355
Tract 701.01
Blocks: 1012, 3000, 3001 82
Tract 701.02
Blocks: 1003, 1004, 1005, 1014 182
WHITE OAK Subtotal 619
WILD WING 6,674
WINDY HILL #1 1,795

WINDY HILL #2 3,104
County Horry SC Subtotal 308,873
County: Jasper SC
GRAHAMVILLE 1 1,675
HARDEEVILLE 1 2,211
HARDEEVILLE 3 941
OAKATIE 1,178
OAKATIE 2 1,893
SUN CITY 2,688
County Jasper SC Subtotal 10,586
DISTRICT 7 Total 731,204
"

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which

the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed

to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III
Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

The amendment was laid on the table.

AMENDMENT RFH-8

Senator SCOTT proposed the following amendment (AHB\ 865C014.BH.AHB22), which was tabled:

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

/PART I
Congressional Reapportionment

SECTION 1. Chapter 19, Title 7 of the 1976 Code is amended by adding:

"Section 7-19-45. The State is divided into seven congressional districts as follows:

DISTRICT 1

Area	Population
County: Berkeley SC	229,861
County: Charleston SC	408,235
County: Dorchester SC	
Archdale	1,733
Archdale 2	2,115
Ashborough East	2,166
Ashborough East 2	1,045
Ashborough West	924

Ashborough West 2 1,538
Ashley River 3,361
Brandymill 993
Brandymill 2 1,956
Briarwood 2,153
Briarwood 2 1,522
Briarwood 3 1,008
Butternut
Tract 106.04
Blocks: 1047 1
Butternut Subtotal 1
Carolina 2,965
Clemson 3
Tract 106.03
Blocks: 3000 28
Clemson 3 Subtotal 28
Coastal 2,082
Coastal 2 2,266
Coastal 3 1,179
Coosaw 4,919
Coosaw 2 3,371
Coosaw 3 2,322
Dorchester 1,644
Dorchester 2 1,166
Germantown 2,026
Greenhurst 1,875
Irongate 881
Irongate 2 836
Irongate 3 880
King's Grant 2,190
King's Grant 2 2,819
Lincoln 3,780
Miles/Jamison 2,931
Newington
Tract 105.05
Blocks: 3006, 3007, 3008, 3009, 3010, 3014, 3017, 3018, 3022, 3031, 3032, 3035, 3036, 3037 734
Newington Subtotal 734
Newington 2 961
North Summerville 620

North Summerville 2 1,964
Oakbrook 6,235
Oakbrook 2 2,002
Patriot 3,087
Saul Dam 793
Sawmill Branch 2,109
Spann 1,788
Stallsville 1,429
Tranquil 1,339
Tranquil 2 2,264
Tranquil 3 2,136
Trolley 2,522
Windsor 1,405
Windsor 2 1,044
County Dorchester SC Subtotal 93,107
DISTRICT 1 Total 731,203

Area Population

DISTRICT 2

Area Population

County: Aiken SC
Anderson Pond No. 69 2,136
Cedar Creek No. 64 1,897
College Acres 2,379
Couchton 1,878
Eureka 2,614
Gem Lakes No. 60
Tract 212.01
Blocks: 1005, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1024, 1030, 1039, 1041, 1044, 4032, 4036, 4037, 4038, 4039, 4040 1341
Gem Lakes No. 60 Subtotal 1,341
Gem Lakes No. 77
Tract 212.01
Blocks: 1011, 1019, 1020, 1021, 1022, 1023, 1025, 1026, 1027, 1028, 1029, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1040,

1042, 1043, 2000, 2001, 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058 1842

Gem Lakes No. 77 Subtotal 1,842
Hammond No. 48 1,613
Hammond No. 81 1,804
Hollow Creek 1,529
Jackson 2,182
Monetta 1,868
Montmorenci No. 22 2,507
Montmorenci No. 78 1,438
New Ellenton 2,247
New Holland 1,315
Oak Grove 1,804
Perry 1,242
Pine Forest 2,668
Redds Branch 2,311
Salley 888
Sandstone No. 70 1,597
Sandstone No. 79 1,571
Shaws Fork 970
Shiloh 2,730
Silver Bluff 2,651
Sleepy Hollow No. 65 2,170
South Aiken No. 75 2,359
South Aiken No. 76 2,642
SRS 0
Tabernacle 962
Talatha 2,655
Wagener 2,870
Ward 2,206
White Pond 1,184
Windsor No. 43 2,037
Windsor No. 82 1,762
County Aiken SC Subtotal 69,869

County: Allendale SC 8,039
County: Bamberg SC 13,311
County: Barnwell SC 20,589
County: Beaufort SC 187,117
County: Colleton SC 38,604
County: Dorchester SC
Bacons Bridge 3,470
Bacons Bridge 2 1,332
Beech Hill 1,657
Beech Hill 2 2,209
Butternut
Tract 106.03
Blocks: 1020, 1021, 1022 98
Tract 106.04
Blocks: 1002, 1003, 1004, 1005, 1006, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1029, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042 2872
Butternut Subtotal 2,970
Central 2,206
Central 2 2,486
Clemson 2,367
Clemson 2 4,253
Clemson 3
Tract 105.01
Blocks: 1008, 1009, 1010, 1012, 1014, 1015, 1016, 1019, 1022, 1030 282
Tract 106.03
Blocks: 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4028 2539
Clemson 3 Subtotal 2,821
Cypress 4,762
Cypress 2 1,273
Delemars 1,091

Flowertown 3,521
Flowertown 2 2,389
Flowertown 3 2,321
Givhans 1,419
Givhans 2 1,679
Greenwave 2,208
Knightsville 2,214
Newington
Tract 105.05
Blocks: 3012, 3013, 3015, 3016, 3019, 3020, 3021, 3023, 3024, 3040 683
Newington Subtotal 683
Tupperway 1,344
Tupperway 2 1,657
County Dorchester SC Subtotal 52,332
County: Hampton SC 18,561
County: Jasper SC 28,791
County: Lexington SC 293,991
DISTRICT 2 Total 731,204

Area Population

DISTRICT 3

Area Population

County: Abbeville SC 24,295
County: Aiken SC
Aiken No. 1 1,505
Aiken No. 2 1,717
Aiken No. 3 3,160
Aiken No. 4 1,087
Aiken No. 47 1,460
Aiken No. 5 1,616
Aiken No. 6 1,387
Ascauga Lake No. 63 1,341
Ascauga Lake No. 84 1,548
Bath 1,431
Beech Island 2,354
Belvedere No. 44 2,152
Belvedere No. 62 1,827

Belvedere No. 74 1,083
Belvedere No. 9 2,621
Breezy Hill 4,804
Carolina Heights 2,099
China Springs 2,546
Clearwater 1,424
Fox Creek No. 58 2,036
Fox Creek No. 73 1,878
Gem Lakes No. 60
Tract 212.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1006, 1007 120
Gem Lakes No. 60 Subtotal 120
Gem Lakes No. 77
Tract 212.01
Blocks: 2002, 2004 40
Gem Lakes No. 77 Subtotal 40
Gloverville 1,678
Graniteville 1,930
Hitchcock No. 66 1,463
Langley 2,324
Levels No. 52 1,521
Levels No. 72 1,425
Levels No. 83 1,492
Lynwood 1,463
Midland Valley No. 51 3,282
Midland Valley No. 71 2,999
Millbrook 2,408
Misty Lakes 3,058
N. Augusta No. 25 2,565
N. Augusta No. 26 1,559
N. Augusta No. 27 1,927
N. Augusta No. 28 1,392
N. Augusta No. 29 2,320
N. Augusta No. 54 2,076
N. Augusta No. 55 1,352
N. Augusta No. 67 1,676
N. Augusta No. 68 3,300
N. Augusta No. 80 1,279
Six Points No. 35 2,953
Six Points No. 46 1,967

Vaucluse 3,073
Warrenville 2,939
Willow Springs 2,282
County Aiken SC Subtotal 98,939
County: Anderson SC 203,718
County: Chester SC 32,294
County: Edgefield SC 25,657
County: Fairfield SC 20,948
County: Greenville SC
DUNKLIN 3,829
FORK SHOALS
Tract 32.04
Blocks: 1032, 1039 10
FORK SHOALS Subtotal 10
WARE PLACE
Tract 32.02
Blocks: 3005, 3008 32
Tract 32.03
Blocks: 1015, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1026 384
Tract 32.04
Blocks: 1020, 1027 86
Tract 33.01
Blocks: 1022, 1023 0
WARE PLACE Subtotal 502
County Greenville SC Subtotal 4,341
County: Greenwood SC 69,351
County: Kershaw SC
Airport 1,946
Antioch
Tract 9706.03
Blocks: 2046, 2047, 2048, 2051, 2052, 2053, 2054, 2063, 2064, 2069, 2070, 2071, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3009, 3010, 3017, 3018, 3019, 3020 553
Antioch Subtotal 553
Bethune 1,838
Buffalo 1,767
Camden No. 1 2,357
Camden No. 2 & 3 559
Camden No. 5 1,103

Camden No. 5-A 794
Camden No. 6 534
Cassatt 2,601
E. Camden-Hermitage 798
Elgin No. 1 3,419
Elgin No. 2 2,644
Elgin No. 3 1,969
Elgin No. 4 3,154
Elgin No. 5 2,255
Elgin No. 6 2,041
Gates Ford 592
Hobkirk's Hill 2,222
Liberty Hill 663
Lugoff No. 1 2,070
Lugoff No. 2 2,692
Lugoff No. 3 2,228
Lugoff No. 4 1,838
Malvern Hill 2,169
Rabon's X Roads 2,641
Riverdale 1,376
Salt Pond 2,096
Shaylor's Hill 1,149
Springdale 2,434
Westville 2,552
Whites Gardens 2,602
County Kershaw SC Subtotal 59,656
County: Lancaster SC
Antioch 1,256
Carmel 790
Douglas 2,896
Dwight 3,035
Elgin 2,238
Gooch's Cross Road
    Tract 106
        Blocks: 1046, 1050 18
Gooch's Cross Road Subtotal..... 18
Heath Springs 1,954
Hyde Park
    Tract 106
        Blocks: 2003 0
    Tract 110.01

Blocks: 1000, 1001, 1002, 1007, 1008, 1009, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 3007, 3008, 3009 2279

Tract 110.02

Blocks: 1032, 1033, 1034, 1049 225

Hyde Park Subtotal 2,504

Kershaw North 2,756

Kershaw South 2,024

Lynwood Drive

Tract 104

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2022, 2023, 2024, 2025 555

Tract 106

Blocks: 1023, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1048, 1049, 1051, 2041, 3009, 3010, 3011, 3012, 3013, 3016, 3017, 3018, 3019, 3020, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019 3183

Lynwood Drive Subtotal 3,738

Midway 2,459

Pleasant Hill 1,904

Rich Hill 1,729

Spring Hill 1,814

County Lancaster SC Subtotal 31,115

County: Laurens SC 67,539

County: McCormick SC 9,526

County: Newberry SC 37,719

County: Saluda SC 18,862

County: Union SC 27,244

DISTRICT 3 Total 731,204

Area Population

DISTRICT 4

Area Population

County: Greenville SC
AIKEN 2,882
ALTAMONT FOREST 1,693
ASHETON LAKES 4,068
AVON 2,641
BAKER CREEK 2,435
BELLE MEADE 2,797
BELLS CROSSING 4,279
BELMONT 1,623
BEREA 3,443
BOILING SPRINGS 2,750
BOTANY WOODS 2,739
BRIDGE FORK 2,014
BROOKGLENN 1,788
CANEBRAKE 3,597
CAROLINA 2,657
CASTLE ROCK 4,104
CHESTNUT HILLS 3,090
CIRCLE CREEK 4,410
CLEAR CREEK 2,355
CONESTEE 3,467
DARBY RIDGE 3,930
DEL NORTE 3,455
DEVENGER 2,313
DONALDSON 2,250
DOVE TREE 2,632
EASTSIDE 3,795
EBENEZER 3,543
EDWARDS FOREST 3,234
ENOREE 4,688
FEASTER 2,321
FORK SHOALS
Tract 31.03
Blocks: 1025, 1026, 1030, 1031, 1032, 1033 282
Tract 31.04
Blocks: 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1021, 1025, 1026, 1027, 1028, 1029, 1032, 1040 1492
Tract 32.02
Blocks: 1055 0

Tract 32.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1029, 1030, 1031, 1033, 1034, 1035, 1036, 1037, 1038, 1041 1263
FORK SHOALS Subtotal 3,037
FOUNTAIN INN 1 5,157
FOUNTAIN INN 2 2,728
FOX CHASE 2,680
FROHAWK 2,213
FURMAN 5,893
GOWENSVILLE 2,810
GRANITE CREEK 4,167
GRAZE BRANCH 2,277
GREENBRIAR 2,388
GREENVILLE 1 2,198
GREENVILLE 10 4,258
GREENVILLE 14 2,879
GREENVILLE 16 2,502
GREENVILLE 17 2,107
GREENVILLE 18 2,136
GREENVILLE 19 3,488
GREENVILLE 20 1,610
GREENVILLE 21 1,793
GREENVILLE 22 3,046
GREENVILLE 23 2,783
GREENVILLE 24 7,307
GREENVILLE 25 3,400
GREENVILLE 26 3,075
GREENVILLE 27 2,999
GREENVILLE 28 1,588
GREENVILLE 29 3,740
GREENVILLE 3 3,338
GREENVILLE 4 4,465
GREENVILLE 5 3,722
GREENVILLE 6 1,326
GREENVILLE 7 4,509
GREENVILLE 8 4,567
GROVE 3,512
HILLCREST 3,560

HOLLY TREE 1,813
JENNINGS MILL 2,193
KILGORE FARMS 4,034
LAKEVIEW 5,479
LAUREL RIDGE 3,436
LEAWOOD 3,942
LOCUST HILL 2,122
LONG CREEK 2,484
MAPLE CREEK 4,336
MARIDELL 2,888
MAULDIN 1 2,970
MAULDIN 2 6,409
MAULDIN 3 3,409
MAULDIN 4 4,642
MAULDIN 5 4,817
MAULDIN 6 2,930
MAULDIN 7 2,654
MISSION 3,421
MONAVIEW 5,928
MOORE CREEK 5,570
MOUNTAIN CREEK 2,803
MOUNTAIN VIEW 3,378
MT. PLEASANT 4,058
NEELY FARMS 4,822
NORTHWOOD 2,740
OAKVIEW 3,861
ONEAL 4,570
PALMETTO 2,924
PARIS MOUNTAIN 1,705
PEBBLE CREEK 2,799
PELHAM FALLS 1,570
PIEDMONT 5,218
PINEVIEW 1,985
POINSETT 4,944
RAINTREE 5,224
RANCH CREEK 4,300
REEDY FORK 4,524
RIVERSIDE 4,074
RIVERWALK 3,213
ROCK HILL 3,984
ROCKY CREEK 3,075

ROLLING GREEN 2,152
ROYAL OAKS 2,245
SALUDA 2,296
SANDY FLAT 4,745
SEVIER 3,694
SILVERLEAF 2,967
SIMPSONVILLE 1 4,067
SIMPSONVILLE 2 3,107
SIMPSONVILLE 3 3,685
SIMPSONVILLE 4 3,140
SIMPSONVILLE 5 3,783
SIMPSONVILLE 6 3,936
SKYLAND 4,056
SLATER MARIETTA 5,430
SOUTHSIDE 3,356
SPARROWS POINT 3,721
SPRING FOREST 3,337
STANDING SPRINGS 2,507
STONE VALLEY 3,525
STONEHAVEN 2,677
SUBER MILL 5,075
SUGAR CREEK 2,958
SULPHUR SPRINGS 4,421
SYCAMORE 4,357
TANGLEWOOD 4,775
TAYLORS 3,650
THORNBLADE 5,118
TIGERVILLE 4,784
TIMBERLAKE 3,420
TRADE 4,337
TRAVELERS REST 1 3,695
TRAVELERS REST 2 2,619
TUBBS MOUNTAIN 3,582
TYGER RIVER 2,462
VERDMONT 3,123
WADE HAMPTON 4,440
WALNUT SPRINGS 8,550
WARE PLACE
Tract 32.02
Blocks: 3009 0
Tract 32.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1025, 2013, 2014, 2018, 2019, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2043, 2044, 2045, 2050, 2051, 2052, 2053, 2054, 2055, 2056 1840

Tract 32.04

Blocks: 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1026, 1028, 1042 384

Tract 33.01

Blocks: 1014, 1016, 1017, 1020, 1021, 1024, 1025, 1026, 1027 273

Tract 33.03

Blocks: 2015, 2016, 2017, 2026 161

WARE PLACE Subtotal 2,658
WELCOME 4,589
WELLINGTON 2,137
WESTCLIFFE 3,693
WESTSIDE 5,107
WOODMONT 4,225
WOODRUFF LAKES 3,493
County Greenville SC Subtotal 521,193
County: Oconee SC 78,607
County: Pickens SC 131,404
DISTRICT 4 Total 731,204

Area Population

DISTRICT 5

Area Population

County: Cherokee SC 56,216
County: Lancaster SC
Black Horse Run 5,711
Camp Creek 1,242
Chesterfield Ave 2,160
College Park 1,738
Erwin Farm 3,126
Gold Hill 1,601

Gooch's Cross Road
Tract 105
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1010, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3035, 3036, 3037, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052 2692
Tract 106
Blocks: 1001, 1002, 1003, 1004, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1020, 1021, 1034, 1035, 1036, 1037, 1038, 1047 651
Tract 108
Blocks: 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3007, 3008, 3009, 3010, 3018, 3019, 3020, 3021, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 4003, 4008, 4009, 4010, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039 938
Gooch's Cross Road Subtotal..... 4,281
Harrisburg 5,297
Hyde Park
Tract 107
Blocks: 2000 0
Tract 110.01

Blocks: 1003, 1004, 1005, 1006 18
Tract 110.02
Blocks: 1038, 1045, 1046, 1047, 1048, 1050 296
Hyde Park Subtotal 314
Jacksonham 1,550
Lake House 2,503
Lancaster East 2,899
Lancaster West 1,531
Lynwood Drive
Tract 106
Blocks: 1017, 1018, 1019, 1022, 1024 119
Lynwood Drive Subtotal 119
Osceola 6,426
Pleasant Valley 4,742
Possum Hollow 4,291
River Road 3,523
Riverside 1,176
Shelley Mullis 2,722
The Lodge 2,853
Unity 2,033
University 1,761
Van Wyck 1,302
County Lancaster SC Subtotal 64,901
County: Spartanburg SC 327,997
County: York SC 282,090
DISTRICT 5 Total 731,204

Area Population

DISTRICT 6

Area Population

County: Calhoun SC 14,119
County: Clarendon SC 31,144
County: Dorchester SC
Four Hole 1,452
Grover 1,184
Harleyville 1,016
Indian Field 794
Indian Field 2 1,186

Reevesville 1,344
Ridgeville 1,268
Ridgeville 2 2,001
Rosinville 1,717
Rosses 1,375
St. George No. 1 1,711
St. George No. 2 1,053
County Dorchester SC Subtotal 16,101
County: Florence SC
High Hill 784
Lake City No. 1 2,213
Lake City No. 2 1,668
Lake City No. 3 2,414
Lake City No. 4 2,767
Leo 477
Scranton
Tract 20
Blocks: 2012, 2018, 2019, 2020, 2021, 2022, 2029, 2030, 3004 286
Scranton Subtotal 286
County Florence SC Subtotal 10,609
County: Kershaw SC
Antioch
Tract 9706.03
Blocks: 3008, 3011, 3012, 3013, 3014, 3015, 3016, 3021, 3022, 3023, 3024, 3025, 3026, 3029, 3048 678
Antioch Subtotal 678
Charlotte Thompson 2,009
Doby's Mill 3,060
County Kershaw SC Subtotal 5,747
County: Lee SC 16,531
County: Orangeburg SC 84,223
County: Richland SC 416,147
County: Sumter SC 105,556
County: Williamsburg SC 31,026
DISTRICT 6 Total 731,203

Area Population

DISTRICT 7

Area	Population
County: Chesterfield SC	43,273
County: Darlington SC	62,905
County: Dillon SC	28,292
County: Florence SC	
Back Swamp	1,101
Brookgreen	1,150
Cartersville	1,142
Claussen	2,856
Coles Crossroads	3,889
Cowards No. 1	1,447
Cowards No. 2	1,730
Delmae No. 1	4,361
Delmae No. 2	2,328
Ebenezer No. 1	4,992
Ebenezer No. 2	3,944
Ebenezer No. 3	1,995
Effingham	1,595
Elim-Glenwood	2,575
Evergreen	1,484
Florence Ward 1	1,595
Florence Ward 10	1,078
Florence Ward 11	1,428
Florence Ward 12	3,662
Florence Ward 14	3,103
Florence Ward 15	964
Florence Ward 2	1,930
Florence Ward 3	1,954
Florence Ward 4	1,125
Florence Ward 5	1,864
Florence Ward 6	1,161
Florence Ward 7	2,826
Florence Ward 8	2,411
Florence Ward 9	2,034
Friendfield	766
Gilbert	3,555
Greenwood	3,368
Hannah	1,007

Johnsonville 3,452
Kingsburg-Stone 1,359
Mars Bluff No. 1 5,161
Mars Bluff No. 2 2,265
McAllister Mill 1,246
Mill Branch 858
Oak Grove-Sardis 1,602
Olanta 1,944
Pamplico No. 1 1,558
Pamplico No. 2 963
Prospect 664
Quinby 1,316
Salem 925
Savannah Grove 6,121
Scranton
Tract 20
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1054, 1055, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2015, 2016, 2017, 2023, 2024, 2025, 2026, 2027, 2028 915
Tract 23
Blocks: 1061, 1062, 1068, 3010, 3011, 3017 116
Scranton Subtotal 1,031
South Florence 1 4,235
South Florence 2 3,023
Spaulding 1,474
Tans Bay 2,613
Timmonsville 1 2,145
Timmonsville 2 2,017
Vox 954
West Florence 1 4,948
West Florence 2 2,156
County Florence SC Subtotal 126,450
County: Georgetown SC 63,404
County: Horry SC 351,029

County: Marion SC 29,183
County: Marlboro SC 26,667
DISTRICT 7 Total 731,203
“

PART II
Miscellaneous

SECTION 2. Section 7-19-35 of the 1976 Code is repealed, provided that until the members of the congressional districts elected in the 2022 General Election from the districts enumerated in Section 7-19-45 qualify and take office, the districts now provided by law continue to apply for purposes of vacancies in office for members of the congressional districts.

SECTION 3. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in

accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 4. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 5. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 6. Any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

PART III

Time Effective

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The question then was the adoption of the amendment.

Senator BENNETT moved to lay the amendment on the table.

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

Ayes 27; Nays 11

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Johnson, Michael	Loftis	Malloy
Martin	Massey	Rankin
Rice	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Fanning	Harpootlian	Hutto
Matthews	McElveen	McLeod
Sabb	Scott	Setzler
Stephens	Williams	

Total--11

The amendment was laid on the table.

There being no further amendments, the Bill was ordered returned to the House of Representatives with amendments.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator KIMPSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Abraham "Abe" Jenkins, Jr. of Charleston, S.C. Abe was a leader for equality and justice. He was a Democratic party organizer, civil rights activist and community leader who spent his life working for and serving others in his community and around the State. Abe was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Emma Lee Walters Gruber of St. George, S.C. Emma worked at St. George Farm Equipment, Holiday Inn and helped her husband on the farm. She was a member of St. Matthews Baptist Church where she served on many committees over the years. Emma enjoyed working in the yard, canning, cooking and baking for her family. Emma was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 4:32 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 21, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 988 Sen. Grooms

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, January 25, 2022, at 12:00 Noon.

* * *

Tuesday, January 25, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 14:32

In Proverbs we read that: "The wicked are overthrown by their evildoing, but the righteous find refuge in their integrity."

Good friends, let us pray: Gracious Lord, as we bow before You today, here in this sometimes unsetting world we live in, all the more do we find ourselves celebrating every example of integrity that we observe now and then. What a precious and worthy trait integrity always turns out to be. So, dear God, I wish to honor each Senator and every staff member who also values "integrity" in his or her life and work. Indeed, may integrity always be one of the key hallmarks of everyone who labors in this Body, as it was in the life of the late Dr. Martin Luther King, Jr., whom we honored last week. Clearly, may integrity be a major part of our own lives, too. In Your loving name we pray, O Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	McElveen

Peeler	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator TURNER, at 12:08 P.M., Senators CROMER and BENNETT were granted a leave of absence for the week.

Leave of Absence

On motion of Senator MATTHEWS, at 2:14 P.M., Senator HUTTO was granted a leave of absence for today.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

This past Saturday, January 22nd was the 49th anniversary of the Roe v. Wade Supreme Court Decision that struck down abortion laws in all states in our nation. Since that time, 63 million unborn babies have been killed by abortion in this country. And of course 63 million is a number that is hard to wrap your mind around. So I did a little study of the census. Did you know, according to the 2020 Census, our State is the 23rd most populace state in the union? We are the 23rd. 63 million is the total population of the 27 states behind us from Alabama down to Wyoming. You add up their populations, they would all be wiped out by that number, 63 million. What's to become of Roe v. Wade? Will it reach the half-century mark next January or will SCOTUS substantially aim to overturn Roe v. Wade when their decision on the Mississippi case is handed down this year? If overturned, what will happen in South Carolina? There are 12 states that have what is known as trigger laws on their books that would essentially ban all abortion as soon as Roe v. Wade is overturned. South Carolina is not one of those states. I stand here today to say there's no good reason why South Carolina should not be one of those states. There's no good reason why we should not have a trigger law on the books that would reflect the wishes of this State concerning abortion if Roe v. Wade is overturned. It is for that reason that I have introduced S. 988. As a companion Bill to the House, H. 4830, the General Assembly has four months to pass a trigger law that would

ban abortion should Roe be overturned this year. But I will say, if the GOP super majorities in the House and the Senate cannot pass a trigger law in the next four months there will be no excuse. If we do not pass a trigger law in the next four months to ban abortion in South Carolina should Roe be overturned, it will be because we lack the political will to do that. If after 49 years of Roe, if the decision on the future of Roe looming before us in the next six months, if after 63 million dead babies, if we cannot get this done, well, it will be only because we do not think it is really that important. Colleagues, what will we do? S. 988 will be heard in subcommittee tomorrow morning. I invite your support of this trigger law to ban abortion should Roe be overturned. And, I'm available to discuss any questions or concerns you have about this Bill. The time is now for South Carolina to join the other 12 states that are prepared for the overturn of Roe v. Wade. In closing, I would ask you to join me and Senators RICE, VERDIN and GROOMS who co-sponsored this Bill. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 219 Sen. Young
S. 290 Sen. Fanning
S. 583 Sen. Campsen
S. 612 Sen. Kimbrell
S. 903 Sen. Gustafson
S. 986 Sen. Grooms

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bills:

S. 811 Sen. Gustafson
S. 935 Sen. Gustafson

RECALLED

S. 917 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE US 701 BRIDGE OVER THE GREAT PEE DEE RIVER

THE "CHARLES A. HINSON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

RECALLED AND ADOPTED

S. 999 -- Senator Hembree: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 23 THROUGH JANUARY 29, 2022, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted.

RECALLED

S. 1001 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 (MONTICELLO ROAD) IN RICHLAND COUNTY FROM ITS INTERSECTION WITH ELLIOTT AVENUE TO ITS INTERSECTION WITH COLUMBIA COLLEGE

DRIVE "GEORGE E. GLYMPH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

RECALLED

S. 1002 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ENTIRE LENGTH OF QUAKER ROAD IN DORCHESTER COUNTY "JACK AND EMMA LEE GRUBER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1006 -- Senator Rice: A CONCURRENT RESOLUTION TO DEMAND, AMONG OTHER THINGS, THAT CONGRESS FULFILL ITS CONSTITUTIONAL OBLIGATION BY SETTING A DATE IN CALENDAR YEAR 2022 FOR THE NATION'S FIRST ARTICLE V CONVENTION FOR PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION FOR THE PURPOSE OF IMPOSING FISCAL RESTRAINTS UPON THE FEDERAL GOVERNMENT.

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

S. 1007 -- Senators Young, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy,

Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE SILVER BLUFF HIGH SCHOOL FOOTBALL COACH DE'ANGELO BRYANT FOR BEING SELECTED AS THE SOUTH CAROLINA AA LOWER STATE COACH OF THE YEAR.
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The Senate Resolution was adopted.

S. 1008 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GLENN GARY HOLLIDAY FOR TWENTY-SEVEN YEARS OF OUTSTANDING SERVICE TO THE ANDERSON COUNTY FIRE PROTECTION COMMISSION AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 1009 -- Senator Corbin: A BILL TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, SO AS TO PROVIDE THAT A VACANCY OCCURRING ON THE SPARTANBURG COUNTY SCHOOL DISTRICT 1 BOARD OF TRUSTEES FOR ANY REASON OTHER THAN EXPIRATION OF A TERM MUST BE FILLED BY A SPECIAL ELECTION CONDUCTED BY THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR THE UNEXPIRED PORTION OF THE TERM AS PROVIDED IN SECTION 7-13-190.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1010 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS

OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1011 -- Senators Senn and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORDKEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1012 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 IN THE TOWN OF BRANCHVILLE TO THE ORANGEBURG/DORCHESTER COUNTY LINE "BETTY HENDERSON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED

WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

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

H. 4793 -- Reps. Pope, King, Ligon and Simrill: A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

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

H. 4815 -- Rep. G. M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

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

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 248 -- Senators Young, Hembree, Turner, McElveen and Bennett: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO

MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out H. 3211 favorable:

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

TUESDAY, JANUARY 25, 2022

Poll of the Family and Veterans' Services Committee
Polled 16; Ayes 16; Nays 0

AYES

Shealy	Young	K. Johnson
McElveen	Climer	Fanning
McLeod	Talley	Gambrell
Cash	Harpootlian	Adams
Gustafson	M. Johnson	Kimbrell
Stephens		

Total--16

NAYS

Total--0

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., January 25, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTIONS 44-96-40 AND 44-96-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO DEFINE NECESSARY TERMS PERTAINING TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES; TO AMEND SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT PERMITTING, SO AS TO REQUIRE ADVANCED RECYCLING FACILITIES TO DEMONSTRATE FINANCIAL RESPONSIBILITY AS A CONDITION OF PERMITTING; TO AMEND SECTION 48-1-50, RELATING TO POWERS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL,

SO AS TO ADD REGULATION OF ADVANCED RECYCLING FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO SUBMIT CERTAIN REGULATIONS AND REPORTS PERTAINING TO END-OF-LIFE MANAGEMENT OF SOLAR PANELS AND THE DECOMMISSIONING OF CERTAIN SOLAR PROJECTS; TO PROVIDE SUNSET PROVISIONS FOR CERTAIN SECTIONS OF THE ACT; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., January 25, 2022

Mr. President and Senators:

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

S. 948 -- Senator Williams: A JOINT RESOLUTION TO PROVIDE FOR THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION TO OCCUR ON THE SECOND TUESDAY OF MAY 2022.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 948 -- Senator Williams: A JOINT RESOLUTION TO PROVIDE FOR THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION TO OCCUR ON THE SECOND TUESDAY OF MAY 2022.

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

On motion of Senator WILLIAMS, with unanimous consent, the Joint Resolution was taken up for immediate consideration.

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

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

CARRIED OVER

S. 966 -- Senators Rankin, Campsen, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

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

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

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY

DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

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

PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Senator KIMBRELL objected to the consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO

REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator SCOTT proposed the following amendment (AHB\ 3255C001.BH.AHB21), which was adopted:

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

/ SECTION ___. Section 40-57-340(B) of the 1976 Code is amended to read:

"(B)(1) Exempt from the biennial continuing education required by subsection (A) are a:

~~(1)~~(a) salesperson who successfully completes a post-licensing course or takes a broker course is exempt for the renewal period during which the course was taken;

~~(2)~~(b) licensee while on inactive status;

~~(3)~~(c) nonresident broker or salesperson who has successfully satisfied the continuing education requirements in their jurisdiction of residence may be exempt with approval of the commission;

~~(4)~~(d) broker or salesperson with twenty-five years or more of experience in South Carolina who is sixty-five years of age or more is exempt from the continuing education requirements of this chapter; or

(e) broker or salesperson with a minimum of twenty-five years of licensure in South Carolina may apply to be granted an experience-based partial continuing education waiver, and upon granting of the waiver, is required to complete only the mandatory four hour core course biennially to maintain active licensure.

(2) A broker-in-charge who has been granted a partial continuing education waiver is required to take the four hour core course and the mandated four hour broker-in-charge course biennially. A licensee who previously has been granted a full continuing education waiver by the commission is exempt from the continuing education requirements of this chapter." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 36; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--36

NAYS

Total--0

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

OBJECTION

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Senator SENN objected to the consideration of the Bill.

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

MOTION ADOPTED

At 12:26 P.M., on motion of Senator HEMBREE, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Gustafson, Grooms, M. Johnson, Garrett, Adams and Fanning: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

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

Amendment No. 9

Senators TALLEY and CLIMER proposed the following amendment (290R011.SP.SFT), which was carried over and subsequently adopted:

Amend the bill, as and if amended, beginning on page 11, by striking SECTION 9 and inserting:

/SECTION 9. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 10

Senators MALLOY, DAVIS, CLIMER, GUSTAFSON, ALEXANDER and FANNING proposed the following amendment (290R009.SP.TD), which was adopted:

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

/ SECTION __. (A) There is created the Certificate of Need Study Committee to examine the effect of the repeal of the Certificate of Need Program on the quality and quantity of access to healthcare in rural portions of South Carolina. For the purposes of the study committee, "rural" means those areas considered "rural" by the United States Census Bureau, using factors including, but not limited to, population and population density.

(B)(1) The study committee shall be composed of six members to include three members of the Senate, as appointed by the President of the Senate, and three members of the House of Representatives, as appointed by the Speaker of the House of Representatives.

(2) The study committee shall meet as soon as practicable to organize and elect a co-chairman from the Senate and the House of

Representatives. The co-chairmen shall be elected by a majority vote of the study committee members.

(3) The study committee shall consult with a non-voting advisory board as needed. The non-voting advisory board shall include one representative from the South Carolina Hospital Association, the South Carolina Medical Association, the Department of Health and Environmental Control, and the Department of Health and Human Services.

(C)(1) The study committee shall:

(a) examine the effect that the repeal of the Certificate of Need program has on the quality and quantity of access to healthcare in rural portions of the State;

(b) prepare a report of its work and findings to the General Assembly that may include recommendations for action on any of the rural healthcare access measures studied. Recommendations may include legislative, regulatory, or policy changes to address any identified trends associated with the decrease in the quality and quantity of access to healthcare in the rural portions of the State. A recommendation for action shall be based upon a finding by a majority of the voting members that one or more measures would promote the quality and quantity of healthcare access to rural areas; and

(c) draft any recommended legislation.

(2) The study committee shall provide a report to the General Assembly of its findings and recommendations by January 1, 2024. The study committee shall dissolve upon providing its report to the General Assembly, or on January 1, 2024, whichever occurs first.

(D) The study committee may obtain data or other information it deems necessary from state agencies that is relevant to the purposes of the study committee, including from the Department of Health and Environmental Control, the Department of Health and Human Services, and the Department of Employment and Workforce. Agencies are required to respond promptly and provide requested information.

(E) The Senate Medical Affairs Committee and the House Medical, Military, Public and Municipal Committee shall provide staff for the study committee. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 11

Senator MALLOY proposed the following amendment (290R010.SP.GM), which was withdrawn:

Amend the bill, as and if amended, beginning on page 10, by striking SECTION 7 and inserting:

/SECTION 7. Section 44-7-160 of the 1976 Code is amended to read:

"Section 44-7-160. (A) A ~~person or health care facility~~ nursing home as defined in this article is required to obtain a Certificate of Need from the department before undertaking any of the following:

(1) the construction or other establishment of a new ~~health care facility~~ nursing home;

(2) a change in the existing bed complement of a ~~health care facility~~ nursing home through the addition of one or more beds or change in the classification of licensure of one or more beds;

(3) an expenditure by or on behalf of a ~~health care facility~~ nursing home in excess of an amount to be prescribed by regulation which, under generally acceptable accounting principles consistently applied, is considered a capital expenditure except those expenditures exempted in Section 44-7-170(B)(1). The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the development, acquisition, improvement, expansion, or replacement of any plant or equipment must be included in determining if the expenditure exceeds the prescribed amount;

(4) a capital expenditure by or on behalf of a ~~health care facility~~ nursing home which is associated with the addition or substantial expansion of a health service for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(5) the offering of a health service by or on behalf of a ~~health care facility~~ nursing home which has not been offered by the facility in the preceding twelve months and for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(6) the acquisition of medical equipment which is to be used for diagnosis or treatment if the total project cost is in excess of that prescribed by regulation.

(B) For rural and underserved populations, a new health care facility must obtain a Certificate of Need from the department prior to undertaking the construction or establishment of a new health care facility if a hospital is in existence or under construction and is within the county of the proposed new health care facility. The Certificate of Need is required for a ten-year period." /

Renumber sections to conform.
Amend title to conform.

Senator KIMPSON spoke the amendment.
Senator MALLOY spoke on the amendment.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

The question then was third reading of the Bill.

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

Ayes 35; Nays 6

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--35

NAYS

Allen	*Johnson, Kevin*	Matthews
Sabb	Scott	Williams

Total--6

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

TUESDAY, JANUARY 25, 2022

Motion Adopted

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

ADJOURNMENT

At 2:22 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 26, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Job 34:4

As the book of Job instructs us: "Let us choose what is right; let us determine among ourselves what is good."

Join me as we pray: Holy and gracious God, we call upon You this day to bestow a genuinely special blessing upon each leader here in this Senate. Allow these servants -- each one of them -- to trust You wholly while You guide them in their work. And as they indeed labor for the good of the people of South Carolina, may they determine the very best and the most meaningful means and ways to resolve the issues that are before us during this legislative session. Moreover, Lord, we further ask that You will likewise guide and lead all of our other leaders as well, those women and men who serve in elected and appointed roles of government all across this land. We humbly ask all of this in Your wondrous name, dear Lord. Amen.

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

Point of Quorum

At 1:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Doctor of the Day

Senator McELVEEN introduced Dr. Mayes DuBose of Sumter, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 248 Sen. Massey
S. 947 Sen. Garrett
S. 1010 Sens. Alexander and Garrett

RECALLED AND ADOPTED

S. 954 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA SYSTEM FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE JANUARY 26, 2022, AS "CAROLINA DAY" AT THE STATE HOUSE.

Senator SETZLER asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

Senator SETZLER asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

The Resolution was adopted and ordered sent to the House.

RECALLED

S. 1000 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DONALD "DON" WESLEY DROSE, SR., TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE FIRST WATER ON SOUTH CAROLINA HIGHWAY 260 IN MANNING IN CLARENDON COUNTY, CURRENTLY KNOWN AS "THE CAUSEWAY", "DON DROSE CAUSEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

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

RECALLED

S. 1012 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH

UNITED STATES HIGHWAY 21 IN THE TOWN OF BRANCHVILLE TO THE ORANGEBURG/DORCHESTER COUNTY LINE "BETTY HENDERSON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

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

RECALLED

H. 4815 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

Senator PEELER asked unanimous consent to make a motion to recall the Resolution from the Committee on Finance.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1013 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE DANIEL HIGH SCHOOL FOOTBALL TEAM FOR THEIR WINNING RECORD AND TO CONGRATULATE COACH JEFF FRUSTER FOR BEING NAMED THE CAROLINA PANTHERS HIGH SCHOOL FOOTBALL COACH OF THE YEAR.

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The Senate Resolution was adopted.

S. 1014 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE COACH JEFF FRUSTER FOR BEING NAMED THE CAROLINA PANTHERS HIGH SCHOOL FOOTBALL COACH OF THE YEAR AND FOR BEING NOMINATED FOR THE DON SHULA NFL HIGH SCHOOL COACH OF THE YEAR AWARD.

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The Senate Resolution was adopted.

S. 1015 -- Senator Grooms: A SENATE RESOLUTION TO HONOR AND CONGRATULATE FAYE AND FRANK MORRIS UPON THE OCCASION OF THEIR SIXTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSINGS TOGETHER.
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The Senate Resolution was adopted.

S. 1016 -- Senators Kimpson and Matthews: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF ABRAHAM "ABE" JENKINS, JR., OF CHARLESTON COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.
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The Senate Resolution was adopted.

Senator KIMPSON spoke on the Resolution.

Remarks by Senator KIMPSON

Thank you, Mr. PRESIDENT. Members, I will be brief. Last week I rose to request that this Body adjourn in memory of Mr. Abe Jenkins at the earliest time available. There is a poem that's been written called "Live your Creed." I won't read all of it to you, just the first stanza which I think epitomizes Abe's life: "I would rather see a sermon than to hear one any day. I would rather one walk with me than to merely show me the way. The eye is a better pupil and more willing than the ear. Advice may be misleading but examples always clear. And the very best of teachers are the ones who live their creed." Abe Jenkins resided in Charleston, South Carolina, worked for the Medical University of South Carolina and was a freedom fighter for human and civil rights. He died on January 17th, and I wanted to take the opportunity to acknowledge his faithful, loyal and dedicated courage in fighting for voting rights. For working in the trenches for the downtrodden, and for being the voice for those who could not speak for themselves. In closing, there is a hymn we sing in church, and don't worry, I'm not going to sing it -- "May the work I've done speak for me." The work that Abe Jenkins did for the citizens of Charleston County and State of South Carolina speaks volumes. I am deeply honored that I have been asked to speak at Mr. Jenkins' funeral

this Saturday which will be held in Charleston. At that time, I will acknowledge that all my colleagues express their profound sorrow at the passing of this great South Carolinian. Thank you, Mr. PRESIDENT.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator KIMPSON were ordered printed in the Journal.

S. 1017 -- Senator Adams: A BILL TO AMEND TITLE 20 OF THE 1976 CODE, RELATING TO DOMESTIC RELATIONS, TO ENACT THE "MULTIFAMILY DWELLING SAFETY ACT" BY ADDING CHAPTER 21 TO PROVIDE NECESSARY DEFINITIONS, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT TO PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, AND TO PROVIDE REMEDIES FOR VIOLATIONS, AMONG OTHER THINGS
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1018 -- Senator Massey: A BILL TO AMEND SECTION 12-37-220(B) OF THE 1976 CODE, RELATING TO GENERAL EXEMPTIONS FROM TAXES, TO ADD AN APPROPRIATELY NUMBERED NEW ITEM TO PROVIDE AN EXEMPTION FOR A PRIVATE PASSENGER MOTOR VEHICLE OWNED OR LEASED BY A MEMBER OF THE ARMED FORCES OF THE UNITED STATES STATIONED OUTSIDE OF THIS STATE WHEN THAT SERVICE MEMBER'S HOME OF RECORD IS IN SOUTH CAROLINA AND THE VEHICLE IS REGISTERED IN SOUTH CAROLINA; AND TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY REQUIRE DOCUMENTATION IT DETERMINES NECESSARY TO DETERMINE ELIGIBILITY FOR THE EXEMPTION.
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Read the first time and referred to the Committee on Finance.

S. 1019 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "CHARTER SCHOOL ACCOUNTABILITY ACT"; TO AMEND SECTION 59-40-30, RELATING TO THE INTENT OF THE GENERAL ASSEMBLY IN THE CHARTER SCHOOLS ACT, SO AS TO INCLUDE PROVISIONS CONCERNING GOVERNANCE AND ACCOUNTABILITY; TO AMEND SECTION 59-40-40, RELATING TO DEFINITIONS CONCERNING CHARTER SCHOOLS, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 59-40-55, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO INCLUDE PROVISIONS CONCERNING GOVERNANCE AND ACCOUNTABILITY; TO AMEND SECTION 59-40-75, AS AMENDED, RELATING TO THE REMOVAL OF CHARTER SCHOOL GOVERNING BODY MEMBERS AND SPONSORS, SO AS TO REMOVE REFERENCES TO THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT AND MAKE CERTAIN PROVISIONS APPLICABLE TO SPONSORS; TO AMEND SECTION 59-40-115, RELATING TO THE TERMINATION OF SPONSOR CONTRACTS BY CHARTER SCHOOLS, SO AS TO REVISE CRITERIA FOR VOLUNTARY TERMINATIONS AND PROVIDE PROCEDURES AND REQUIREMENTS FOR TRANSFERS TO OTHER SPONSORS; TO AMEND SECTION 59-40-150, RELATING TO DUTIES OF THE STATE DEPARTMENT OF EDUCATION CONCERNING CHARTER SCHOOLS, SO AS TO INCLUDE PROVISIONS CONCERNING CHARTER SCHOOL SPONSORS; AND TO AMEND SECTION 59-40-180, RELATING TO THE PROMULGATION OF REGULATIONS CONCERNING CHARTER SCHOOLS BY THE DEPARTMENT, SO AS TO PROVIDE REQUIREMENTS CONCERNING SPONSORS AND REVISE OTHER REQUIREMENTS.
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Read the first time and referred to the Committee on Education.

S. 1020 -- Senator Fanning: A BILL TO AMEND TITLE 4 OF THE 1976 CODE, RELATED TO COUNTIES, BY ADDING CHAPTER 2, TO PROVIDE THAT COUNTY COUNCIL ELECTIONS MAY BE CONDUCTED ON A PARTISAN OR NON-PARTISAN BASIS, TO PROVIDE THAT PARTISAN ELECTIONS FOR COUNTY COUNCIL ARE THE DEFAULT, TO PROVIDE FOR TWO METHODS BY WHICH NON-PARTISAN COUNTY COUNCIL ELECTIONS MAY BE IMPOSED, AND TO PROVIDE FOR THE

MANNER IN WHICH THE NON-PARTISAN ELECTIONS ARE HELD AND HOW CANDIDATES GAIN ACCESS TO THE BALLOT.
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Read the first time and referred to the Committee on Judiciary.

S. 1021 -- Senators Campsen and Grooms: A BILL TO AMEND ACT 844 OF 1952, RELATING TO THE COMPOSITION, RESIDENCY, AND TERMS OF THE SCHOOL TRUSTEES OF CERTAIN SCHOOL DISTRICTS IN CHARLESTON COUNTY, SO AS TO PROVIDE THAT THE MOULTRIE SCHOOL DISTRICT NO. 2 BOARD OF TRUSTEES SHALL CONSIST OF SEVEN MEMBERS, AT LEAST THREE OF WHOM MUST BE RESIDENTS OF THE TOWN OF MOUNT PLEASANT.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1022 -- Senator Fanning: A CONCURRENT RESOLUTION TO CONGRATULATE MARGARET U. HOLMES, CHAIR OF THE MIDLANDS TECHNICAL COLLEGE COMMISSION, UPON THE OCCASION OF HER RETIREMENT AFTER SIX YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1023 -- Senator Garrett: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DR. BENNIE JAMES DOVER OF GREENWOOD COUNTY AND TO EXTEND DEEPEST SYMPATHY TO HIS LOVING FAMILY AND FRIENDS.
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The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

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

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Doug A. Snyder, 178A Queen Street, Charleston, SC 29401-1969 *VICE* Devron H. Edwards

Received as information.

Message from the House

Columbia, S.C., January 26, 2022

Mr. President and Senators:

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

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 7-19-35 RELATING TO ELECTION

DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1022 -- Senator Fanning: A CONCURRENT RESOLUTION TO CONGRATULATE MARGARET U. HOLMES, CHAIR OF THE MIDLANDS TECHNICAL COLLEGE COMMISSION, UPON THE OCCASION OF HER RETIREMENT AFTER SIX YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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

RECOMMITTED

S. 966 -- Senators Rankin, Campsen, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL

ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

On motion of Senator RANKIN, the Bill was recommitted to the Committee on Judiciary.

HOUSE BILL RETURNED

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

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT

WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM

CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to the consideration of the Bill.

POINT OF ORDER

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett and Massey: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF

TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

WEDNESDAY, JANUARY 26, 2022

POINT OF ORDER

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 4746 -- Reps. G.M. Smith, Rutherford and J.E. Johnson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 2, 2022, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEATS 5 AND 9; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEATS 1 AND 2; SECOND JUDICIAL CIRCUIT, SEAT 1; THIRD JUDICIAL CIRCUIT, SEAT 1; FOURTH JUDICIAL CIRCUIT, SEAT 1; FIFTH JUDICIAL CIRCUIT, SEAT 2; SIXTH JUDICIAL CIRCUIT, SEAT 1; EIGHTH JUDICIAL CIRCUIT, SEAT 1; THIRTEENTH JUDICIAL CIRCUIT, SEATS 1 AND 4; SIXTEENTH JUDICIAL CIRCUIT, SEATS 1 AND 2; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2; SECOND JUDICIAL CIRCUIT, SEAT 1; THIRD JUDICIAL CIRCUIT, SEAT 1; FOURTH JUDICIAL CIRCUIT, SEATS 1 AND 3; FIFTH JUDICIAL CIRCUIT, SEATS 1 AND 4; SEVENTH JUDICIAL CIRCUIT, SEAT 3; NINTH JUDICIAL CIRCUIT, SEATS 1 AND 3; TENTH JUDICIAL CIRCUIT, SEAT 2; ELEVENTH JUDICIAL CIRCUIT, SEAT 1; TWELFTH JUDICIAL CIRCUIT, SEAT 3; THIRTEENTH JUDICIAL CIRCUIT, SEATS 3, 4, AND 6; FOURTEENTH JUDICIAL CIRCUIT, SEAT 2; FIFTEENTH JUDICIAL CIRCUIT, SEATS 2 AND 3; SIXTEENTH JUDICIAL CIRCUIT, SEAT 1; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2. (ABBREVIATED TITLE)

The Senate proceeded to a consideration of the Resolution.

Senator MARTIN proposed the following amendment (4746R002.SP.SRM), which was withdrawn:

Amend the concurrent resolution, as and if amended, on page 4, by striking lines 4 through 9 and inserting:

/That in the absence of Joint Rules, the General Assembly, by this resolution, agrees to bind itself subject to the terms of this resolution and to the requirements of Article III, Section 20 and Section 22 of the South Carolina Constitution, 1895, and the provisions of Chapter 19, Title 2 of the South Carolina Code of Laws, 1976, relating to elections of members of the judiciary, provided that the vote to elect any judge under the provisions of this resolution, whether the election is contested or not, must be a recorded roll call vote. For purposes of this subsection, 'recorded roll call vote' means a vote recorded in the journals of the respective houses of the General Assembly, which must be by yeas and nays and recorded by name. The House of Representatives may use the electronic roll call system as provided by House Rule 7 without unanimous consent. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was withdrawn.

The question then being the adoption of the Resolution.

There being no further amendments, the Resolution was adopted, ordered returned to the House.

ADOPTED

S. 917--Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE US 701 BRIDGE OVER THE GREAT PEE DEE RIVER THE "CHARLES A. HINSON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 1001 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF

SOUTH CAROLINA HIGHWAY 215 (MONTICELLO ROAD) IN RICHLAND COUNTY FROM ITS INTERSECTION WITH ELLIOTT AVENUE TO ITS INTERSECTION WITH COLUMBIA COLLEGE DRIVE "GEORGE E. GLYMPH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

AMENDED AND ADOPTED

S. 1002 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ENTIRE LENGTH OF QUAKER ROAD IN DORCHESTER COUNTY "JACK AND EMMA LEE GRUBER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator GROOMS proposed the following amendment (1002R001.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, on page 1, by striking line 22 and inserting:

/ Whereas, while Jack departed his earthly life in 2002 and Emma Lee /

Renumber sections to conform.

Amend title to conform.

Senator STEPHENS explained the amendment.

The amendment was adopted.

The Resolution, as amended, was ordered sent to the House.

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

MOTION ADOPTED

At 1:41 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

WEDNESDAY, JANUARY 26, 2022

Motion to Ratify Adopted

At 1:43 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on January 26, 2022, at 3:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R119, S. 525) -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: AN ACT TO AMEND SECTIONS 44-96-40 AND 44-96-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO DEFINE NECESSARY TERMS PERTAINING TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES; TO AMEND SECTION 44-96-290, RELATING TO SOLID WASTE MANAGEMENT PERMITTING, SO AS TO REQUIRE ADVANCED RECYCLING FACILITIES TO DEMONSTRATE FINANCIAL RESPONSIBILITY AS A CONDITION OF PERMITTING; TO AMEND SECTION 48-1-50, RELATING TO POWERS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REGULATION OF ADVANCED RECYCLING FACILITIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO SUBMIT CERTAIN REGULATIONS AND REPORTS PERTAINING TO END-OF-LIFE MANAGEMENT OF SOLAR PANELS AND THE DECOMMISSIONING OF CERTAIN SOLAR PROJECTS; TO PROVIDE SUNSET PROVISIONS FOR CERTAIN SECTIONS OF THE ACT; AND FOR OTHER PURPOSES.
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(R120, S. 836) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL

DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.
L:\COUNCIL\ACTS\836PH22.DOCX

(R121, S. 865) -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-19-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE CONGRESSIONAL DISTRICTS ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 7-19-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CONGRESSIONAL DISTRICTS WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.
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(R122, S. 948) -- Senator Williams: A JOINT RESOLUTION TO MOVE THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION FROM THE SECOND TUESDAY IN APRIL OF 2022 TO THE SECOND TUESDAY IN MAY OF 2022, AND TO ADJUST THE CANDIDATE FILING PERIOD ACCORDINGLY.
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THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING

TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

The Committee on Medical Affairs proposed the following amendment (150R001.SP.TD), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 31 through 33 and inserting:

/ (iv) a product approved as a prescription medication by the United States Food and Drug Administration; or /

Amend the bill further, as and if amended, on page 8, by striking lines 33 through 43, and on page 9, by striking lines 1 through 15 and inserting:

/ (B) Revenues generated in excess of the amount needed to implement, administer, and enforce this article must be annually distributed as follows:

(1) three percent for research conducted by the University of South Carolina School of Medicine, the Medical University of South Carolina, or both for research to improve detection and training methods to detect drivers impaired by cannabis, prescription medications, and other drugs, until SLED affirms that no additional research is needed;

(2) two percent to local providers operating under the auspices of Act 301 of 1973 for purposes related to alcohol and drug abuse prevention, education, early intervention, and treatment services;

(3) three percent to SLED;

(4) two percent to the South Carolina Department of Education to be used for drug safety education;

(5) eighty-five percent to the state general fund; and

(6) five percent for research conducted by the University of South Carolina School of Medicine, the Medical University of South Carolina,

or both to be used in connection with medical cannabis research and development, including use for:

(a) clinical trials regarding the effectiveness of cannabis products at treating symptoms and conditions that are not debilitating medical conditions pursuant to this article;

(b) data collection from qualifying patients who voluntarily provide information related to dosage, efficacy, and side effects;

(c) clinical trials, observational studies, or both on the dosage, efficacy, and side effects of medical cannabis; and

(d) the publication of dosage recommendations based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles. /

Amend the bill further, as and if amended, on page 11, by striking lines 1 through 7 and inserting:

/ Section 44-53-2070. Nothing in this article may be construed to require a health insurance provider, health care plan, property and casualty insurer, or medical assistance program to be liable for or reimburse a claim for the medical use of cannabis. Consultations in which physicians diagnose debilitating medical conditions and complete written certifications shall be reimbursed consistent with a qualifying patient's health plan design. /

Amend the bill further, as and if amended, on page 16, by striking lines 41 through 43, and on page 17, by striking lines 1 through 8 and inserting:

/ Section 44-53-2120. A valid registry identification card, or its equivalent, that is issued pursuant to the laws of another state, district, territory, commonwealth, or insular possession of the United States that allows, in its jurisdiction of issuance, a nonresident cardholder to possess cannabis products for medical use has the same force and effect as a valid registry identification card issued by the department in this State, provided that the nonresident cardholder provides to the department a statement from a physician that materially conforms with the requirements of Section 44-53-2010(34) stating that the person has a debilitating medical condition, submits any other documentation required by the department, and has received confirmation from the department. /

Amend the bill further, as and if amended, on page 50, by striking lines 16 through 27 and inserting:

/ Section 44-53-2470. (A) Each dispensary must contract with or employ at least one pharmacist, physician assistant, or clinical practice nurse who is licensed by the State and who has completed a medical

cannabis continuing education course approved by the South Carolina Board of Medical Examiners. The continuing education course must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles. The pharmacist, physician assistant, or clinical practice nurse must be reasonably available during business hours to advise and educate patients, in person or by telemedicine and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist, physician assistant, or clinical practice nurse violates the applicable standard of care. A pharmacist, physician assistant, or clinical practice nurse may contract with multiple dispensaries. /

Amend the bill further, as and if amended, on page 55, at line 30, by inserting an appropriately numbered new SECTION to read:

/SECTION __. SECTIONS 1 through 8 shall be repealed by operation of law if a federal court, pursuant to a filing by the United States of America or one of its authorized executive agencies, issues a final order declaring that those SECTIONS have been preempted by the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, more commonly known as the "Controlled Substances Act." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The committee amendment was adopted.

Senator DAVIS spoke on the Bill.

On motion of Senator MASSEY, with unanimous consent and with Senator DAVIS retaining the floor, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Jerry Wood of Lexington, S.C. Jerry worked for Eastman Chemical Company. He taught machine tool technology classes at Midlands Technical College for more than 15 years and was pleased to have the Midlands Technical College Life Skills Center named in his honor. Jerry was a member of the Lions Club and the South Carolina Chapter of the Antique Car Club of America. Jerry was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. June Gottlieb Safran of Columbia, S.C. June graduated from Dreher High School and attended the University of South Carolina. She was a dedicated member of Beth Shalom Synagogue. June was a passionate Gamecock sports fan, enjoyed traveling and attending the events of her children and grandchildren. June was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 5:39 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 27, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Colossians 3:12

When he was addressing the Colossians, Paul urged them: "As God's chosen ones, holy and beloved, clothe yourselves with compassion, kindness, humility, meekness, and patience."

Bow with me as we pray: O Holy Lord, we praise You this day as these Senators and their staff members continue to serve the good people of South Carolina. As they do so, dear God, allow these Senators to be confident as they work for the common good, doing so boldly and assuredly. And even more so, may each one of these leaders strive to embody those very characteristics which Paul lifted up centuries ago: those key traits of compassion, kindness, humility, meekness, and patience. By being fully aware of the importance of these gifts You grant, O God, and by working together, each of these individuals can and will accomplish so much that is good and worthwhile for each and every South Carolinian. And to You, Lord, will be the glory. So we pray in Your loving name. Amen.

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

Point of Quorum

At 11:03 A.M., Senator VERDIN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Cash	Climer	Corbin
Davis	Garrett	Harpootlian
Hembree	*Johnson, Michael*	Kimbrell

Loftis	Malloy	Martin
Peeler	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator GARRETT introduced Dr. Gregory Tarasidis of Greenwood, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SHEALY, at 11:13 A.M., Senator GUSTAFSON was granted a leave of absence until 12:00 P.M.

CO-SPONSORS ADDED

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

S. 674 Sen. Loftis
S. 762 Sen. Loftis
S. 903 Sen. Corbin
S. 924 Sen. Loftis
S. 961 Sen. Bennett
S. 988 Sen. Adams
S. 1000 Sen. Martin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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

S. 1025 -- Senator Shealy: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1026 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-8, 2022, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.
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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1027 -- Senator Alexander: A BILL TO AMEND SECTION 12-37-250(A)(1) OF THE 1976 CODE, RELATING TO HOMESTEAD EXEMPTION FOR TAXPAYERS SIXTY-FIVE AND OVER, THOSE WHO ARE TOTALLY AND PERMANENTLY DISABLED, OR THOSE WHO ARE LEGALLY BLIND, TO PROVIDE THE HOMESTEAD EXEMPTION FOR TAXPAYERS WHO ARE DEAF.
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Read the first time and referred to the Committee on Finance.

S. 1028 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE BISHOP WILLIAM ALPHONZA PRIOLEAU ON HIS EPISCOPAL ELEVATION AS THE JURISDICTIONAL PRELATE OF THE SOUTH CAROLINA JURISDICTION CHURCH OF GOD IN CHRIST, INC. AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND HIS COMMUNITY.
l:\s-res\vs\008bish.kmm.vs.docx
The Senate Resolution was adopted.

S. 1029 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE LARRY W. CAMERON UPON THE OCCASION OF HIS RETIREMENT FROM THE AUTO AUCTION INDUSTRY, TO COMMEND HIM FOR HIS OVER FIFTY YEARS OF DEDICATED SERVICE TO DARLINGTON AND TO MONCK'S

CORNER, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

H. 3464 -- Reps. Gilliam, Pope, Caskey, Huggins, Rivers, S. Williams, Felder, Forrest and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, February 2, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **PIEDMONT MUNICIPAL POWER AGENCY/SC ASSOCIATION OF MUNICIPAL POWER SYSTEMS**

Wednesday, February 2, 2022 - 5:00pm-7:00pm
Members Only, Reception, The Palmetto Club, by the **SOUTH CAROLINA ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS**

Wednesday, February 2, 2022 - 5:30pm - 9:00pm
Members and Staff, Reception, Expansive Columbia, 1208 Washington Street, by the **SOUTH CAROLINA TELECOMMUNICATIONS AND BROADBAND ASSOCIATION**

Thursday, February 3, 2022 - 8:00am - 10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA STUDENT LOAN CORPORATION**

Wednesday, February 9, 2022 - 11:30am - 1:30pm
Members Only, Luncheon, State House Grounds, by the **SOUTH CAROLINA BAPTIST CONVENTION**

Wednesday, February 9, 2022 - 5:00pm - 7:00pm
Members and Staff, Reception, Palmetto Club, by the **CAROLINA RECYCLING ASSOCIATION**

Wednesday, February 9, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, Columbia Hilton, 924 Senate Street, by the **COLLEGE OF CHARLESTON**

Tuesday, February 15, 2022 - 6:00pm - 9:00pm
Members and Staff, Reception, Columbia Metropolitan Convention Center, by the **MYRTLE BEACH AREA CHAMBER OF COMMERCE**

Wednesday, February 16, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, 112 Blatt Building, by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

Wednesday, February 16, 2022 - 5:00pm - 7:00pm
Members Only, Reception, Capital City Club, by the **SC ECONOMIC DEVELOPERS' ASSOCIATION**

Wednesday, February 16, 2022 - 5:30pm - 8:00pm
Members and Staff, Reception, Bourbon at 1214 Main Street, by the **CONSERVATION VOTERS OF SC**

Thursday, February 17, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA CONVENIENCE AND PETROLEUM MARKETERS ASSOCIATION**

Tuesday, February 22, 2022 - 5:30pm - 7:30pm
Members Only, Reception, Hall's Chophouse, by the **NATIONAL ASSOCIATION OF INSURANCE & FINANCE ADVISERS**

Wednesday, February 23, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **NATIONAL FEDERATION OF THE BLIND OF SOUTH CAROLINA**

Wednesday, February 23, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, 112 Blatt Building, by the **INDEPENDENT BANKS OF SOUTH CAROLINA**

Wednesday, February 23, 2022 - 5:00pm - 7:00pm
Members and Staff, Reception, The Palmetto Club, by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

Wednesday, February 23, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, National Guard Armory (Bluff Rd.), by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

Thursday, February 24, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **ASSOCIATED BUILDERS AND CONTRACTORS OF THE CAROLINAS, INC.**

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

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL

ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett and Massey: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S

DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

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

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (947R002.KMM.RFR), which was adopted:

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

/ SECTION 1. Section 56-23-20 of the 1976 Code is amended to read:

"Section 56-23-20. Classroom courses offered by state institutions and duly accredited and approved colleges, public, parochial, and private high schools in which classroom driver education is part of the curriculum, instruction offered by an entity described in Section 33-49-160(A) that is providing instruction to employees of its member

organizations, or to employers giving instruction to their licensed employees shall be exempt from registration and license under this chapter. Courses offered to adults under adult education programs shall not qualify for the exemption."

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

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

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

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

Ayes 33; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Total--0

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

S. 947--Ordered to a Third Reading

On motion of Senator MASSEY, S. 947 was ordered to receive a third reading on Friday, January 28, 2021.

AMENDED, READ THE SECOND TIME

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG proposed the following amendment (3211R001.KMM.TRY), which was adopted:

Amend the bill, as and if amended, on page 1, line 26 by adding an appropriately numbered new SECTION to read:

/ SECTION ___. Section 63-1-50(A) of the 1976 Code is amended to read:

"Section 63-1-50. (A) There is established the Joint Citizens and Legislative Committee on Children to be composed of three members of the House of Representatives appointed by the Speaker of the House, three members of the Senate to be appointed by the President of the Senate, and three members to be appointed by the Governor. The Director of the Department of Juvenile Justice, the Director of the Department of Social Services, the Director of the Department of Disabilities and Special Needs, the Superintendent of the Department of Education, the Director of the Department of Mental Health, the Director of the Department of Alcohol and Other Drug Abuse Services, the Director of the Department of Health and Environmental Control, the Director of the Department of Health and Human Services, and the Director of the Office of South Carolina First Steps to School Readiness serve as ex officio, nonvoting members of the committee. Members appointed by the Governor must not be employees of the State. Members serve at the pleasure of the appointing authority. The committee shall study issues relating to children as the committee may undertake or as may be requested or directed by the General Assembly. The committee may contract for all necessary legal research and support services, subject to funding as provided in subsection (E)." /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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

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

Motion Under Rule 26B

Senator YOUNG asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

POINT OF ORDER

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

H. 4815 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO

A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

The Senate proceeded to a consideration of the Resolution.

Senator PEELER explained the Resolution.

The question then being second reading of the Resolution.

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

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

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

H. 4815--Ordered to a Third Reading

On motion of Senator MARTIN, H. 4815 was ordered to receive a third reading on Friday, January 28, 2021.

AMENDED AND ADOPTED

S. 1000 -- Senators K. Johnson and Martin: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DONALD "DON" WESLEY DROSE, SR., TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE FIRST WATER ON SOUTH CAROLINA HIGHWAY 260 IN MANNING IN CLARENDON COUNTY, CURRENTLY KNOWN AS "THE CAUSEWAY", "DON DROSE CAUSEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Senate proceeded to a consideration of the Resolution.

Senator K. JOHNSON proposed the following amendment (1000R001.KLJ), which was adopted:

Amend the concurrent resolution, as and if amended, on page 2, by striking line 36, and inserting:

/ Causeway" and erect appropriate markers or signs at this location /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON explained the amendment.

The amendment was adopted.

The question then being second reading of the Resolution.

The Resolution, as amended, was adopted, ordered sent to the House.

ADOPTED

S. 1012 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 IN THE TOWN OF BRANCHVILLE TO THE ORANGEBURG/DORCHESTER COUNTY LINE "BETTY HENDERSON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 11:32 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Senator DAVIS spoke on the Bill.

Point of Quorum

At 1:40 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator DAVIS resumed speaking on the Bill.

Debate was interrupted by adjournment.

THURSDAY, JANUARY 27, 2022

Motion to Ratify Adopted

At 2:01 P.M., Senator PEELER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Glenn "Podge" Poole of Salley, S.C. Glenn was a lifetime member of Clinton United Methodist Church. He was a veteran of the U.S. Army Reserve and a mason with the Salley Masonic Lodge and Wagener Cedar Loge 184. Glenn was a founding member of the Hollow Creek Fire Department where he served many years as the Fire Chief. He was a retired captain of the SRSFD with over 20 years of service. He received the Order of the Palmetto and other community service awards. Glenn was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:02 P.M., on motion of Senator DAVIS, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 28, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON.

ORDERED ENROLLED FOR RATIFICATION

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

H. 4815 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

On motion of Senator PEELER.

READ THE THIRD TIME
SENT TO THE HOUSE

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

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

On motion of Senator MASSEY.

ADJOURNMENT

At 11:05 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, February 1, 2022, at 12:00 Noon.

* * *

Tuesday, February 1, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Matthew 25:40

In Matthew we read that the Lord himself very clearly said: " 'Truly, I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.' "

Please bow in prayer with me: Gracious and ever-loving God, we note that the UN's World Interfaith Harmony Week begins today. And You have made it clear, O Lord, that we all truly do have a role to play in reaching out to those around us who are less fortunate than we are. And, of course, it is not only those around the globe who suffer. There are, sadly, far too many of our sisters and brothers -- even children -- here in South Carolina who struggle with burdens of all sorts. It is a reality that rests on the shoulders of all of us; we each should be motivated to aid the unfortunate whenever and wherever we can. So, the heart of our prayer today, Lord, is that these Senators and other leaders will seek meaningful ways to aid the needy, thereby making life better for all. We humbly ask this in Your loving name, dear Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Cromer
Davis	Fanning	Garrett
Gustafson	Harpootlian	Hembree

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

COMMUNICATION

The following communication was received from the Review and Oversight Committee on the South Carolina State Ports Authority.

February 1, 2022

Mr. Jeffrey S. Gossett, Clerk of the Senate
401 Gressette Building
Columbia, SC 29201

Mr. Charles F. Reid, Clerk of the House
Blatt Building
Columbia, SC 29201

Dear Mr. Gossett and Mr. Reid:

Pursuant to Section 54-3-1310 of the South Carolina Code of Laws, the Review and Oversight Commission on the South Carolina State Ports Authority met on February 1, 2022. The commission found each of the following statewide, gubernatorial appointments to the Ports Authority is qualified and meets the requirements provided by law to serve as a member of the board:

Initial Appointment South Carolina State Ports Authority, with the term commencing February 13, 2021, and to expire February 13, 2026
At-Large:
Mr. William A. Coates, 177 Marshall Bridge Drive, Greenville, SC 29605 *VICE* Kenneth R. Jackson

Reappointment South Carolina State Ports Authority, with the term commencing February 13, 2020, and to expire February 13, 2025
At-Large:

Mr. Mark W. Buyck, Jr., 1439 Cherokee Road, Florence, SC 29501 *VICE* Self

Reappointment South Carolina State Ports Authority, with the term commencing June 4, 2018, and to expire June 4, 2023

At-Large:

Mr. Kurt D. Grindstaff, 20 Manor Court Lane, Hilton Head Island, SC 29926 *VICE* Self

Initial Appointment South Carolina State Ports Authority, with the term commencing February 13, 2022 and to expire February 13, 2027

At-Large:

Ms. Felicia Rhue Howard, 127 King Charles Road, Columbia, SC 29209 *VICE* William W. Jones, Jr.

Reappointment South Carolina State Ports Authority, with the term commencing February 13, 2020, and to expire February 13, 2025

At-Large:

Mr. Willie E. Jeffries, 85 Nance Drive, Elloree, SC 29047 *VICE* Self

Reappointment South Carolina State Ports Authority, with the term commencing February 13, 2020, and to expire February 13, 2025

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204 *VICE* Self

Reappointment South Carolina State Ports Authority, with the term commencing February 13, 2019, and to expire February 13, 2024

At-Large:

Whitemarsh Seabrook Smith III, 6 Concord Street, Charleston, SC 29401 *VICE* Self

Reappointment South Carolina State Ports Authority, with the term commencing February 13, 2020, and to expire February 13, 2025

At-Large:

William H. Stern, 2134 Bermuda Hills Road, Columbia, SC 29223 V*ICE* Self

The commission requests that this letter be published in the journal of both houses on the next available day.

Sincerely,

Larry Grooms

Larry Grooms

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nancy B. Dunn, 116 Wizard Way, Inman, SC 29349-7098 *VICE* John D. Wilcox, Jr.

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nikki Wooten, 465 Endenhall Dr., Columbia, SC 29229 *VICE* Bevin G. Studstill

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Yvonne C. Knight Carter, 1349 Old Cherry Hill Road, Moncks Corner, SC 29461-4571 *VICE* Melissa A. Tilden

Referred to the Committee on Education.

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

1st Congressional District:

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

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

Nadine Hanner, 1797 Central Ave., Summerville, SC 29483-9323 *VICE* Hima N. Dalal

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2021, and to expire June 30, 2025

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2018, and to expire June 30, 2022

4th Congressional District:

Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650 *VICE* Monica G. Hill

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026

4th Congressional District:

Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

5th Congressional District:

Mary D. Long, 508 Indigo Court, Camden, SC 29020 *VICE* Ms. Martha W. Brock

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2021, and to expire June 30, 2025

1st Congressional District:

Calvin Whitfield, 3436 Rivers Ave., Suite 2A, North Charleston, SC 29405-7743 *VICE* Kenneth E. Battle

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Governor:

F. Xavier Starkes, PO Box 1497, Columbia, SC 29202-1497 *VICE* Ashleigh R. Wilson

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2021, and to expire August 15, 2025

At-Large :

Karl A. Haslinger, 330 Woods Point Road, Gilbert, SC 29054-9471 *VICE* Mary L. Siek

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2018, and to expire August 15, 2022

At-Large/Chairman:

C. Todd Latiff, 101 Wyntuck Court, Clemson, SC 29631-1987 *VICE* Donald Tomlin

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large/Chairman:

C. Todd Latiff, 101 Wyntuck Court, Clemson, SC 29631-1987

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2022, and to expire February 13, 2027

At-Large:

Felicia Rhue Howard, 127 King Charles Road, Columbia, SC 29209-2239 *VICE* William W. Jones, Jr.

Referred to the Committee on Transportation.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2024

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4977
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-7-260 et seq.
SUBJECT: Standards for Licensing Day Care Facilities for Adults
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Medical Affairs
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 1, 2022

Doctor of the Day

Senator SETZLER introduced Dr. Greg Squires of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:04 P.M., Senator VERDIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SETZLER, at 12:33 P.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 12:33 P.M., Senator McELVEEN was granted a leave of absence for today.

TUESDAY, FEBRUARY 1, 2022

Leave of Absence

On motion of Senator K. JOHNSON, at 12:36 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 12:38 P.M., Senator KIMPSON was granted a leave until 1:00 P.M.

CO-SPONSORS ADDED

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

S. 405 Sen. Loftis
S. 838 Sen. Corbin
S. 1025 Sens. Hutto and Jackson

RECALLED AND ADOPTED

S. 958 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE JANUARY 2022 AS "FIREFIGHTER CANCER AWARENESS MONTH" IN SOUTH CAROLINA.

Senator GAMBRELL asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator GAMBRELL asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill/Resolution. The question then was the adoption of the Resolution.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 1, 2022, at 12:15 P.M. and the following Joint Resolution was ratified:

(R123, H. 4815) -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2021-2022 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.
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TUESDAY, FEBRUARY 1, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1030 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE WILLIAM WALLACE OSWALD UPON THE OCCASION OF HIS RETIREMENT AS CHIEF OF POLICE OF THE BATESBURG-LEESVILLE POLICE DEPARTMENT, TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DEDICATED SERVICE TO BATESBURG, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.
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Senator CAMPSEN spoke on the Bill.

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

S. 1032 -- Senators Martin and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.
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Senator MARTIN spoke on the Bill.

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

S. 1033 -- Senators Kimbrell and Shealy: A BILL TO AMEND SECTION 25-11-50 OF THE 1976 CODE, RELATING TO THE RELATIONS OF SECRETARY AND COUNTY VETERANS' AFFAIRS OFFICERS, TO MAKE PROVISIONS FOR MONTHLY REPORTING; AND TO AMEND SECTION 25-11-60 OF THE 1976 CODE, RELATING TO SEMIANNUAL REPORTS, TO REQUIRE A COPY OF THE REPORT PROVIDED TO THE LEGISLATIVE DELEGATION BE GIVEN TO THE SECRETARY.
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Read the first time and referred to the Committee on Family and Veterans' Services.

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

H. 4872 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J.

Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19 THROUGH 26, 2022.

The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

REPORTS OF STANDING COMMITTEES

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

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

Ordered for consideration tomorrow.

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

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

THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

Ordered for consideration tomorrow.

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

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2020, and to expire July 28, 2023

3rd Congressional District:

Richard K. Blackwell, 308 Devon Way, Seneca, SC 29672-6819 *VICE:* Joseph R. Millender

Received as information.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Edwin M. Estridge, 121 Pamela Court, Chapin, SC 29036-9481

Received as information.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

James Graves, 127 High Hampton Drive, Columbia, SC 29209-1222 *VICE* Monte A. Lemmon

Received as information.

HOUSE CONCURRENCES

S. 4 -- Senator Setzler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF NINTH STREET AND JARVIS KLAPMAN BOULEVARD IN THE CITY OF WEST COLUMBIA "DANIEL WAYNE COGBURN INTERCHANGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 450 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN CHARLESTON COUNTY FROM A POINT ONE AND ONE-QUARTER MILES EAST OF OLD JACKSONBORO ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 7 "CURTIS B. INABINETT, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 797 -- Senators Young, Setzler and Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 1 FROM ITS INTERSECTION WITH I-20 TO HIGHWAY 78 (RICHLAND AVENUE) IN AIKEN COUNTY "VETERANS MEMORIAL HIGHWAY", NAME THE PORTION OF HIGHWAY 25 FROM THE EDGEFIELD COUNTY LINE TO THE NORTH AUGUSTA CITY LIMITS IN AIKEN COUNTY "VETERANS HIGHWAY", NAME THE PORTION OF HIGHWAY 78 (RICHLAND AVENUE) FROM ITS INTERSECTION WITH HIGHWAY 1 (YORK

STREET) EAST TO THE AIKEN COUNTY LINE IN AIKEN COUNTY "GOLD STAR FAMILIES MEMORIAL HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS AT THESE LOCATIONS CONTAINING THE DESIGNATIONS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Senator DAVIS spoke on the Bill.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 11:45 A.M. for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will stand in recess for 1 hour.

TUESDAY, FEBRUARY 1, 2022

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Miss Cheslie Kryst of Charlotte, N.C. Cheslie graduated from the University of South Carolina and later earned a MBA and law degree from Wake Forest University. She worked as a lawyer who was passionate in and out of the courtroom. In 2019, Cheslie became the first African American to earn the Miss USA title. Cheslie was a loving daughter and sister who will be dearly missed.

ADJOURNMENT

At 2:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, February 2, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 113:3-4

My friends, hear God's Word for us today: "From the rising of the sun to its setting the name of the Lord is to be praised. The Lord is high above all nations; and his glory above the heavens."

Join me as we pray, please: As the smug humans we are, O Lord, it is so easy for each one of us to end up thinking that what we do and how we do it is the ultimate in every regard, that no one else can ever measure up to us and to our abilities, to our personal cleverness. Yet in our heart of hearts, dear God, we truly do know that our egos, our arrogance, our self-centeredness really must be kept in check. And so we pray that You will embrace us in Your loving care, and by Your grace keep us from being the prideful women and men we often can be. Rather, allow us to work humbly together, to learn from one another, to strive always to pursue the very best for the people we serve, and to give You the praise, dear God -- to honor You always. All this we humbly pray to Your glory, O Lord. Amen.

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

RECESS

At 11:50 A.M., The Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 4746 -- Reps. G.M. Smith, Rutherford and J.E. Johnson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY,

FEBRUARY 2, 2022, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEATS 5 AND 9; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEATS 1 AND 2; SECOND JUDICIAL CIRCUIT, SEAT 1; THIRD JUDICIAL CIRCUIT, SEAT 1; FOURTH JUDICIAL CIRCUIT, SEAT 1; FIFTH JUDICIAL CIRCUIT, SEAT 2; SIXTH JUDICIAL CIRCUIT, SEAT 1; EIGHTH JUDICIAL CIRCUIT, SEAT 1; THIRTEENTH JUDICIAL CIRCUIT, SEATS 1 AND 4; SIXTEENTH JUDICIAL CIRCUIT, SEATS 1 AND 2; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2; SECOND JUDICIAL CIRCUIT, SEAT 1; THIRD JUDICIAL CIRCUIT, SEAT 1; FOURTH JUDICIAL CIRCUIT, SEATS 1 AND 3; FIFTH JUDICIAL CIRCUIT, SEATS 1 AND 4; SEVENTH JUDICIAL CIRCUIT, SEAT 3; NINTH JUDICIAL CIRCUIT, SEATS 1 AND 3; TENTH JUDICIAL CIRCUIT, SEAT 2; ELEVENTH JUDICIAL CIRCUIT, SEAT 1; TWELFTH JUDICIAL CIRCUIT, SEAT 3; THIRTEENTH JUDICIAL CIRCUIT, SEATS 3, 4, AND 6; FOURTEENTH JUDICIAL CIRCUIT, SEAT 2; FIFTEENTH JUDICIAL CIRCUIT, SEATS 2 AND 3; SIXTEENTH JUDICIAL CIRCUIT, SEAT 1; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2.

Election to the Position of Judge, Supreme Court, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Supreme Court, Seat 4.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kaye G. Hearn had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Kaye G. Hearn in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Climer	Cromer
Davis	Fanning	Garrett
Gustafson	Harpootlian	Hembree

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Massey
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--30

The following named Senators voted in the negative:

Cash	Corbin	Martin

Total--3

The following named Senators voted present:

Campsen	Grooms	Loftis
Rice		

Total--4

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Brawley	Brittain	Bryant
Bustos	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Felder	Forrest	Gagnon
Garvin	Gatch	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King

Lucas	Matthews	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Parks
Pendarvis	Pope	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Weeks	West	Wetmore
Wheeler	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--91

The following named Representatives voted in the negative:

Bradley	Burns	Dabney
Gilliam	Haddon	Hill
Jones	Long	Magnuson
May	Morgan	

Total--11

RECAPITULATION

Total number of Senators voting 33
Total number of Representatives voting..... 102
Grand Total..... 135
Necessary to a choice 68
Ayes 121
Nays 14

Whereupon, the PRESIDENT announced that the Honorable Kaye G. Hearn was elected to the position of Judge, Supreme Court, Seat 4 for the term to expire July 31, 2032.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Court of Appeals Seat 5, Chief Judge

The PRESIDENT announced that nominations were in order to elect a successor to the position of Chief Judge, Court of Appeals, Seat 5.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable H. Bruce Williams had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable H. Bruce Williams in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn

Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Parks	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--111

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 111
Grand Total..... 148
Necessary to a choice 75
Ayes 148
Nays 0

Whereupon, the PRESIDENT announced that the Honorable H. Bruce Williams was elected to the position of Chief Judge, Court of Appeals, Seat 5 for the term to expire June 30, 2027.

Election to the Position of Judge, Court of Appeals, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 9.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Garrison "Garry" Hill had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable David Garrison "Garry" Hill in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley

Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	King	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Parks	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--111

The following named Representative voted in the negative:
Bryant

Total--1

WEDNESDAY, FEBRUARY 2, 2022

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 112
Grand Total..... 149
Necessary to a choice 75
Ayes 148
Nays 1

Whereupon, the PRESIDENT announced that the Honorable David Garrison "Garry" Hill was elected to the position of Judge, Court of Appeals, Seat 9 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
1st Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 1st Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Charles J. McCutchen and Heath Preston Taylor had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the name of Charles J. McCutchen was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name Heath Preston Taylor in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--111

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 112
Grand Total..... 149
Necessary to a choice 76
Ayes 148
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Heath Preston Taylor was elected to the position of Judge, Circuit Court, 1st Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
1st Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 1st Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Diane Schafer Goodstein had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Diane Schafer Goodstein in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--36

The following named Senators voted in the negative:

Martin

Total--1

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Brawley
Brittain	Bustos	Calhoon
Carter	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hiott	Hixon
Hosey	Howard	Huggins

Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King
Ligon	Lowe	Lucas
Matthews	McCabe	McCravy
McDaniel	McGarry	McKnight
J. Moore	T. Moore	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thigpen	Weeks	West
Wetmore	Wheeler	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--95

The following named Representatives voted in the negative:

Bradley	Bryant	Burns
Chumley	Dabney	Haddon
Hill	Jones	Long
Magnuson	May	McGinnis
Morgan	Nutt	

Total--14

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 109
Grand Total..... 146
Necessary to a choice 74
Ayes 131
Nays 15

Whereupon, the PRESIDENT announced that the Honorable Diane Schafer Goodstein was elected to the position of Judge, Circuit Court, 1st Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Circuit Court
2nd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 2nd Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Courtney Pope had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Courtney Pope in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bustos
Calhoon	Carter	Caskey
Cobb-Hunter	Cogswell	Collins

B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Ligon	Long
Lowe	Lucas	Matthews
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
T. Moore	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thigpen	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

The following named Representatives voted in the negative:

Bryant	Hill	Jones
Magnuson		

Total--4

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 105
Grand Total..... 142

Necessary to a choice 72
Ayes 138
Nays 4

Whereupon, the PRESIDENT announced that the Honorable Courtney Pope was elected to the position of Judge, Circuit Court, 2nd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
3rd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Ralph Ferrell Cothran, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Ralph Ferrell Cothran, Jr. in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

Total--110

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting	37
Total number of Representatives voting	111
Grand Total	148
Necessary to a choice	75
Ayes	147
Nays	1

Whereupon, the PRESIDENT announced that the Honorable Ralph Ferrell Cothran, Jr. was elected to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
4th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Paul M. Burch had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Paul M. Burch in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice

Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--111

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 112
Grand Total..... 149
Necessary to a choice 75
Ayes 148
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Paul M. Burch was elected to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
5th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Daniel McLeod Coble, the Honorable Amy McCulloch and S. Boyd Young had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the names of the Honorable Amy McCulloch and S. Boyd Young were withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of Daniel McLeod Coble in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--36

The following named Senator voted in the negative:
Gustafson

Total--1

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder

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

Total--109

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 110
Grand Total..... 147
Necessary to a choice 74
Ayes 145

Nays 2

Whereupon, the PRESIDENT announced that the Honorable Daniel McLeod Coble was elected to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election to the Position of Judge, Circuit Court
6th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 6th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Brian M. Gibbons had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Brian M. Gibbons in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

Total--110

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting	37
Total number of Representatives voting	111
Grand Total	148
Necessary to a choice	75
Ayes	147
Nays	1

Whereupon, the PRESIDENT announced that the Honorable Brian M. Gibbons was elected to the position of Judge, Circuit Court, 6th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
8th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 8th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Frank Robert Addy, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Frank Robert Addy, Jr. in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	Peeler	Rankin

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--35

The following named Senators voted in the negative:

Corbin	Loftis

Total--2

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Lowe
Lucas	Matthews	May
McCabe	McCravy	McDaniel
McGinnis	McKnight	T. Moore
D. C. Moss	V. S. Moss	Murray

B. Newton	W. Newton	Nutt
Ott	Parks	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Weeks	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--102

The following named Representatives voted in the negative:

Bennett	Bryant	Hill
McGarry	White	

Total--5

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 107
Grand Total..... 144
Necessary to a choice 73
Ayes 137
Nays 7

Whereupon, the PRESIDENT announced that the Honorable Frank Robert Addy, Jr. was elected to the position of Judge, Circuit Court, 8th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
13th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Perry H. Gravely had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Perry H. Gravely in nomination and moved that nominations be closed.

WEDNESDAY, FEBRUARY 2, 2022

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott

Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	King	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Parks	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--111

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 112
Grand Total..... 149
Necessary to a choice 75
Ayes 148
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Perry H. Gravely was elected to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Circuit Court 13th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 4.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Alex Kinlaw, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Alex Kinlaw, Jr. in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter

Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	King	Ligon
Long	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--104

The following named Representatives voted in the negative:

Bennett	Bryant	Hill
Jones		

Total--4

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 108

Grand Total..... 145
Necessary to a choice 73
Ayes 141
Nays 4

Whereupon, the PRESIDENT announced that the Honorable Alex Kinlaw, Jr. was elected to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 4 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
16th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable William A. McKinnon had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable William A. McKinnon in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hosey	Huggins
Hyde	J. E. Johnson	J. L. Johnson
Jones	King	Ligon
Long	Lucas	Magnuson
Matthews	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Parks
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--100

WEDNESDAY, FEBRUARY 2, 2022

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 100
Grand Total..... 137
Necessary to a choice 69
Ayes 137
Nays 0

Whereupon, the PRESIDENT announced that the Honorable William A. McKinnon was elected to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court
16th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 2.

Senator RANKIN, Vice Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Daniel Hall had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Daniel Hall in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Davis	Fanning	Garrett
Harpootlian	Hutto	*Johnson, Kevin*
Kimpson	Malloy	Massey
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--24

The following named Senators voted in the negative:

Bennett	Cash	Climer
Corbin	Cromer	Gustafson

Hembree	*Johnson, Michael*	Kimbrell
Loftis	Martin	Rice

Total--12

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Ballentine	Bamberg	Bannister
Bernstein	Brawley	Bustos
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Daning
Dillard	Elliott	Felder
Finlay	Garvin	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hosey	Howard
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	King	Ligon
Matthews	McCravy	McDaniel
McKnight	J. Moore	T. Moore
D. C. Moss	Murray	Ott
Pendarvis	Rivers	Rose
Rutherford	Sandifer	Stavrinakis
Tedder	Thigpen	Weeks
Wetmore	Wheeler	R. Williams
S. Williams		

Total--58

The following named Representatives voted in the negative:

Bennett	Bradley	Bryant
Burns	Calhoon	Carter
Chumley	Dabney	Forrest
Gagnon	Gilliam	Haddon
Hill	Hiott	Hixon
Huggins	Jones	Long
Lowe	Magnuson	McCabe
McGarry	Morgan	V. S. Moss

B. Newton	Nutt	Pope
G. R. Smith	M. M. Smith	Taylor
West	White	Whitmire
Willis	Wooten	Yow

Total--36

RECAPITULATION

Total number of Senators voting 36
Total number of Representatives voting..... 94
Grand Total..... 130
Necessary to a choice 66
Ayes 82
Nays 48

Whereupon, the PRESIDENT announced that the Honorable Daniel Hall was elected to the position of Judge, Circuit Court, 16th Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
1st Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 1st Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael H. Murphy III had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Michael H. Murphy III in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
King	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Ott

Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thigpen	Weeks	West
Wetmore	Wheeler	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--104

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 105
Grand Total..... 143
Necessary to a choice 72
Ayes 142
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Michael H. Murphy III was elected to the position of Judge, Family Court, 1st Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
2nd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Vicki J. Snelgrove had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Vicki J. Snelgrove in nomination and moved that nominations be closed.

WEDNESDAY, FEBRUARY 2, 2022

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins

Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--104

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 105
Grand Total..... 143
Necessary to a choice 72
Ayes 142
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Vicki J. Snelgrove was elected to the position of Judge, Family Court, 2nd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Family Court
3rd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Thomas M. Bultman had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Thomas M. Bultman in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley

Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Ligon	Long	Lowe
Lucas	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 104

Grand Total..... 142
Necessary to a choice 72
Ayes 141
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Thomas M. Bultman was elected to the position of Judge, Family Court, 3rd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
4th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 4th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Cely Anne Brigman had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Cely Anne Brigman in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King
Ligon	Long	Lowe
Lucas	Matthews	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--102

The following named Representatives voted in the negative:

Bryant	Haddon	Hill
Jones	Magnuson	May

Total--6

RECAPITULATION

Total number of Senators voting	38
Total number of Representatives voting	108
Grand Total	146
Necessary to a choice	74
Ayes	140
Nays	6

Whereupon, the PRESIDENT announced that the Honorable Cely Anne Brigman was elected to the position of Judge, Family Court, 4th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
4th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 4th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that Eugene P. Warr, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Eugene P. Warr, Jr. in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin

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

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rose	Rutherford

Sandifer	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--106

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 107
Grand Total..... 145
Necessary to a choice 73
Ayes 144
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Eugene P. Warr, Jr. was elected to the position of Judge, Family Court, 4th Judicial Circuit, Seat 3 for the term to expire June 30, 2026.

Election to the Position of Judge, Family Court
5th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable C. Vance Stricklin, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of Honorable C. Vance Stricklin, Jr. in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Long

Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Yow	

Total--101

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 102
Grand Total..... 140
Necessary to a choice 71
Ayes 139
Nays 1

Whereupon, the PRESIDENT announced that the Honorable C. Vance Stricklin, Jr. was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
5th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 5th Judicial Circuit, Seat 4.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Gwendlyne Young Jones had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Gwendlyne Young Jones in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Carter	Caskey	Clyburn
Cobb-Hunter	Collins	B. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam

Gilliard	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	King
Ligon	Lucas	Matthews
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--93

The following named Representatives voted in the negative:

Bryant	Dabney	Haddon
Hill	Jones	Long
Magnuson	May	Morgan

Total--9

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 102
Grand Total..... 140
Necessary to a choice 71
Ayes 131
Nays 9

Whereupon, the PRESIDENT announced that the Honorable Gwendlyne Young Jones was elected to the position of Judge, Family Court, 5th Judicial Circuit, Seat 4 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
7th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Usha J. Bridges had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Usha J. Bridges in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine

Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--105

The following named Representatives voted in the negative:
Bryant

Total--1

WEDNESDAY, FEBRUARY 2, 2022

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 106
Grand Total..... 144
Necessary to a choice 73
Ayes 143
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Usha J. Bridges was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 3 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
8th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 8th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Mindy W. Zimmerman had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Mindy W. Zimmerman in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Williams
Young		

Total--37

The following named Senators voted in the negative:
Martin

Total--1

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bustos	Calhoon
Carter	Clyburn	Cobb-Hunter
Collins	B. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	King	Ligon
Long	Lowe	Lucas
Matthews	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	G. R. Smith	M. M. Smith

Stavrinakis	Taylor	Tedder
Thigpen	Weeks	Wetmore
Wheeler	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--94

The following named Representatives voted in the negative:

Bennett	Bryant	Burns
Dabney	Haddon	Hill
Jones	Magnuson	May
Morgan		

Total--10

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 104
Grand Total..... 142
Necessary to a choice 72
Ayes 131
Nays 11

Whereupon, the PRESIDENT announced that the Honorable Mindy W. Zimmerman was elected to the position of Judge, Family Court, 8th Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
9th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Daniel E. Martin, Jr. had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Daniel E. Martin, Jr. in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde

J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--104

The following named Representatives voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 105
Grand Total..... 143
Necessary to a choice 72
Ayes 142
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Daniel E. Martin, Jr. was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Family Court
9th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michele Patrao Forsythe had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Michele Patrao Forsythe in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter

Collins	B. Cox	W. Cox
Crawford	Daning	Dillard
Elliott	Erickson	Finlay
Forrest	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	K. O. Johnson	Jordan
King	Ligon	Lucas
Matthews	McCabe	McCravy
McDaniel	McKnight	T. Moore
D. C. Moss	V. S. Moss	Murray
W. Newton	Ott	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten	Yow	

Total--83

The following named Representatives voted in the negative:

Bennett	Bryant	Bustos
Dabney	Felder	Gatch
Haddon	Hill	J. L. Johnson
Jones	Long	Lowe
Magnuson	May	McGarry
McGinnis	Morgan	B. Newton
Pope	G. R. Smith	

Total--20

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 103
Grand Total..... 141

Necessary to a choice 71
Ayes 121
Nays 20

Whereupon, the PRESIDENT announced that the Honorable Michele Patrao Forsythe was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 3 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
10th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Karen F. Ballenger had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Karen F. Ballenger in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--106

The following named Representative voted in the negative:
Bryant

Total--1
RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 107
Grand Total..... 145
Necessary to a choice 73
Ayes 144
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Karen F. Ballenger was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
11th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 11th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable William Gregory Seigler had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable William Gregory Seigler in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

Thigpen	Weeks	West
Wetmore	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

The following named Representatives voted in the negative:

Bryant	Hill	J. L. Johnson
Jones		

Total--4

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 105
Grand Total..... 143
Necessary to a choice 72
Ayes 139
Nays 4

Whereupon, the PRESIDENT announced that the Honorable William Gregory Seigler was elected to the position of Judge, Family Court, 11th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
12th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Holly Huggins Wall and the Honorable Elizabeth Biggerstaff York had been screened and found qualified to serve.

On motion of Representative G. Murrell Smith, Jr., the name of the Honorable Elizabeth Biggerstaff York was withdrawn from consideration.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Holly Huggins Wall in nomination and moved that nominations be closed.

WEDNESDAY, FEBRUARY 2, 2022

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard

Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Ligon	Long
Lowe	Lucas	Magnuson
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

The following named Representatives voted in the negative:

Bryant	Hill	Jones

Total--3

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 108
Grand Total..... 146
Necessary to a choice 74
Ayes 143
Nays 3

Whereupon, the PRESIDENT announced that the Honorable Holly Huggins Wall was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 3 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Katherine Hall Tiffany had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Katherine Hall Tiffany in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Chumley	Clyburn

Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
King	Ligon	Long
Lowe	Lucas	Magnuson
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 104

Grand Total..... 142
Necessary to a choice 72
Ayes 141
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Katherine Hall Tiffany was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 3 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 4.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Karen Sanchez Roper had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Karen Sanchez Roper in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

The following named Senator voted in the negative:
Martin

Total--1

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	King	Ligon
Long	Lowe	Lucas
Magnuson	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wheeler
White	Whitmire	R. Williams

S. Williams	Willis	Wooten
Yow		

Total--100

The following named Representatives voted in the negative:

Bryant	Hill

Total--2

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 102
Grand Total..... 140
Necessary to a choice 71
Ayes 137
Nays 3

Whereupon, the PRESIDENT announced that the Honorable Karen Sanchez Roper was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 4 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
13th Judicial Circuit, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jessica Ann Salvini had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Jessica Ann Salvini in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Ligon	Long
Lowe	Lucas	Magnuson
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore

Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Pendarvis	Pope	Rivers
Rose	Rutherford	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--102

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 103
Grand Total..... 141
Necessary to a choice 71
Ayes 140
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Jessica Ann Salvini was elected to the position of Judge, Family Court, 13th Judicial Circuit, Seat 6 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
14th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 14th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Douglas L. Novak had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Douglas L. Novak in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hayes

Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Howard	Huggins	Hyde
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Ligon
Long	Lowe	Lucas
Magnuson	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	Murray	B. Newton
W. Newton	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

The following named Representative voted in the negative:
Bryant

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 102
Grand Total..... 140
Necessary to a choice 71
Ayes 139
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Douglas L. Novak was elected to the position of Judge, Family Court, 14th Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

WEDNESDAY, FEBRUARY 2, 2022

Election to the Position of Judge, Family Court
15th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 15th Judicial Circuit, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Melissa J. Buckhannon had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Melissa J. Buckhannon in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley
Turner	Williams	Young

Total--36

The following named Senators voted in the negative:

Martin	Shealy

Total--2

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine

Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hosey
Howard	Hyde	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
King	Ligon	Long
Lowe	Lucas	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--95

The following named Representatives voted in the negative:

Bennett	Bryant	Burns
Haddon	Hill	Jones
Magnuson	May	Morgan

Total--9

WEDNESDAY, FEBRUARY 2, 2022

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 104
Grand Total..... 142
Necessary to a choice 72
Ayes 131
Nays 11

Whereupon, the PRESIDENT announced that the Honorable Melissa J. Buckhannon was elected to the position of Judge, Family Court, 15th Judicial Circuit, Seat 2 for the term to expire June 30, 2028.

Election to the Position of Judge, Family Court
15th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 15th Judicial Circuit, Seat 3.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Melissa M. Frazier had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Melissa M. Frazier in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bustos	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hardee	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Howard	Hyde	J. E. Johnson
K. O. Johnson	Jordan	King
Ligon	Long	Lowe
Lucas	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	Wetmore	Wheeler

White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--91

The following named Representatives voted in the negative:

Bennett	Bryant	Burns
Chumley	Haddon	Hill
Huggins	Jones	Magnuson
May	Morgan	Nutt

Total--12

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 103
Grand Total..... 141
Necessary to a choice 71
Ayes 129
Nays 12

Whereupon, the PRESIDENT announced that the Honorable Melissa M. Frazier was elected to the position of Judge, Family Court, 15th Judicial Circuit, Seat 3 for the term to expire June 30, 2026.

Election to the Position of Judge, Family Court
16th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 16th Judicial Circuit, Seat 1.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Thomas H. White IV had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Thomas H. White IV in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King
Ligon	Long	Lowe
Lucas	Magnuson	Matthews

May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Weeks	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Yow

Total--99

The following named Representative voted in the negative:
Hill

Total--1

RECAPITULATION

Total number of Senators voting 38
Total number of Representatives voting..... 100
Grand Total..... 138
Necessary to a choice 70
Ayes 137
Nays 1

Whereupon, the PRESIDENT announced that the Honorable Thomas H. White IV was elected to the position of Judge, Family Court, 16th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election of an Administrative Law Court Judge, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 2.

Representative G. Murrell Smith, Jr., Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Milton G. Kimpson had been screened and found qualified to serve.

Representative G. Murrell Smith, Jr. placed the name of the Honorable Milton G. Kimpson in nomination and moved that nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

The following named Senator abstained:
Kimpson

Total--1

On the motion of Representative Smith, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Bradley	Brawley
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Collins
B. Cox	Crawford	Dabney
Davis	Dillard	Elliott

Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hixon
Hosey	Howard	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jordan	King
Ligon	Lucas	Matthews
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	D. C. Moss	V. S. Moss
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Weeks	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--90

The following named Representatives voted in the negative:

Bennett	Bryant	Haddon
Hill	Jones	Long
Magnuson	May	

Total--8

RECAPITULATION

Total number of Senators voting 37
Total number of Representatives voting..... 98
Grand Total..... 135
Necessary to a choice 68
Ayes 127
Nays 8

Whereupon, the PRESIDENT announced that the Honorable Milton G. Kimpson was elected to the position of Judge, Administrative Law Court, Seat 3 for the term to expire June 30, 2027.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 3:00 P.M., the Senate resumed.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

COMMUNICATIONS

Columbia, S.C., February 1, 2022

Mr. President and Senators:

I am vetoing and returning without my approval R120, S.836:

(R120, S836) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL

DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

Yours very truly,
Henry McMaster

Received as information

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

Columbia, S.C., February 1, 2022

Mr. President and Senators:

I am vetoing and returning without my approval R122, S.948:

(R122, S948) -- Senator Williams: A JOINT RESOLUTION TO MOVE THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION FROM THE SECOND TUESDAY IN APRIL OF 2022 TO THE SECOND TUESDAY IN MAY OF 2022, AND TO ADJUST THE CANDIDATE FILING PERIOD ACCORDINGLY.

Yours very truly,
Henry McMaster

Received as information

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

Doctor of the Day

Senator GUSTAFSON introduced Dr. Garrett Barton of Cheraw, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 11:57 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 11:57 A.M., Senator McELVEEN was granted a leave of absence for today.

WEDNESDAY, FEBRUARY 2, 2022

Leave of Absence

On motion of Senator SABB, at 11:57 A.M., Senators MATTHEWS and JACKSON were granted a leave of absence for today.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 248 Sens. Rankin and M. Johnson
S. 458 Sens. Talley and Bennett
S. 900 Sen. M. Johnson

RECALLED AND COMMITTED

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE

THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE

THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

On motion of Senator SHEALY, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Judiciary.

RECALLED AND COMMITTED

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

On motion of Senator SHEALY, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Judiciary.

RECALLED

H. 4495 -- Reps. B. Newton, McGarry and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF FIVE PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1035 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR IVORY N. MATHEWS, CEO AND EXECUTIVE DIRECTOR OF THE COLUMBIA HOUSING AUTHORITY, FOR HER MANY OUTSTANDING CONTRIBUTIONS AND TO WISH HER LASTING SUCCESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 1036 -- Senators Jackson and Fanning: A SENATE RESOLUTION TO CONGRATULATE APOSTLE JEREMIAH WYNN UPON THE OCCASION OF HIS FIFTY-SECOND ANNIVERSARY OF PASTORAL MINISTRY AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION.
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The Senate Resolution was adopted.

S. 1037 -- Senators Corbin, Martin, Massey, Rice, Loftis and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-43-925 SO AS TO PROHIBIT HOSPITALS AND INSURANCE COMPANIES FROM DISCRIMINATING AGAINST POTENTIAL ORGAN TRANSPLANT RECIPIENTS BASED ON A PERSON'S COVID-19 VACCINATION STATUS.
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Senator CORBIN spoke on the Bill.

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

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL

INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1039 -- Senators Campsen, Cromer, Setzler, Sabb, Hembree, Corbin, Turner, Talley, Grooms, Climer, Hutto, Bennett, Davis, M. Johnson, Kimbrell, Harpootlian, Garrett, Rice, Adams, Senn and Fanning: A BILL TO ENACT THE "SOUTH CAROLINA CONSERVATION ENHANCEMENT ACT"; TO AMEND SECTION 12-24-90 OF THE 1976 CODE, RELATING TO THE DEED RECORDING FEE, TO REQUIRE A PORTION OF THE FEE TO BE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND; TO AMEND SECTION 48-59-40 OF THE 1976 CODE, RELATING TO THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, TO ADD ADDITIONAL MEMBERS TO THE BOARD AND TO REQUIRE THAT AN ANNUAL AMOUNT EQUIVALENT TO THE GENERAL FUND PORTION OF SALES TAX REVENUE ATTRIBUTED TO SPORTING GOODS STORES BE APPROPRIATED FOR CAPITAL IMPROVEMENTS ON CERTAIN LANDS OWNED, LEASED, OR MANAGED FOR PUBLIC USE BY AN AGENCY OF THIS STATE.
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Senator CAMPSEN spoke on the Bill.

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

S. 1040 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JOSIE GLENN GASTON, TO CELEBRATE HER LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1041 -- Senator Fanning: A SENATE RESOLUTION TO HONOR THE ETA ALPHA OMEGA CHAPTER OF ALPHA KAPPA ALPHA SORORITY, INC., FOR THE STELLAR CONTRIBUTIONS ITS MEMBERS HAVE MADE TO THEIR COMMUNITY IN YORK AND

CHESTER COUNTIES AND TO CONGRATULATE THEM UPON THEIR CHAPTER'S SIXTY-FIFTH ANNIVERSARY.
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The Senate Resolution was adopted.

S. 1042 -- Senator Hutto: A BILL TO AMEND ARTICLE 15, CHAPTER 19, TITLE 63 OF THE 1976 CODE, RELATING TO THE JUVENILE JUSTICE CODE, BY ADDING SECTION 63-19-1690 TO PROHIBIT THE USE OF RESTRAINT OR CONFINEMENT AND TO PROVIDE EXCEPTIONS; TO AMEND SECTION 63-19-820(C) AND (E) OF THE 1976 CODE, RELATING TO OUT-OF-HOME CUSTODY OF A JUVENILE, TO REMOVE THE EXCEPTION OF SOLITARY CONFINEMENT FOR CHILDREN IF THE CHILD IS WAITING TO STAND TRIAL AS AN ADULT, TO PROHIBIT A CHILD FROM BEING TAKEN INTO CUSTODY IN A JUVENILE DETENTION FACILITY IF THE CRIME THE CHILD COMMITTED WOULD NOT BE CONSIDERED A CRIME IF COMMITTED BY AN ADULT, AND TO LIMIT THE TIME PERMITTED FOR THE SOLITARY CONFINEMENT OF CHILDREN; TO AMEND SECTION 63-19-1440(A), (C), AND (F) OF THE 1976 CODE, RELATING TO THE COMMITMENT OF CHILDREN TO CUSTODY, TO ALTER THE TERMS UNDER WHICH A CHILD MAY BE COMMITTED TO A JUVENILE DETENTION FACILITY; TO AMEND SECTION 63-19-1810(A) OF THE 1976 CODE, RELATING TO THE DETERMINATION OF RELEASE OF JUVENILES, TO REMOVE THE CONDITION OF STATUS OFFENSE; AND TO AMEND SECTION 63-19-2050(A) OF THE 1976 CODE, RELATING TO JUVENILE RECORDS, TO REMOVE THE CONDITION OF STATUS OFFENSE.
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Read the first time and referred to the Committee on Judiciary.

S. 1043 -- Senator Fanning: A BILL TO AMEND SECTION 12-28-2740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS OF CERTAIN GASOLINE USER FEE FUNDS, SO AS TO PROVIDE THAT FIFTEEN PERCENT OF A COUNTY'S APPORTIONMENT OF "C" FUNDS MUST BE EXPENDED ON CERTAIN RURAL ROADS.
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Read the first time and referred to the Committee on Finance.

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

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

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF

THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

Read the first time and referred to the Committee on Banking and Insurance.

REPORT OF STANDING COMMITTEE

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

S. 952 -- Senators Peeler and Alexander: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

Ordered for consideration tomorrow.

Appointments Reported

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2022, and to expire February 13, 2027

At-Large:

Felicia Rhue Howard, 127 King Charles Road, Columbia, SC 29209-2239 *VICE* William W. Jones, Jr.

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Mark W. Buyck, Jr., 1439 Cherokee Road, Florence, SC 29501

Received as information.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2021, and to expire February 13, 2026

At-Large:

William A. Coates, 177 Marshall Bridge Dr., Greenville, SC 29605-1256 *VICE* Kenneth R. Jackson

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence June 4, 2018, and to expire June 4, 2023

At-Large:

Kurt D. Grindstaff, 20 Manor Court Lane, Hilton Head Island, SC 29926

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Willie E. Jeffries, 85 Nance Drive, Elloree, SC 29047

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence March 19, 2019, and to expire March 19, 2024

At-Large:

Whitemarsh Seabrook Smith III, 6 Concord Street, Charleston, SC 29401

Received as information.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

William H. Stern, 2134 Bermuda Hills, Columbia, SC 29223

Received as information.

Message from the House

Columbia, S.C., February 2, 2022

Mr. President and Senators:

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

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND

SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Senator DAVIS spoke on the Bill.

Amendment No. 1A

Senator DAVIS proposed the following amendment (150R016.SP.TD):

Amend the bill, as and if amended, on page 54, lines 4 through 8, by striking SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 12-36-2120(28) of the 1976 Code is amended to read:

"(28)(a)(i) medicine and prosthetic devices sold by prescription, prescription medicines used to prevent respiratory syncytial virus, prescription medicines and therapeutic radiopharmaceuticals used in the treatment of rheumatoid arthritis, cancer, lymphoma, leukemia, or related diseases, including prescription medicines used to relieve the effects of any such treatment, free samples of prescription medicine distributed by its manufacturer and any use of these free samples;

~~(b)~~(ii) hypodermic needles, insulin, alcohol swabs, blood sugar testing strips, monolet lancets, dextrometer supplies, blood glucose meters, and other similar diabetic supplies sold to diabetics under the authorization and direction of a physician;

~~(c)~~(iii) disposable medical supplies such as bags, tubing, needles, and syringes, which are dispensed by a licensed pharmacist in accordance with an individual prescription written for the use of a human being by a licensed health care provider, which are used for the intravenous administration of a prescription drug or medicine, and which come into direct contact with the prescription drug or medicine. This exemption applies only to supplies used in the treatment of a patient outside of a hospital, skilled nursing facility, or ambulatory surgical treatment center;

~~(d)~~(iv) medicine donated by its manufacturer to a public institution of higher education for research or for the treatment of indigent patients;

~~(e)~~(v) dental prosthetic devices; and

~~(f)~~(vi) prescription drugs dispensed to Medicare Part A patients residing in a nursing home are not considered sales to the nursing home and are not subject to the sales tax.

(b) This item does not apply to authorizations for medical cannabis products, as provided in Article 20, Chapter 53 of Title 44;" /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

With unanimous consent and with Senator HEMBREE retaining the floor, Senator K. JOHNSON spoke on the amendment.

Remarks by Senator K. JOHNSON

Thank you, Mr. PRESIDENT. Members, we all know we've been at this for three weeks, or to be more exact we've been at it for seven years. I've sat here these past three weeks and listened to all of the debate and I think we can all agree that regardless of which side of the issue we stand on, there have been some compelling arguments made that make a lot of sense. I'm convinced that at least in my mind, despite the great and intelligent comments made, I don't think we're changing anybody's mind. I think we could vote now or we could vote a month from now and it would be the same. But I do want to say that, and as I've said from the beginning, we come up here and we quote polls, we quote statistics, we quote other people's words, and I found when I was more involved in this Bill as a member of the subcommittee, that for every poll that says one thing, there's another poll that says the exact opposite. We talk about doctors, what doctors are saying, and doctors standing with us at press conferences and those type of things, which is all true. I've also found that probably as many doctors that support this Bill, there are just as many who don't. It was said that we are here standing in the way of doctors providing services or treatment to their patients and I take exception to that only because, as I mentioned when I was at the podium last on this Bill, most of the opinion that I have was formed by meetings I've had with doctors. These are not doctors from all over the country or all over the world but they are doctors that live in my community that I represent and that I go to church with. They are people I know and

trust. Early on in this debate about medical marijuana, the doctors convinced me that it's not a good Bill. Yes I really think medical marijuana helps some people and that's good, but it also harms some people. We talked about brain development and how it harms people's hearts. If we pass this Bill to help those like Ms. Richardson, and I know she's probably tired of us using her as an example -- but I think it was a good presentation. So, if we're talking about helping people such as her by passing this Bill, what about the folks we're harming by passing this Bill? There is debate as far as whether medical marijuana is harmful or not, and again I say, if you support this Bill, you will find people who will say that medical marijuana is harmless. If you don't support the Bill, you'll find people who will say that it's dangerous; therefore, there are two sides to the story. We talk about polls and again you can find polls that say one thing and I can find polls that say the other. I gave you the example of the Winthrop University poll so we can come up here and argue and state all of these fine facts, figures, data, statistics, and everything but the truth of the matter is that it splits both ways. So we're not trying to stand in the way of physicians helping their patients. We all know that regardless of what your ailment there are prescription medications that are legal and approved by the FDA to solve your issue. If a person decides that they don't want to take prescription medication and they want marijuana -- and that seems to be what the case is now. I hate to keep harping on it but I'll tell you, I have back aches, and I have days when the pain is excruciating but I don't want marijuana. I take the medicine that I know is legal, it's been tested and it's safe. It's what I take. So I just want us to keep an open mind and realize that when we come to the podium and we state all these facts that support our position, there are at least as many facts that support the other position. Just keep an open mind, but speaking of doctors, I think we all got this email that was on my desk this morning that was from Dr. Rachel McGuire here in Columbia, and again she's a physician and she wants to treat her patients and she wants to give them what they need to get well or at least to alleviate their pain or help their nausea; however, she's not for medical marijuana. Let's not make it seem like every medical professional is for medical marijuana because they are not. It may be because everybody knows that I'm against the Bill that most of the communication that I get from doctors, and I hope they don't look at this as we can start bombarding him for information, but most of the information I get is from people who are against this Bill. And they state the reason why they are against it. Dr. McGuire says that she's been to Colorado, I don't know if she's practiced there or not, but she has seen

and witnessed the unintended consequences of medical marijuana. Like I said when I began with my remarks, sure we probably will help some people like Ms. Richardson, I don't doubt that at all, but we're also going to harm some people and that's my problem. If we could come out with medical marijuana in any way, shape, or form that would help people and not also hurt people that would be great. But I believe that when we pass this Bill or if we pass this Bill, we're going to, again, help some and harm others. And I think that the ones that are harmed would be the greater number. And the ones that are harmed, more than any other class of people, would be young people. I told you about the three or four physicians that I talked to, one in particular from Manning, and one from Lake City, that were very adamant about what they see in their practice, which is more and more young people are dependent on marijuana. More and more young people have used marijuana as a gateway drug and as much as we try to deny it, I think there's enough evidence out there to support it. As I said the other day, it's in my neighborhood and people I know at an early age got with some older kids and they started with marijuana and then it goes from one thing to the next thing. I will tell you again as I move to a close and I don't want to be repetitive. Most of the people who have contacted me in support of this Bill -- I'm not talking about the medical professionals, just the average citizen -- and I'm not fooled by them. What they really want is recreational marijuana. They don't have any kind of ailments that we talked about that marijuana would solve, but they see this Bill as a way to go from medical to recreational, and I don't care how much we say it is not going to happen, there are a lot of people who are convinced that that's what's going to happen. And I firmly believe with every fiber in my being, that is not Senator DAVIS' intent, but I believe also with that same amount of feeling that's what will happen if we pass medical marijuana. We will find, shortly after that, I don't know how long it will be but at some point, we're going to have legal marijuana in South Carolina and that is a whole other set of issues. I just want to make it clear that I think we have made some compelling arguments, but keep an open mind because with every argument that's made for this Bill, there are as many facts, figures, data, whatever, that can be made against the Bill. And I don't expect those who are for the Bill to come up and quote all this information that is against the Bill, but it is out there. I can dig out a lot of information that I received, personal information, face-to-face contact type information from people who testified when we first started seven years ago, against this Bill. They told us horror stories and stories about unintended consequences. So yes, we can look at how this

Bill may help, but keep in mind, look at the other side also as far as what would happen that would be negative. I have sat here and listened to members who have served a lot longer than me in this Body. They have told me on a couple of instances when they voted for things, and they look back and say Lord why did I do that? We cannot predict the future, but if this Bill passes just based on what I've heard from places like Colorado, California, and other places, it's not good. When you talk to those folks, if you really want to do the right thing, ask them about the other side of the issue. Not the fact that it might have helped Ms. Richardson but who was harmed. And I think we do as a legislature have an obligation to make sure we look out for the interest of all of South Carolina and I don't think we want to solve one issue by creating a lot of other issues. And so I just want to say that I'm not swayed by polls, the only polls I'm swayed by are the people I've met with and talked to face to face. I don't know how many people these polls have questioned. I don't know who they called. They certainly have not called me. There are people I have met with and sat down and talked to and that carries a lot more weight than any poll that may be out there, because like I said polls fall on both sides of this issue. So I just wanted to go on record and let you know that I don't doubt that maybe some people will be helped, but I really believe that more people will be harmed if we pass this Bill. Thank you.

On motion of Senator CAMPSEN, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, with Senator HEMBREE retaining the floor, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:37 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 3, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

I Samuel 17:4

We read in I Samuel: "And there came out from the camp of the Philistines a champion named Goliath of Gath, whose height was six cubits and a span." [About nine and a half feet]

Friends, let us pray: Holy God, as Scripture makes clear, young David went head to head with a giant there in the valley of Elah. And it has to be equally clear, Lord, that time and time again these Senators and their gifted staff members likewise feel that they, too, confront giants -- giants of all sorts: huge budget issues, concerns about healthcare, towering transportation matters. The list is in so many ways overwhelming and challenging. Therefore, dear Lord, we pray today that You will bless and encourage each of these servants as together they tackle these formidable modern day "giants." May this Senate be unfailingly strengthened by Your guidance as its members labor diligently to honor You and to bring about a hope-filled future for the people of South Carolina. So we pray in Your wondrous name, dear Lord. Amen.

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

Doctor of the Day

Senator MARTIN introduced Dr. Jennifer Root of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 11:19 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 11:19 A.M., Senators McELVEEN and SABB were granted a leave of absence for today.

THURSDAY, FEBRUARY 3, 2022

Leave of Absence

On motion of Senator SETZLER, at 11:19 A.M., Senator ALLEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 11:19 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator SCOTT, at 1:16 P.M., Senator MATTHEWS was granted a leave of absence for today.

Expression of Personal Interest

Senator CAMPSEN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 1009 Sen. Kimbrell
S. 1039 Sens. Alexander and Shealy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1044 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CHERYL A. HICKMON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY, THE LADIES OF DELTA SIGMA THETA SORORITY, INCORPORATED, AND HER MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN

AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER

MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.
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Read the first time and referred to the Committee on Judiciary.

S. 1046 -- Senators Jackson, Harpootlian, McElveen, McLeod and Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE MILDRED WEATHERS MCDUFFIE OF RICHLAND COUNTY, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1047 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SHIHAN BRIAN PENA FOR HIS MANY CONTRIBUTIONS TO THE WEST COLUMBIA COMMUNITY.
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The Senate Resolution was adopted.

H. 3100 -- Reps. Bennett, Hosey and Matthews: A BILL TO AMEND SECTION 56-5-2780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PASSING A STOPPED SCHOOL BUS, SO AS TO REVISE THE PENALTIES, TO PROVIDE ALL FINES MUST BE USED TO PURCHASE DIGITAL RECORDING DEVICES MOUNTED ON SCHOOL BUSES AND EXTENDED SCHOOL BUS STOP ARMS, TO PROVIDE THE MONTH OF AUGUST IS DECLARED "SCHOOL BUS SAFETY MONTH", AND MAKE TECHNICAL CHANGES; AND BY ADDING SECTION 59-67-512 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY OVERRULE THE DECISION OF A LOCAL

SCHOOL DISTRICT REGARDING THE PLACEMENT OF CERTAIN STUDENT SCHOOL BUS STOPS.

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

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

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

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

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

H. 4576 -- Reps. Tedder, G. R. Smith, Govan, B. Newton and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH YEAR AS

"HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".

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

Recalled

Senator HEMBREE asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

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

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

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

Appointment Reported

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

Statewide Appointment

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2021, and to expire June 30, 2025

At-Large/Chairman:

John Robert Bolchoz, PO Box 6989, Columbia, SC 29260-6989 *VICE* Mark Elam

Received as information.

THURSDAY, FEBRUARY 3, 2022

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

SECOND READING BILL

S. 1009 -- Senators Corbin and Kimbrell: A BILL TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, SO AS TO PROVIDE THAT A VACANCY OCCURRING ON THE SPARTANBURG COUNTY SCHOOL DISTRICT 1 BOARD OF TRUSTEES FOR ANY REASON OTHER THAN EXPIRATION OF A TERM MUST BE FILLED BY A SPECIAL ELECTION CONDUCTED BY THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR THE UNEXPIRED PORTION OF THE TERM AS PROVIDED IN SECTION 7-13-190.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN explained the Bill.

S. 1009--Ordered to a Third Reading

On motion of Senator KIMBRELL, S. 1009 was ordered to receive a third reading on Friday, February 4, 2022.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

February 1, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-120, S. 836, which seeks to require the School District of Union County ("District") to observe Memorial Day as a legal holiday. The Bill also provides that all District schools and offices must be closed on Memorial Day and prohibits the District from using the date as an instructional day or teacher workday or requiring students to attend school, whether in person or virtually. To be sure, I find it odd that a school district would not observe Memorial Day, and I appreciate the underlying aims of this legislation and the well-intentioned efforts of its sponsors to address this issue. However, for the reasons set forth below, I am compelled to veto S. 836.

First, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. Here, S. 836 appears to apply to only a single county or a portion thereof. However, the South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" and "where a general law can be made applicable." S.C. Const. Art. VIII, § 7; S.C. Const. Art. III, § 34(IX). Although our courts have held that greater deference is warranted when local or special legislation relates to the General Assembly's obligation to provide for the maintenance and support of public schools, the regular resort to this practice has produced an undesirable assortment of authorities governing South Carolina's school districts. Accordingly, I am compelled to reiterate my longstanding concerns regarding local or special legislation, which creates a patchwork of piecemeal, and often inconsistent, local laws. Nevertheless, aside from this threshold constitutional issue, I believe S. 836 encounters an additional legal obstacle.

Second, S. 836 also appears to conflict with existing law. While Section 53-5-10 of the South Carolina Code of Laws specifically enumerates Memorial Day as a legal holiday, the General Assembly has elsewhere provided that local school districts shall have "the authority to establish an annual school calendar for teachers, staff, and students." S.C. Code Ann. § 59-1-425(A). Therefore, I am concerned that any effort, however well intentioned, to require a school district to observe a holiday in a particular manner may conflict with general law. *See* S.C. Const. Art. III, § 34(X) ("The General Assembly shall forthwith enact general laws . . . which shall be uniform in their operations."); *Med. Soc. of S.C. v. Med. Univ. of S.C.*, 334 S.C. 270, 279, 513 S.E.2d 352, 357 (1999) ("The purpose of the prohibition on special legislation is to make

uniform where possible the statutory laws of this State in order to avoid duplicative or conflicting laws on the same subject.”).

I firmly believe there is no greater sacrifice than those who have offered, and lost, their lives in service to the United States. Thus, I can think of no cause more deserving of appropriate tribute and solemn recognition than honoring those who have paid the ultimate sacrifice for our freedom. While I understand that nearly all school districts in this State either regularly observe Memorial Day as a legal holiday or cease in-person instruction prior to that date, this legislation suggests that the District may not plan to do so. Although I encourage the District to revisit any such plans and commend the Bill’s sponsors for bringing attention to this issue, because I am concerned that S. 836 appears to violate the constitutional prohibition on local or special legislation and conflict with existing law, I am compelled to veto the same.

For the foregoing reasons, I am respectfully vetoing R-120, S. 836 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R120, S836) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

Ayes 34; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis

Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Peeler	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

February 1, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-122, S. 948, which seeks to move the 2022 election date for seats on the Marion County Board of Education ("Board of Education") from the second Tuesday in April to the second Tuesday in May. For the reasons set forth below, I am compelled to veto S. 948.

As the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General

Assembly from enacting legislation "for a specific county" and "where a general law can be made applicable." S.C. Const. Art. VIII, § 7; S.C. Const. Art. III, § 34(IX). Yet, S. 948 would apply to only a single county. Although our courts have held that greater deference is warranted in the context of public education, "legislation regarding education is not exempt from the requirements of Art. III, § 34(IX)." *Horry Cty. v. Horry Cty. Higher Educ. Comm'n*, 306 S.C. 416, 419, 412 S.E.2d 421, 423 (1991). Here, it appears that a general law could be made applicable, and the General Assembly has not established that a special law is necessary to "best meet the exigencies of [this] particular situation." *Charleston Cty. Sch. Dist. v. Harrell*, 393 S.C. 552, 559, 713 S.E.2d 604, 608 (2011). Accordingly, I am compelled to reiterate my longstanding concerns regarding the General Assembly's regular resort to local or special legislation, which has produced a patchwork of authorities governing South Carolina's schools and school districts.

For the foregoing reasons, I am respectfully vetoing R-122, S. 948 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R122, S948) -- Senator Williams: A JOINT RESOLUTION TO MOVE THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION FROM THE SECOND TUESDAY IN APRIL OF 2022 TO THE SECOND TUESDAY IN MAY OF 2022, AND TO ADJUST THE CANDIDATE FILING PERIOD ACCORDINGLY.

The veto of the Governor was taken up for immediate consideration.

Senator WILLIAMS moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

Ayes 35; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

Corbin	Cromer	Davis
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Malloy
Martin	Massey	Peeler
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES

THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Amendment No. 1A

Senator DAVIS proposed the following amendment (150R016.SP.TD):

Amend the bill, as and if amended, on page 54, lines 4 through 8, by striking SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 12-36-2120(28) of the 1976 Code is amended to read:

" (28)(a)(i) medicine and prosthetic devices sold by prescription, prescription medicines used to prevent respiratory syncytial virus, prescription medicines and therapeutic radiopharmaceuticals used in the treatment of rheumatoid arthritis, cancer, lymphoma, leukemia, or related diseases, including prescription medicines used to relieve the effects of any such treatment, free samples of prescription medicine distributed by its manufacturer and any use of these free samples;

~~(b)~~(ii) hypodermic needles, insulin, alcohol swabs, blood sugar testing strips, monolet lancets, dextrometer supplies, blood glucose meters, and other similar diabetic supplies sold to diabetics under the authorization and direction of a physician;

~~(c)~~(iii) disposable medical supplies such as bags, tubing, needles, and syringes, which are dispensed by a licensed pharmacist in accordance with an individual prescription written for the use of a human being by a licensed health care provider, which are used for the intravenous administration of a prescription drug or medicine, and which come into direct contact with the prescription drug or medicine. This exemption applies only to supplies used in the treatment of a patient outside of a hospital, skilled nursing facility, or ambulatory surgical treatment center;

~~(d)~~(iv) medicine donated by its manufacturer to a public institution of higher education for research or for the treatment of indigent patients;

~~(e)~~(v) dental prosthetic devices; and

~~(f)~~(vi) prescription drugs dispensed to Medicare Part A patients residing in a nursing home are not considered sales to the nursing home and are not subject to the sales tax.

(b) This item does not apply to authorizations for medical cannabis products, as provided in Article 20, Chapter 53 of Title 44;" /

Renumber sections to conform.
Amend title to conform.

Senator HEMBREE spoke on the amendment.

Point of Quorum

At 1:06 P.M., Senator SENN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Massey	McLeod
Peeler	Rankin	Rice
Scott	Senn	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Senator HEMBREE resumed speaking on the amendment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, February 8, 2022 at 2:00 P.M.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Debate was interrupted by adjournment.

Motion Adopted

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

THURSDAY, FEBRUARY 3, 2022

ADJOURNMENT

At 2:17 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 4, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

THIRD READING BILL

S. 1009 -- Senator Corbin: A BILL TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, SO AS TO PROVIDE THAT A VACANCY OCCURRING ON THE SPARTANBURG COUNTY SCHOOL DISTRICT 1 BOARD OF TRUSTEES FOR ANY REASON OTHER THAN EXPIRATION OF A TERM MUST BE FILLED BY A SPECIAL ELECTION CONDUCTED BY THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR THE UNEXPIRED PORTION OF THE TERM AS PROVIDED IN SECTION 7-13-190.

On motion of Senator KIMBRELL.

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, February 8, 2022, at 2:00 P.M.

* * *

Tuesday, February 8, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Exodus 4:10

In Exodus we read how Moses said to the Lord, " '. . .O my Lord, I have never been eloquent. . . I am slow of speech and tongue.' "

Let us bow in prayer: O blessed and most holy God, we indeed recall how timid and insecure Moses was prior to his confrontation with Pharaoh. Yet, Lord, thanks to Your reminders that You would aid Your servant, Moses, indeed became a strong proponent of righteousness, as well as a keen advocate for justice. Thus do we pray today, dear Lord, that You will likewise enable each leader in this Senate also to feel Your power and support as they speak on behalf of every citizen of our State.

Moreover, we further ask that You not only grant these Senators the power to speak effectively and well, but also, by Your grace, that You enable their ultimate decisions and actions themselves to bring about worthy and significant results. So we pray in Your loving name, O Lord. Amen.

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

Point of Quorum

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Hembree

Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Massey
Peeler	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Local Appointments

Initial Appointment, Horry County Master-in-Equity, with the term to commence July 31, 2021, and to expire July 31, 2027

Alan Clemmons, 1411 SC Highway 15, Myrtle Beach, SC 29577 *VICE* Cynthia Graham Howe

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

Margaret Strom Williams, 1420 Hagood Ave., Columbia, SC 29205-1327 *VICE* Daniel M. Coble

Doctor of the Day

Senator TURNER introduced Dr. Joshua Smith of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 7:05 P.M., Senator GAMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 718 Sen. Climer
S. 1039 Sens. Young and Allen

RECALLED AND COMMITTED

H. 3100 -- Reps. Bennett, Hosey and Matthews: A BILL TO AMEND SECTION 56-5-2780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PASSING A STOPPED SCHOOL BUS, SO AS TO REVISE THE PENALTIES, TO PROVIDE ALL FINES MUST BE USED TO PURCHASE DIGITAL RECORDING DEVICES MOUNTED ON SCHOOL BUSES AND EXTENDED SCHOOL BUS STOP ARMS, TO PROVIDE THE MONTH OF AUGUST IS DECLARED "SCHOOL BUS SAFETY MONTH", AND MAKE TECHNICAL CHANGES; AND BY ADDING SECTION 59-67-512 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY OVERRULE THE DECISION OF A LOCAL SCHOOL DISTRICT REGARDING THE PLACEMENT OF CERTAIN STUDENT SCHOOL BUS STOPS.

On motion of Senator GROOMS, with unanimous consent, the Bill was recalled from the Committee on Transportation and committed to the Committee on Education.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1048 -- Senators Alexander, Massey, Hutto, Climer and Verdin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REPRESENTATIVE BI-KHIM HSIAO FOR HER SERVICE AS THE TAIWANESE REPRESENTATIVE TO THE UNITED STATES AND TO WELCOME HER TO THE SOUTH CAROLINA SENATE.
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The Senate Resolution was adopted.

S. 1049 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-105 SO AS TO PROHIBIT THE EMISSION OF AIR CONTAMINANTS FROM A REGULATED SOURCE THAT CREATES A NUISANCE, TO ESTABLISH AIR CONTAMINANT NUISANCE CRITERIA, AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S BUREAU OF ENVIRONMENTAL HEALTH SERVICES TO OVERSEE SUCH ENFORCEMENT ACTIONS; TO AMEND SECTION 48-1-10, RELATING TO TERMS DEFINED IN THE "POLLUTION

CONTROL ACT", SO AS TO CHANGE THE DEFINITION FOR "UNDESIRABLE LEVEL"; AND AMEND SECTION 48-1-100, RELATING TO PERMITS FOR THE DISCHARGE OF AIR CONTAMINANTS, SO AS TO REQUIRE INSTALLATION AND OPERATION OF EQUIPMENT TO MINIMIZE ODOR-BEARING GASES OR PARTICULATE MATTER AS PART OF PERMIT CONDITIONS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1050 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2111 SO AS TO PROVIDE THAT CERTAIN COMMERCIAL LANDSCAPE EQUIPMENT MAY NOT BE TAXED MORE THAN FIVE HUNDRED DOLLARS.
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Read the first time and referred to the Committee on Finance.

S. 1051 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 44-96-295 AND 48-20-45 SO AS TO PROHIBIT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM ISSUING ANY PERMIT FOR THE CONSTRUCTION OF A SOLID WASTE MANAGEMENT FACILITY OR FOR MINING ACTIVITIES, RESPECTIVELY, IF LOCATED WITHIN A CERTAIN PROXIMITY TO A PUBLIC PARK OR OTHER PUBLIC NATURAL AREA.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1052 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-1-665 SO AS TO PROVIDE THAT CERTAIN EMERGENCY MEDICAL SERVICES PERSONNEL MAY BE COVERED UNDER THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM.
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Read the first time and referred to the Committee on Finance.

S. 1053 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1054 -- Senator Grooms: A BILL TO AMEND SECTIONS 56-5-5630(A) AND (B) OF THE 1976 CODE, RELATING TO NOTICE TO OWNERS AND LIENHOLDERS, PAYMENT FOR RELEASE OF VEHICLE, LIABILITY OF LIENHOLDERS, AND STOLEN VEHICLES, AND SECTIONS 56-5-5635(B), (D), AND (E) OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT OFFICERS DIRECTING A VEHICLE TO BE TOWED, STORAGE PROCEDURES, NOTIFICATION PROVIDED TO OWNERS OF TOWED VEHICLES, AND THE DISPOSITION OF TOWED VEHICLES AND PERSONAL PROPERTY, AND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO SALE OF UNCLAIMED VEHICLES, TO PROVIDE THAT NOTIFICATION TO THE OWNER AND LIENHOLDER OF TOWED VEHICLES MUST BE MADE BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR CERTIFIED MAIL WITH ELECTRONIC TRACKING, AND TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY APPLY TO CERTAIN VENDORS TO OBTAIN REAL TIME ACCESS TO TITLE AND LIENHOLDER INFORMATION BEFORE TOWED VEHICLES ARE SOLD; AND TO AMEND SECTIONS 29-15-10(B), (C), AND (D) OF THE 1976 CODE, RELATING TO LIENS FOR REPAIRS OR STORAGE AND SALE OF ARTICLES, TO PROVIDE REGULATIONS FOR THE RECORDING AND AVAILABILITY OF VEHICLE TITLE AND LIENHOLDER INFORMATION.
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Read the first time and referred to the Committee on Transportation.

S. 1055 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF GIBSON ROAD WHERE HIGHWAY 378 SPLITS TOWARD LAKE MURRAY IN LEXINGTON COUNTY "H.E. 'BUCKY' PHILLIPS, JR.

INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1056 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF I-85 FROM MILE MARKER 41 TO MILE MARKER 42 IN GREENVILLE COUNTY "SGT. W.C. JUMPER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1057 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND JAMES C. BROWN FOR HIS TWENTY-SEVEN YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF THE PALMETTO STATE AS RICHLAND COUNTY VETERANS AFFAIRS OFFICER AND EXECUTIVE DIRECTOR OF THE RICHLAND LEGISLATIVE DELEGATION OFFICE AND, AS HE BEGINS HIS RETIREMENT, TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1058 -- Senators Campsen, Adams, Alexander, Allen, Bennett, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF HARRY BANCROFT "BUCK" LIMEHOUSE, JR. AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

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

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

S. 1061 -- Senator Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 150 (GLENN SPRINGS HIGHWAY) AND HIGHWAY 176 IN SPARTANBURG COUNTY THE "ARMY SPECIALIST MELVIN LEE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1062 -- Senator Talley: A BILL TO AMEND SECTION 56-1-140 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF DRIVERS' LICENSES, TO PROVIDE THAT THE SPECIAL VETERANS DRIVER'S LICENSE DESIGNATION IS AVAILABLE TO VETERANS OF THE UNITED STATES PUBLIC HEALTH

SERVICE COMMISSIONED CORPS AND VETERANS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS.
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Read the first time and referred to the Committee on Transportation.

S. 1063 -- Senator Goldfinch: A BILL TO AMEND CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING ARTICLE 22 TO PROVIDE THAT PERSONS WHO HAVE BEEN WRONGFULLY CONVICTED OF AND IMPRISONED FOR A CRIME MAY RECOVER THE MONETARY VALUE OF THE LOSS SUSTAINED THROUGH THE WRONGFUL CONVICTION AND IMPRISONMENT.
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Read the first time and referred to the Committee on Corrections and Penology.

S. 1064 -- Senators McElveen, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 12, 2022, AS "WORLD CHOLANGIOCARCINOMA DAY" IN SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1065 -- Senators McElveen, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COLONEL LOREN WEBB, UNITED STATES ARMY, RETIRED, AND TO COMMEND HIS MERITORIOUS AND LIFELONG SERVICE TO THIS STATE AND NATION.
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The Senate Resolution was adopted.

TUESDAY, FEBRUARY 8, 2022

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Patrick A. Dicks, 1830 Blacks Drive, Williston, SC 29853-3508 *VICE* Carla J. Smalls

Received as information.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Tony A. Foster, 105 Creekside Court, Greenwood, SC 29649-9540 *VICE* Mr. Oscar L. Douglas

Received as information.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Kathleen Love, 105 Tryon Drive, Summerville, SC 29485-8430 *VICE* Ms. Lesa T. Chandler

Received as information.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Malinda W. Terry, 9515 One Notch Road, Ladson, SC 29456-4963 *VICE* Robert J. Reid

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

TUESDAY, FEBRUARY 8, 2022

AMENDED, DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Amendment No. 1A

Senator DAVIS proposed the following amendment (150R016.SP.TD), which was adopted:

Amend the bill, as and if amended, on page 54, lines 4 through 8, by striking SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 12-36-2120(28) of the 1976 Code is amended to read:

" (28)(a)(i) medicine and prosthetic devices sold by prescription, prescription medicines used to prevent respiratory syncytial virus, prescription medicines and therapeutic radiopharmaceuticals used in the treatment of rheumatoid arthritis, cancer, lymphoma, leukemia, or related diseases, including prescription medicines used to relieve the effects of any such treatment, free samples of prescription medicine distributed by its manufacturer and any use of these free samples;

~~(b)~~(ii) hypodermic needles, insulin, alcohol swabs, blood sugar testing strips, monolet lancets, dextrometer supplies, blood glucose meters, and other similar diabetic supplies sold to diabetics under the authorization and direction of a physician;

~~(c)~~(iii) disposable medical supplies such as bags, tubing, needles, and syringes, which are dispensed by a licensed pharmacist in

accordance with an individual prescription written for the use of a human being by a licensed health care provider, which are used for the intravenous administration of a prescription drug or medicine, and which come into direct contact with the prescription drug or medicine. This exemption applies only to supplies used in the treatment of a patient outside of a hospital, skilled nursing facility, or ambulatory surgical treatment center;

~~(d)~~(iv) medicine donated by its manufacturer to a public institution of higher education for research or for the treatment of indigent patients;

~~(e)~~(v) dental prosthetic devices; and

~~(f)~~(vi) prescription drugs dispensed to Medicare Part A patients residing in a nursing home are not considered sales to the nursing home and are not subject to the sales tax.

(b) This item does not apply to authorizations for medical cannabis products, as provided in Article 20, Chapter 53 of Title 44;" /

Renumber sections to conform.

Amend title to conform.

Senator GARRETT spoke on the amendment.

Remarks by Senator GARRETT

Thank you, Mr. PRESIDENT, ladies and gentlemen of the Senate. I won't belabor this a whole lot because Senator HEMBREE has gone through this in great detail. Sitting here watching this, there are a few things I wanted to point out that I think we should think about before the passage of this Bill and its amendments. I think it is important that there is nothing in our law that says we can't talk philosophical, but I do want to talk about South Carolinians who have the right to object in participating in this scheme against the federal law. I think that we need to put some language in that prohibits them or lets them act of being responsible to act in an unlawful matter. South Carolinians should be advised that they can be prosecuted and lose their gun ownership and depending upon the quantity of the possession of the marijuana could be subject to a felony and worse, prison time. So anyone of these people participating should be given that warning up front in the form of an amendment. The areas of entity should not participate in interstate transfers of marijuana. Nowhere in the Bill does it prohibit South Carolinians from buying marijuana from other states. It needs to be in there. If the Bill allows for the purchase of marijuana other than that grown in the State, then we would be required to purchase it from the

lawful drug enforcement agency, the DEA, an approved facility in the state of Mississippi and otherwise as long as approved by the DEA. I went through and looked closely, and I hope I'm wrong about this, but under 44-53-2010, Section 21, it allows a medical user, which is significant -- so that they can buy it from anyone. If you look at it when it is talking about the various entities, it is talking about the grower; it is talking about the processor; it is talking about the transporter; and ultimately, it is talking about dispensary. Nowhere does it say that they can't buy it from another state. And, in fact, each one of those people, unless it is amended, each one of those entities, unless it is amended, could go to another state and buy marijuana. How did I come up with that? I couldn't understand why we would want to give somebody a card for ninety days. I thought maybe if we give them a card for ninety days, then there would be a supply of marijuana, but there is not a supply of marijuana because we haven't grown any yet. So wouldn't we have to grow it? How are they going to supply marijuana for those people during those 90 days unless we buy it from someone else? My concern is that is this going to be a South Carolina Bill? Are we going to go ahead and start buying marijuana from other states as well as our 15 growth facilities? It says that a transporter can acquire marijuana. Under Section 44-53-2380, it is speaking of cultivators. It is not unlawful for them to obtain marijuana. It provides, as well in addition to being a transporter -- it says they can't purchase marijuana. In Section 44-53-2390 subsection (1), page 45, it allows cultivation centers to transport. Think about that now. The cultivation centers shouldn't be transporting. The whole idea, the whole scheme was to have transporters who would be responsible to transport to the cultivation centers through the processor and to the dispensary, and maybe to the lab. So we need to be thinking about that, as well. You know, when you go and you study and you want to look and see why these physicians can't prescribe marijuana, it's because it is against the federal law, but now there are four marijuana drugs. I think two of those are synthetic, but the FDA has approved them. So in that setting, why can't our doctors prescribe and our pharmacists fill those four FDA approved drugs? I think they can. If a doctor does a test, the first thing he should do is to make a decision as to whether any of the current treatments are FDA approved -- that would be used and if not, then we go to those four types of cannabis that are approved. Then only after that, do we go to these clinical trials to see whether or not marijuana can be used and be helpful. I don't have a problem with increasing the number of modalities that are added and you know that we have a 1980 and a 2014 law that allows for that. The only restrictions

are the people who participate in clinical trials. Also, it is very clear, the science is very clear, that those persons who are 18 to 24 years of age are affected, or can be adversely affected, and their brains won't grow well or correctly. We need to make sure that nobody gets this drug until age 25. That needs to be an amendment, as well. We need to tighten up what happens in the emergency room. Suppose one of these people has psychiatric psychosis after using marijuana. Shouldn't that emergency room be aware of it and be able to find that doctor, find that pharmacist, and find out how much he's got in his system to try to help him through that? We are in a situation where I'm concerned about this standard of care. I am fine in having doctors give it to us, but this Bill doesn't give you a standard of care. What's the first thing it says? The first one may be the most important in my mind which is the variability of the quality and concentration of cannabis products. You have to advise them that you don't know because of the variability of this product. You don't know what the quality of THC is in it, and you don't know what the concentration of THC is in it. That scares me to death. How is that a standard of care by a doctor if you tell them right at the beginning that you don't have a clue as to the variability of this product? There is no science without clinical studies. We have to do those clinical studies. The science is simply not there yet for us in this method. It may be in other states, maybe that's true -- but maybe bring some statistics. Here we are this late, this far along in the game, and you're telling them that the variability of the quality and the concentration -- that's a real problem. You know, shouldn't we use a consistent drug, as to quality and concentration of THC, and that's what's prescribed and that's what the doctors are using? I don't know how a pharmacist can actually fill something like that. You know, I went back and I looked, and it is very clear about how much of a certain drug you can have, but it doesn't say anything about the quality and it doesn't say anything about the concentration, so I'm not sure. It may be that I just need to get educated. It said for topicals -- this is under 2010, 44-53-2010 -- it provides for no more than 4,000 milligrams of Delta 9 THC, so I don't know what that means, but on top of that we don't know what the quality and we don't know what the concentration is, and that concerns me. All administrations, 1600 milligrams of Delta 9 THC, foils for vaping, maybe 200 milligrams of Delta THC. Then it also says a physician can specify a certain amount. I just wonder how a physician can specify a certain amount if there is no standard of care. Now, I won't be very long, and I'll take questions. I want to talk about 44-53-29. A physician may not be sued for medical malpractice as result of certifying a qualifying

patient for medical use of cannabis. I don't know who would even decide to certify, authorize or even prescribe something that is this volatile or this much subject to change quality and concentration. How can they do that, and still stay with the idea of no harm to the patient? We need to go ahead and prepare and put in a dram shop. That is a lot of money that we are talking about here. All of these grow fields, all of these processors, all of these transporters, all of these dispensaries -- and you can tighten them up nice and neat, call them therapeutic centers, therapeutic pharmacies, but at the end of the day they are distributing a volatile drug. I hope we fix that exception -- doing this in the presence of children and within a thousand feet of a school. This needs to be absolute with no exceptions. So we should think about that, as well. So let's think about a dram shop. Who is going to take care of the children, brothers and sisters of those injured by those who are high on medical cannabis? You know we have a dram shop under alcohol, but I don't see one for medical marijuana. If it was just medical marijuana, I wouldn't worry about it. It seems to have exploded into something much greater -- medical marijuana -- so getting back to the dram shop, protecting those injured, seriously injured or dead or killed by a high on cannabis. You know, we need to hold the grower responsible; we need have some insurance coverage; and the processor needs to be held responsible. It seems interesting to me that this processor can't get the quality and concentration down. Why can't he get the quality and concentration down to a science? He is the processor. Normally, wouldn't that be his responsibility? We have the transporters. God only knows if the transporters are going to be buying marijuana from other states. I don't know if they are or not. It is not prohibited here. Dispensaries are the same. Those dispensaries can buy drugs from other places, so how are we making sure that those drugs are safe if buying them from other places. Maybe the labs are responsible for that. Just a lot of holes here. So, shouldn't we have a Dram Shop act? All of these people are making all of this money. Shouldn’t we protect our South Carolinians citizens? I think they should have a $10 million coverage myself. I think if they fell below the standard of care, then by their own admission and they don't even know what it is -- they're almost presumed to be responsible. If you want it that bad, there comes a cost with it. It should be paid. Now, the final thing is this Bill attempts to talk about what can be, what can happen in a custody case in family court. That's another body of law, and it just doesn't need to be touched or addressed. Our family court judges are tasked with the responsibility to decide the custody of the child and to which parent. To tell them that they can't consider marijuana or the

use of this drug, it is the judge's decision as to who should get custody. To do otherwise is absurd. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GARRETT, were ordered printed in the Journal.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 5

Senator SHEALY proposed the following amendment (150R011.SP.KS), which was adopted:

Amend the bill, as and if amended, on page 35, by striking lines 13 through 16 in Section 44-53-2340(A) and inserting:

/in contract law, appointed by the Governor;

(11) a representative of the African American community, appointed by the Governor in consultation with the South Carolina Commission for Minority Affairs;

(12) the Dean or Acting Dean, or his designee, from the University of South Carolina School of Medicine; and

(13) the President, or his designee, of the Medical University of South Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 6

Senator MARTIN proposed the following amendment (150R003.SP.SRM), which was adopted:

Amend the bill, as and if amended, Section 44-53-2350(A)(5)(d), on page 36, by striking line 38 and inserting:

/ human health; and

(iii) requirements that any oils intended for vaporization may be sold as either pre-filled, tamper-resistant, non-refillable cartridges that are not capable of use with nicotine vaporization devices, or as disposable "all-in-one" systems that are tamper-resistant, non-fillable, and do not contain nicotine; /

Amend the bill further, as and if amended, Section 44-53-2350(D), on page 40, by striking lines 9 through 10 and inserting:

/ (6) developing warning labels that must be included on vaporization devices, detailing any known risks;

(7) requiring that any vaporization device is not able to be used with cartridges containing nicotine; and

(8) requiring that any disposable 'all-in-one' vaporization device is tamper-resistant, non-refillable, and does not contain nicotine. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 7

Senator MARTIN proposed the following amendment (150R013.SP.SRM), which was adopted:

Amend the bill, as and if amended, on page 10, in Section 44-53-2060(C), by striking line 36 and inserting:

/voting on whether to add or remove a certain condition as a debilitating /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 8B

Senators KIMBRELL, DAVIS and FANNING proposed the following amendment (150R057.SP.JK), which was adopted:

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

/SECTION __. Chapter 53, Title 44 of the 1976 Code is amended by adding:

"ARTICLE 20

Compassionate Care

Section 44-53-2010. As used in this article:

(1)(a) 'Allowable amount of medical cannabis' or 'allowable amount of cannabis products' means, for a fourteen-day period:

(i) cannabis products for topical administration including, but not limited to, patches for transdermal administration or lotions, creams, or ointments, that contain a total of no more than four thousand milligrams of delta-9-tetrahydrocannabinol;

(ii) cannabis products for oral administration including, but not limited to, oils, tinctures, capsules, or edible forms, that contain a total of no more than one thousand six hundred milligrams of delta-9-tetrahydrocannabinol;

(iii) cannabis products that consist of oils for vaporization that contain a total of no more than eight thousand, two hundred milligrams of delta-9-tetrahydrocannabinol; or

(iv) for any other modes of delivery, an equivalent amount as determined by the department.

(b) In any case in which a physician has specified a certain amount of cannabis products pursuant to Section 44-53-2080(B), an allowable amount of cannabis products is the amount of cannabis products specified for a fourteen-day period.

(c) The allowable amount of medical cannabis does not include industrial hemp for human consumption.

(2) 'Bona fide physician-patient relationship' has the same meaning as in Section 40-47-113(A).

(3)(a) 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) 'Cannabis product' means a product that is infused with or otherwise contains cannabis or an extract thereof and that is intended for use, consumption, absorption, or any method of ingestion by humans. The term includes, but is not limited to, an edible cannabis product, beverage, topical product, ointment, oil, patch, spray, suppository, or tincture.

(5) 'Cardholder' means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card from the department.

(6) 'Child-resistant packaging' means packaging that is designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly, substantially similar to those defined by 16 C.F.R. 1700.20 (1995), opaque so that the packaging does not allow the product to be seen without opening the packaging material, and re-sealable for any product intended for more than a single use or containing multiple servings.

(7) 'Cultivation center' means a facility operated by an organization or business that is licensed by the department pursuant to this article to cultivate, possess, and distribute cannabis products to processing facilities, therapeutic cannabis pharmacies, and independent testing laboratories. Land used for cultivation may not exceed a total of two acres per license as provided in Section 44-53-2390.

(8) 'Debilitating medical condition' means:

(a) a diagnosis of one or more of the following that also results in a debilitated condition:

(i) cancer;

(ii) multiple sclerosis;

(iii) a neurological disease or disorder, including epilepsy;

(iv) glaucoma;

(v) post-traumatic stress disorder, subject, however, to the evidentiary requirements in Section 44-53-2100(A)(4) to confirm that the applicant has experienced one or more traumatic events;

(vi) Crohn's disease;

(vii) sickle cell anemia;

(viii)ulcerative colitis;

(ix) cachexia or wasting syndrome;

(x) autism;

(xi) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(xii) a chronic medical condition causing severe and persistent muscle spasms; or

(xiii) any chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed by a physician based on generally accepted standards of care, subject, however, to the requirements of Section 44-53-2080(A)(3)(h)(i) and (ii) as to a physician's attestation regarding objective proof of the etiology of the patient's pain or regarding the patient having been diagnosed with a specific medical condition or disease that causes the patient severe pain;

(b) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician; or

(c) any other serious medical condition or its treatment added by the Medical Cannabis Advisory Board, as provided for in Section 44-53-2060.

(9) 'Department' means the South Carolina Department of Health and Environmental Control.

(10) 'Designated caregiver' or 'caregiver' means a person who possesses a valid registry identification card issued by the department authorizing the person to assist a qualifying patient with the medical use of cannabis. A designated caregiver must be at least twenty-one years of age unless the person is the parent or legal guardian of each qualifying patient the person assists.

(11) 'Diversion' means the obtaining or transferring of cannabis products from a legal possession or use to an illegal use or to a person not authorized to use or obtain cannabis or cannabis products pursuant to this article.

(12) 'Edible cannabis product' means an individually packaged food or potable liquid into which has been incorporated a cannabinoid concentrate or extract or the dried leaves or flowers of marijuana with a tetrahydrocannabinol concentration of not more than ten milligrams per serving.

(13) 'Exit packaging' means a sealed, child-resistant packaging receptacle into which pre-packaged cannabis products are placed at the retail point of sale at a therapeutic cannabis pharmacy.

(14) 'Human consumption' means ingestion or topical application to the skin or hair.

(15) 'Independent testing laboratory' means a facility licensed by the department pursuant to this article to offer or perform testing related

to cannabis, cannabis products, industrial hemp, or industrial hemp products that is independent of cultivation centers, processing facilities, and therapeutic cannabis pharmacies.

(16) 'Industrial hemp' means the plant Cannabis sativa L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dried weight basis.

(17) 'Medical cannabis establishment' means a cultivation center, therapeutic cannabis pharmacy, transporter, independent testing laboratory, or processing facility licensed by the department pursuant to this article.

(18) 'Medical cannabis establishment agent' means a board member, owner, officer, pharmacist, employee, or volunteer of a medical cannabis establishment.

(19) 'Medical cannabis establishment principal' means a person who is designated as having responsibility over the actions of a board member, owner, officer, pharmacist, employee, volunteer, or agent of a medical cannabis establishment and who also has responsibility and control over any liability for any financial accounts.

(20) 'Medical use' means the acquisition, administration, possession, preparation, transportation, or use of cannabis products, or paraphernalia used to administer cannabis products, to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition and includes the transfer of cannabis products from a designated caregiver to a qualifying patient whom the designated caregiver is authorized to assist. 'Medical use' does not include:

(a) the extraction of resin from cannabis by solvent extraction other than water, glycerin, propylene glycol, vegetable oil, or food grade ethanol (ethyl alcohol), unless the extraction is done by a processing facility; or

(b) smoking.

(21) 'Opioid' means a narcotic drug or substance that is a Schedule II controlled substance defined in Section 44-53-210(b) or (c).

(23) 'Paraphernalia' means paraphernalia as defined in Section 44-53-110, if its sole intended purpose is for use with cannabis products, except that it shall not include bongs, pipes, rolling papers, blowtorches, or any other paraphernalia that is used to smoke cannabis.

(24) 'Pharmacist' means a person who is a pharmacist as defined in Section 40-43-30(65).

(25) 'Physician' means a person who:

(a)(i) is a physician as defined in Section 40-47-20 or a podiatrist as defined in Section 40-51-20, is authorized to prescribe medication under state law and by the South Carolina Board of Medical Examiners, and has a controlled substances registration pursuant to Section 44-53-290 and a controlled substances registration issued by the federal Drug Enforcement Administration; and

(ii) specifically treats a debilitating medical condition; or

(b) is licensed as a doctor of medicine or doctor of osteopathic medicine in a state bordering South Carolina; is board certified in neurology, oncology, or rheumatology; and has a controlled substances registration issued by the federal Drug Enforcement Administration.

(26) 'Processing facility' means a facility licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a therapeutic cannabis pharmacy.

(27) 'Qualifying patient' or 'patient' means a person with a debilitating medical condition who possesses a valid registry identification card issued by the department.

(28) 'Registry identification card' means a document issued by the department that identifies a person as a qualifying patient or designated caregiver, or documentation that is deemed a registry identification card pursuant to Section 44-53-2170.

(29) 'SLED' means the South Carolina Law Enforcement Division.

(30) 'Smoking' or 'smoke' means the inhalation of smoke caused by the combustion of cannabis or cannabis products that causes burning.

(31) 'Tamper-resistant paper' means paper that possesses an industry-recognized feature that prevents the copying of the paper, erasure or modification of information on the paper, or use of counterfeit documentation.

(32) 'Therapeutic cannabis pharmacy' means a location for which a pharmacy permit has been issued by the Board of Pharmacy and in which cannabis products, industrial hemp for human consumption, and paraphernalia are maintained, compounded, and dispensed for cardholders by a pharmacist. Each therapeutic cannabis pharmacy shall be issued a registration and a registry identification number by the department.

(33) 'Transporter' means an entity licensed by the department pursuant to this article that acquires, possesses, and stores cannabis and cannabis products for human consumption and delivers, transfers, and transports cannabis products between medical cannabis establishments.

(34) 'Verification system' means a secure, confidential, and web-based system established and maintained by the department that is available to authorized department personnel, law enforcement personnel, and medical cannabis establishment agents for the verification of registry identification cards.

(35) 'Written certification' means a document dated, signed, and submitted by a physician to the department, on a form developed by the department, stating that a person has been diagnosed with a debilitating medical condition and that the potential benefits of using medical cannabis products outweigh any risks. The certification may be made only in the course of a bona fide physician-patient relationship; must specify the person's debilitating medical condition or conditions; must indicate the date of the person's follow-up appointment, not to exceed six months from the original date of issuance; and must be updated annually for each person by the certifying physician. If the person with a debilitating medical condition is expected to recover from the debilitating medical condition within a year of the written certification, not including remission due to medical cannabis treatment, or if the person is not expected to benefit from medical cannabis products for an entire year, then the written certification must specify that fact.

Section 44-53-2020. (A) The department shall establish a South Carolina Medical Cannabis Program Fund to ensure the availability of funds necessary to carry out the department's responsibilities under this article. All monies collected pursuant to this article must be deposited into the fund. The fund must be used for direct and indirect costs associated with the implementation, administration, and enforcement of this article.

(B) Revenues generated in excess of the amount needed to implement, administer, and enforce this article must be annually distributed as follows:

(1) three percent for research conducted by the University of South Carolina School of Medicine, the Medical University of South Carolina, or both for research to improve detection and training methods to detect drivers impaired by cannabis, prescription medications, and other drugs, until SLED affirms that no additional research is needed;

(2) two percent to local providers operating under the auspices of Act 301 of 1973 for purposes related to alcohol and drug abuse prevention, education, early intervention, and treatment services;

(3) three percent to SLED;

(4) two percent to the South Carolina Department of Education to be used for drug safety education;

(5) eighty-five percent to the state general fund; and

(6) five percent for research conducted by the University of South Carolina School of Medicine, the Medical University of South Carolina, or both to be used in connection with medical cannabis research and development, including use for:

(a) clinical trials regarding the effectiveness of cannabis products at treating symptoms and conditions that are not debilitating medical conditions pursuant to this article;

(b) data collection from qualifying patients who voluntarily provide information related to dosage, efficacy, and side effects;

(c) clinical trials, observational studies, or both on the dosage, efficacy, and side effects of medical cannabis; and

(d) the publication of dosage recommendations based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles.

(C) The fund is not subject to any fiscal or budgetary action that would in any way transfer any amount from the fund into any other fund of the State, except as provided by this article.

Section 44-53-2030. Notwithstanding any other provision of law, the department may implement a reasonable fee increase to be charged and collected pursuant to this article, if necessary, for the department to cover the cost of administering and operating the program pursuant to this article.

Section 44-53-2040. (A) All sales of medical cannabis products are subject to a six percent sales tax at the point of sale.

(B) On the twentieth day of each month, each therapeutic cannabis pharmacy shall pay the taxes due on all cannabis products sold in the prior calendar month.

(C) All revenue collected pursuant to the medical cannabis products tax must be placed in the fund.

(D) No other tax may be imposed on the purchase of cannabis or cannabis products.

Section 44-53-2050. (A) Subject to Chapter 35, Title 11, the South Carolina Consolidated Procurement Code, the department is authorized to procure the services of qualified contractors or other state agencies to assist the department in implementing this article, including licensure, testing, audits, inspections, registry identification card and electronic patient registry management, verification system management, seed-to-sale tracking system management, diversion control, and other compliance services.

(B) Subject to Chapter 35, Title 11, the South Carolina Procurement Code, the Board of Pharmacy may procure the services of qualified contractors or other state agencies to assist the Board of Pharmacy with the implementation of this article.

Section 44-53-2060. (A) There is created a Medical Cannabis Advisory Board, which must be comprised of:

(1) one member appointed by the director of the department, or his designee;

(2) the following members appointed by the Governor, upon the advice and consent of the Senate:

(a) two licensed medical doctors authorized by the State to practice medicine;

(b) two licensed doctors of osteopathic medicine;

(c) one licensed medical doctor who is board-certified to practice addiction medicine in South Carolina;

(d) one research scientist with expertise in the field of cannabinoid medicine;

(e) one licensed pharmacist;

(f) one cardholder or, for an appointment made before registry identification cards are issued, one person with a debilitating medical condition who intends to use medical cannabis;

(g) one parent of a minor qualifying patient or, for an appointment made before registry identification cards are issued, one parent of a minor with a debilitating medical condition who intends to use medical cannabis; and

(h) one representative of a medical cannabis establishment or, for an appointment made before medical cannabis establishments are licensed, a prospective medical cannabis establishment.

(B) The advisory board shall meet at least two times per year for the purpose of reviewing petitions to add debilitating medical conditions.

(C) At least once every one hundred eighty days, the advisory board shall review petitions; consult with experts in South Carolina and other states with medical cannabis programs, as well as any available research; and, if necessary, hold public hearings before voting on whether to add a certain condition as a debilitating medical condition.

(D) Members of the advisory board serve a term of four years or until their successors are appointed and qualify. A vacancy on the advisory board must be filled in the manner of the original appointment for the remainder of the unexpired term.

(E) Members of the advisory board may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

Section 44-53-2070. Nothing in this article may be construed to require a health insurance provider, health care plan, property and casualty insurer, or medical assistance program to be liable for or reimburse a claim for the medical use of cannabis. Consultations in which physicians diagnose debilitating medical conditions and complete written certifications shall be reimbursed consistent with a qualifying patient's health plan design.

Section 44-53-2080. (A) The department shall develop a written certification form to be annually completed and submitted electronically to the department by a physician. The written certification must include:

(1) the physician's name, mailing address, email address, telephone number, medical license number, federal controlled substances registration number, and, in states where applicable, state controlled substances registration number;

(2) an acknowledgement to be signed by the physician that sets forth the penalties for providing false information, including the department's right to notify the South Carolina Board of Medical Examiners or other similar authority established pursuant to Chapter 47, Title 40;

(3) a statement for the physician to attest to and sign with the following provisions:

(a) that the physician and patient have a bona fide physician-patient relationship as a prerequisite to any certification;

(b) that the physician has consulted the prescription drug monitoring program, established pursuant to Article 15, Chapter 53, Title 44, to review the patient's controlled-substance prescription history and has documented such consultation in the patient's medical record;

(c) that the physician has conducted an in-person evaluation and collected relevant clinical history commensurate with the presentation of the patient prior to issuing a written certification. At a minimum, the evaluation should include the patient's:

(i) history of present illness;

(ii) social history;

(iii) past medical and surgical history;

(iv) alcohol and substance use history;

(v) family history with an emphasis on addiction, mental illness, or psychotic disorders;

(vi) physical exam; and

(vii) documentation of therapies with inadequate response;

(d) that the patient has a debilitating medical condition; that the treatment of the debilitating medical condition, or one or more symptoms of the debilitating medical condition or side effects of its treatment, falls within the physician's area of practice, identifying the patient's condition; and that the symptoms or side effects of the condition or its treatment could benefit from a certification for the medical use of cannabis;

(e) that the physician has developed a written treatment plan that includes:

(i) a review of other measures attempted to ease the suffering caused by the debilitating medical condition that do not involve cannabis products for medical use;

(ii) advice about other options for managing the debilitating medical condition;

(iii) advice about the potential risks of the use of medical cannabis products, to include:

(A) the variability of the quality and concentration of cannabis products;

(B) the risk of cannabis use disorder;

(C) the potential exacerbation of psychotic disorders and the adverse cognitive effects for children and young adults;

(D) adverse events, exacerbation of psychotic disorders, adverse cognitive effects for children and young adults, and other risks, including falls or fractures;

(E) the risks of using cannabis products during pregnancy or breast feeding; and

(F) the need to safeguard all cannabis products from children and pets or other domestic animals;

(iv) additional diagnostic evaluations or other planned treatments; and

(v) an ongoing treatment plan as medically appropriate;

(f) notification of the patient or caregiver that medical cannabis products are for the qualifying patient's use only and that cannabis products should not be donated or otherwise supplied to another individual;

(g) that the physician has discussed the risks and benefits of the use of medical cannabis products with the patient or caregiver, including the variability and lack of standardization of cannabis preparations, their potential effects, and an admonition that qualifying patients should not

drive or operate heavy machinery while under the influence of medical cannabis; and

(h) in the case of a patient whose debilitating medical condition is a chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed:

(i) an attestation that the physician has reviewed objective proof of the etiology of the patient's pain, such as a diagnostic test, which may include, but is not limited to, the results of an x-ray, computerized tomography scan, or magnetic resonance imaging; or

(ii) an attestation that the patient has been diagnosed with a specific medical condition or disease that causes the patient severe pain, which includes, but is not limited to, complex regional pain syndrome, residual limb pain, rheumatoid arthritis, spinal cord disease, spinal cord injury, fibromyalgia, shingles, or trigeminal neuralgia;

(4) a statement that the physician maintains documentation in the patient's medical record if the patient's debilitating medical condition is one for which opioid medications could be or have been prescribed;

(5) a statement that the patient's debilitating medical condition is expected to last either for one year, or until a date when the patient is no longer expected to benefit from medical cannabis products;

(6) the date of the patient's follow-up appointment to assess whether the patient has found relief from his debilitating medical condition and the patient's overall health and level of function. The follow-up appointment shall not exceed six months after the initial consultation or renewal appointment; and

(7) an acknowledgement that the physician has considered that any patient who has a history of substance use disorder or a co-occurring mental health disorder shall require specialized assessment and treatment; in those instances, the physician should seek a consultation with or refer the patient to a pain management, psychiatric, addiction, or mental health specialist as needed.

(B) A physician may also choose to include a specific amount of cannabis products certified every fourteen days and the reason for the dosage, in which case the qualifying patient shall be limited to those amounts in the verification system.

(C) Nothing in this article may be construed to require a physician to issue a written certification to any person for the use of medical cannabis.

(D) A physician in a bona fide physician-patient relationship with a patient may review the patient's medical cannabis certification and dispensing history as provided by the department in regulation.

Section 44-53-2090. (A) Any physician who issues written certifications must:

(1) be licensed and in good standing as a physician;

(2) be currently practicing medicine;

(3) register with the department to issue written certifications in a manner and on a format determined by the department;

(4) attest that he has an active, unrestricted medical license, unrestricted federal controlled substances registration, and unrestricted state controlled substances registration, if applicable; and

(5)(a) complete a three-hour continuing medical education course on medical cannabis, including an online course, that is approved by the South Carolina Board of Medical Examiners; and

(b) attest to the completion of the course electronically or as otherwise specified by the department:

(i) within one year of issuing his first written certifications and prior to issuing more than sixteen written certifications, if those certifications are issued prior to the expiration of the one-year time frame; or

(ii) prior to writing any certifications.

(B) A physician is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Medical Examiners, or any other occupational or professional licensing entity, for providing a written certification as authorized by this article. A physician may not be sued for medical malpractice as a result of certifying a qualifying patient's medical use of cannabis.

(C)(1) A physician shall not:

(a) accept, solicit, or offer any form of pecuniary remuneration, including a salary or other monetary compensation, from or to a therapeutic cannabis pharmacy;

(b) offer a discount or any other thing of value to a cardholder who uses or agrees to use a particular therapeutic cannabis pharmacy;

(c) examine a person for the purpose of diagnosing a debilitating medical condition at a location where cannabis or cannabis products are sold;

(d) refer a patient to a particular therapeutic cannabis pharmacy or display or distribute therapeutic cannabis pharmacy marketing materials within his office if he certifies debilitating medical conditions for patients for participation in the medical cannabis program;

(e) certify the use of medical cannabis products for himself or for a family member; or

(f) have a full or partial ownership interest in a therapeutic cannabis pharmacy.

(2) If the South Carolina Board of Medical Examiners finds that a physician engaged in unprofessional conduct by violating this article, then the South Carolina Board of Medical Examiners shall notify the department as specified in department regulations that the physician's authority to certify patients for the medical use of cannabis, or his prescriptive authority, has been restricted, which may be in addition to any other sanction imposed by the South Carolina Board of Medical Examiners, including any disciplinary action up to the suspension or revocation of the physician's medical license.

Section 44-53-2095. (A)A pharmacist who dispenses a cannabis product pursuant to this article must:

(1) be in good standing with the South Carolina Board of Pharmacy;

(2) register with the department to dispense a cannabis product;

(3) attest that he has an active, unrestricted pharmaceutical license, unrestricted federal controlled substances registration, and unrestricted state controlled substances registration; and

(4)(a) complete a three-hour continuing education course on medical cannabis that is approved by the South Carolina Board of Pharmacy, which must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles; and

(b) attest to the completion of the course electronically or as specified by the department prior to dispensing cannabis products.

(B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy, or any other occupational or professional licensing entity, for dispensing a cannabis product as authorized by this article. A pharmacist may not be sued for malpractice as a result of dispensing a qualifying patient's cannabis product.

(C)(1) A pharmacist shall not:

(a) accept, solicit, or offer any form of pecuniary remuneration from or to a physician;

(b) offer a discount or any other thing of value to a cardholder who uses or agrees to use a particular therapeutic cannabis pharmacy; or

(c) refer a patient to a particular physician or display or distribute marketing materials for a physician within therapeutic cannabis pharmacy

(2) If the South Carolina Board of Pharmacy finds that a pharmacist engaged in unprofessional conduct by violating this article, then the South Carolina Board of Pharmacy shall notify the department as specified in department regulations that the pharmacist's authority to dispense cannabis products has been restricted, which may be in addition to any other sanction imposed by the South Carolina Board of Pharmacists, including any disciplinary action up to the suspension or revocation of the pharmacist's license.

Section 44-53-2096. (A) The South Carolina Board of Pharmacy shall promulgate regulations relating to the dispensing of cannabis products for therapeutic use. In considering appropriate regulations, the Board of Pharmacy shall seek input from relevant stakeholders including, but not limited to, the Office of the Attorney General, and professional law enforcements organizations and associations.

(B) Regulations for dispensing of cannabis products for therapeutic use shall include, but is not limited to:

(1) standards, procedures, and protocols for cannabis products for therapeutic use as provided by law;

(2) standards, procedures, and protocols for consulting the verification system to verify a written certification, entering information into the prescription monitoring program to follow dispensing and tracking information of medical cannabis.

(3) procedures and protocols to explicitly provide that no medical cannabis product may be dispensed from, produced from, obtained from, sold to, or transferred to a location outside of this State.

(4) standards, procedures, and protocols for determining the amount of usable prescribed medical cannabis products necessary to constitute an adequate supply to ensure uninterrupted availability for an allowable amount of medical cannabis.

(5) standards, testing procedures, and protocols to ensure that all dispensed medical cannabis products are pharmaceutical grade; and

(6) provisions for other licensing, renewal, and operational standards deemed necessary by the Board of Pharmacy;

(7) requirements for the health, safety, and security for therapeutic cannabis pharmacies;

(8) requirements for a pharmacist-in-charge, who accepts responsibility for the operation of a therapeutic cannabis pharmacy;

(9) requirements for consultations between a pharmacist and a patient, including when a medical cannabis product has not previously been dispensed to a patient'

(C) The Board of Pharmacy shall develop a process and promulgate regulations for issuing a permit to a therapeutic cannabis pharmacy, including the establishment of associated fees.

(D) A therapeutic cannabis pharmacy shall not dispense any controlled substances other than cannabis products.

Section 44-53-2100. (A) The department shall promulgate regulations:

(1) developing and establishing registry identification card application forms and the process for the issuance of registry identification cards for qualifying patients and designated caregivers, including a state and national fingerprint-based criminal records check for designated caregivers, and for the issuance, denial, suspension, and revocation of registry identification cards;

(2) establishing reasonable application and renewal fees for registry identification cards, provided that:

(a) the fees charged to qualifying patients and designated caregivers must be no greater than the costs of processing the applications and issuing registry identification cards;

(b) the department shall provide optional discounts for qualifying patient application and renewal fees based upon a qualifying patient's household income and shall waive all applicable fees for veterans; and

(c) the department may accept donations from private sources to reduce application and renewal fees; and

(3) providing guidelines for the types of evidence accepted to confirm that an applicant experienced one or more traumatic events. Acceptable evidence must include, but is not limited to, proof of military service in an active combat zone, that the person was the victim of a violent or sexual crime, or that the person was a first responder. The department shall not require details of the trauma.

(B) The department shall either create the necessary software for an electronic patient registry, or engage a company that can do so. The registry must be able to accept and store all necessary information pursuant to this article and department regulations.

(C) No later than ninety days after the effective date of the regulations promulgated pursuant to subsection (A), the department shall begin accepting applications for registry identification cards.

Section 44-53-2110. (A) A registry identification card issued pursuant to this section must be printed with tamper-resistant technology and contain, at a minimum, the following information:

(1) the name of the cardholder;

(2) the address of the cardholder;

(3) the cardholder's date of birth;

(4) a designation of whether the cardholder is a designated caregiver or qualifying patient;

(5) the date of issuance and expiration date of the registry identification card;

(6) a random alphanumeric identification number that is unique to the cardholder;

(7) if the cardholder is a designated caregiver, the random alphanumeric identification number of the qualifying patients that the designated caregiver is authorized to assist; and

(8) a photograph of the cardholder, if required by department regulations.

(B) Except as provided in this section or department regulations, a registry identification card shall expire one year after the date the written certification is signed by a physician.

(C) If a physician stated in the written certification that the qualifying patient is expected to recover from the debilitating medical condition in less than one year or that the qualifying patient is expected to benefit from medical cannabis products for less than one year, then the registry identification card shall expire on the date specified by the physician on the written certification.

(D) The department shall issue a registry identification card within twenty-five days of receiving a valid, complete electronic application and any other required materials from a qualifying patient applicant or designated caregiver applicant in accordance with this article.

Section 44-53-2130. (A) The department shall issue a registry identification card to a qualifying patient applicant who submits a valid, complete electronic application and, at a minimum, the following, in accordance with the department's regulations:

(1) the application or annual renewal fee set by the department;

(2) the name, residential and mailing address, email address, telephone number, and date of birth of the qualifying patient applicant, except that if the applicant is homeless, then no residential address is required;

(3) a recent passport-sized photograph of the qualifying patient applicant's face, if required by department regulations;

(4) the name, mailing address, and telephone number of the qualifying patient applicant's physician authorized by this article to certify the medical use of cannabis products;

(5) a written certification dated, signed, and submitted to the department by the physician. For a first-time qualifying patient applicant between the ages of eighteen and twenty-three, the qualifying patient must have written certifications dated, signed, and submitted to the department by two physicians;

(6) the name, address, date of birth, and any other contact information required by department regulations for each proposed designated caregiver. If more than one designated caregiver is designated at any given time, then the qualifying patient applicant must submit documentation demonstrating that the additional designated caregiver is needed due to the qualifying patient applicant's age, medical condition, or place of residence;

(7) a statement signed by the qualifying patient applicant agreeing not to divert cannabis products to anyone who is not allowed to possess cannabis products pursuant to this article and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the qualifying patient to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both;

(8) a questionnaire that asks if the qualifying patient applicant would like to be notified by the department of any clinical studies needing human subjects for research on the medical use of cannabis. The department shall notify interested patients of studies that will be conducted in the United States;

(9) the date of a pre-scheduled follow-up appointment with the qualifying patient applicant's physician, which shall be no later than six months after the date of the written certification. A follow-up appointment may be conducted in-person or through telemedicine; and

(10) for a patient whose debilitating medical condition is post-traumatic stress disorder, evidence that the person experienced trauma pursuant to Section 44-53-2100(A)(4).

(B) After a qualifying patient applicant has been approved for a registry identification card by the department, the department shall issue registry identification cards to associated designated caregiver applicants who submit a valid, complete electronic application and, at a minimum, the following, in accordance with department regulations:

(1) An associated designated caregiver applicant who is a natural person must submit:

(a) the application or annual renewal fee set by the department;

(b) the name, residential mailing address, email address, telephone number, date of birth, and any other contact information for the designated caregiver applicant as specified in department regulations;

(c) a recent passport-sized photograph of the designated caregiver applicant's face, if required by department regulations;

(d) a copy of the designated caregiver applicant's SLED and FBI criminal records checks, for which the designated caregiver applicant must pay the costs;

(e) a statement signed by the designated caregiver applicant agreeing not to divert cannabis products to anyone who is not allowed to possess cannabis products pursuant to this article and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the designated caregiver to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both; and

(f) a statement signed by the designated caregiver applicant agreeing to not consume cannabis products intended for a qualifying patient.

(2)(a) An associated designated caregiver applicant that is a facility licensed by the department that provides care to qualifying patients must submit:

(i) the application or annual renewal fee set by the department;

(ii) the facility's full name, business and mailing address, license number issued by the department, email address, and telephone number; the name, title, and signature of an authorized facility representative; and any other contact information for the designated caregiver applicant as specified in department regulations;

(iii) a statement signed by an authorized facility representative of the designated caregiver applicant agreeing not to divert cannabis products to anyone who is not allowed to possess cannabis products pursuant to this article and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the designated caregiver to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both; and

(iv) a statement signed by an authorized facility representative of the designated caregiver applicant agreeing to secure and ensure the proper handling of cannabis products intended for a qualifying patient.

(b) A staff member of a designated caregiver facility licensed by the department that provides care to qualifying patients must submit a designated caregiver application as a natural person in accordance with subsection (B) and may be required to provide additional proof of employment or contract with the designated caregiver facility.

(C) The department shall deny, suspend, or revoke a registry identification card for a designated caregiver applicant or designated caregiver if the designated caregiver applicant or designated caregiver has been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense, unless the designated caregiver applicant completed the sentence, including any term of probation or supervised release, at least fifteen years prior.

(D) Each patient applicant or, in the case of a minor, the parent or guardian of each minor patient applicant who applies for a registry identification card must be asked if he wants to participate voluntarily in observational studies and other data collection on medical cannabis, including those funded pursuant to Section 44-53-2020.

Section 44-53-2140. (A) The department may not issue a registry identification card to a person under eighteen years of age who is a qualifying patient applicant unless:

(1) a physician electronically submits a written certification to the department that certifies the minor's medical use of cannabis products and lists the designated custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor;

(2) the physician attests to explaining the potential risks and benefits of the medical use of cannabis products to the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor;

(3) the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor consents in writing to:

(a) allow the minor's medical use of cannabis products; and

(b)(i) serve as one of the minor's designated caregivers and determine the frequency and route of administration of cannabis products to the patient; or

(ii) designate another appropriate individual as caregiver for the patient; and

(4) the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor completes applications in accordance with the requirements of Section 44-53-2130 on behalf of the minor and as a caregiver to the minor.

(B) The department may not issue a registry identification card to an incapacitated person who is a qualifying patient applicant unless:

(1) a physician electronically submits a written certification to the department that certifies the incapacitated person's medical use of cannabis products and lists the designated person with the legal authority to make health care decisions on behalf of the incapacitated person;

(2) the physician attests to explaining the potential risks and benefits of the medical use of cannabis products to the person with the legal authority to make health care decisions on behalf of the incapacitated person;

(3) the person with the legal authority to make health care decisions on behalf of the incapacitated person consents in writing to:

(a) allow the incapacitated person's medical use of cannabis products;

(b) serve as one of the incapacitated person's designated caregivers; and

(c) determine the frequency and route of administration of cannabis products to the incapacitated person;

(4) the person with the legal authority to make health care decisions for the incapacitated person completes applications in accordance with the requirements of Section 44-53-2130 on behalf of the incapacitated person and as a caregiver to the incapacitated person; and

(5) the person submitting an application on the incapacitated person's behalf submits a signed statement agreeing not to consume cannabis or cannabis products intended for a qualifying patient.

(C) For a new patient applicant, not to include a renewal, the department may not issue a registry identification card to a patient applicant who is between the ages of eighteen and twenty-three years unless two physicians who have performed in-person exams and verified the patient applicant's debilitating medical condition submit a written certification to the department on behalf of the patient applicant.

(D) The department may not issue a registry identification card to a person who is employed in public safety, commercial transportation, or the operation of commercial machinery.

Section 44-53-2150. (A) A designated caregiver may serve only one patient, unless the caregiver:

(1) is a facility licensed by the department that provides care to qualifying patients; or

(2) is the spouse, parent, sibling, grandparent, child, or grandchild, whether related by whole or half blood, by marriage, or by adoption, of each qualifying patient.

(B) In no event may a natural person who is a designated caregiver serve more than two patients.

(C) A designated caregiver must be a natural person unless it is a facility licensed by the department that provides care to qualifying patients.

Section 44-53-2160. The department shall promulgate regulations governing facilities licensed by the department that provide care to qualifying patients and that serve as designated caregivers.

Section 44-53-2170. (A) Until ninety days after the department begins accepting applications for registry identification cards, a copy of a patient's valid, written certification issued and printed by the physician on tamper-resistant paper within the previous year must be deemed a registry identification card for the qualifying patient.

(B) Until ninety days after the department begins accepting applications for registry identification cards, the following must be deemed a registry identification card for a designated caregiver:

(1) a copy of a qualifying patient's valid, written certification issued and printed by a physician on tamper-resistant paper within the previous year; and

(2) a notarized affidavit attesting that the person has significant responsibility for managing the well-being of the qualifying patient and that the person has been chosen by the qualifying patient.

Section 44-53-2180. (A)(1) A qualifying patient shall notify the department of any change in his name, address, telephone number, or email address, or if he ceases to have a debilitating medical condition, not including if his debilitating medical condition or the underlying cause of the debilitating medical condition goes into remission due to medical cannabis, within thirty days of the change.

(2) A designated caregiver shall notify the department of any change in his name, address, telephone number, or email address, or if he becomes aware that the qualifying patient is deceased, within ten days of the change.

(3) Before a qualifying patient changes his designated caregiver, the qualifying patient shall notify the department.

(4) If a cardholder loses his registry identification card, then the cardholder shall notify the department within ten days of becoming aware that the card has been lost.

(B) If a cardholder notifies the department of an occurrence identified in subsection (A) and remains eligible for a registry identification card pursuant to this article, then the department shall issue the cardholder a new registry identification card with a new random alphanumeric

identification number within a reasonable time period, not to exceed fourteen business days, of receiving the updated information and a replacement card fee set by the department. If the person notifying the department is a qualifying patient, then the department shall also issue the qualifying patient's designated caregiver, if any, a new registry identification card within a reasonable time period, not to exceed thirty business days, of receiving the updated information and a replacement card fee set by the department.

(C) A cardholder who fails to notify the department as required by this section is subject to a civil penalty, punishable by a fine of not more than five hundred dollars per occurrence.

(D) If a qualifying patient's physician notifies the department in writing either that the qualifying patient has ceased to suffer from a debilitating medical condition, not including if the qualifying patient's debilitating medical condition goes into remission due to medical cannabis products, or that the physician no longer believes that the qualifying patient could benefit from the medical use of cannabis products, then the patient's and designated caregiver's registry identification cards shall become null and void; however, the qualifying patient shall have fifteen days to destroy all remaining cannabis products by returning it to a therapeutic cannabis pharmacy for destruction.

Section 44-53-2190. (A)(1) The Department of Health and Environmental Control, Bureau of Drug Control, shall establish and maintain a program to monitor the dispensing of all medical cannabis products by pharmacists licensed to dispense these substances, which shall be recorded in a secure web-based verification system.

(2) For each cardholder, the department shall include in the secure web-based verification system the:

(a) cardholder's name;

(b) cardholder's registration number;

(c) whether the cardholder is a qualifying patient or a designated caregiver;

(d) in the case of a designated caregiver, the associated patient's name, address, date of birth, and registry identification number;

(e) expiration date of the registry identification card;

(f) photograph;

(g) the allowable amount of cannabis product, if the physician specified an amount; and

(h) the name, address, and phone number of the certifying physician.

(B)(1) Before dispensing medical cannabis products, a therapeutic cannabis pharmacy shall:

(a) confirm the registry identification card presented at the therapeutic cannabis pharmacy is valid using the secure web-based verification system;

(b) verify each person presenting a registry identification card is the person identified on the registry identification card presented the pharmacist;

(c) determine the amount of cannabis dispensed to the qualifying patient directly or via the designated caregiver in the previous fourteen days; and

(d) ensure that the amount to be dispensed does not exceed the qualifying patient's limit.

(2) A therapeutic cannabis pharmacy shall electronically submit to the Bureau of Drug Control information regarding each dispensing of cannabis product. The following information must be submitted for authorization:

(a) the date and time that the cannabis product was dispensed;

(b) the qualifying patient or designated caregiver's registry identification card number;

(c) NDC code for the drug dispensed;

(d) quantity of cannabis product dispensed;

(e) whether the cannabis product to be dispense is directly to the qualifying patient or to the qualifying patient's designated caregiver;

(f) the approximate number of days supplied;

(g) the qualifying patient's name, address, and date of birth;

(h) the registry identification card number of the therapeutic cannabis pharmacy that dispensed the cannabis products, and

(i) the expiration date of the registry identification card.

(C) In developing the requirements for the secure web-based verification system, the department shall consider transmission methods and protocols provided in the latest edition of the 'ASAP Telecommunications Format for Controlled Substances,' developed by the American Society for Automation in Pharmacy.

(D) Information submitted to the Bureau of Drug Control and the secure web-based verification system is confidential and not subject to public disclosure under the Freedom of Information Act or any other provision of law, except as provided in (F) and (G).

(E) The Bureau of Drug Control shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information

collected, recorded, transmitted, and maintained is not disclosed, except as provided in subsections (F) and (G).

(F) If there is reasonable cause to believe that a violation of law or breach of professional standards may have occurred, then the Bureau of Drug Control shall notify the appropriate law enforcement agency or professional licensure, certification, or regulatory agency or entity and shall provide prescription information required for an investigation.

(G) The Bureau of Drug Control may provide data in the cannabis monitoring program to the following persons:

(1) a physician, pharmacist, or authorized delegate who requests information and certifies that the requested information is for the purpose of providing medical or pharmaceutical treatment to a bona fide patient;

(2) a qualifying patient or designated caregiver who requests the individual's own cannabis monitoring information in accordance with procedures established by law;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for licensure, regulation, or discipline of physicians, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances, and who is involved in a bona fide specific investigation involving a designated person;

(4) a local, state, or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of the laws governing illicit drugs and who is involved in a bona fide specific drug-related investigation involving a designated person;

(5) a properly convened grand jury pursuant to a properly issued subpoena for the records;

(6) personnel of the department and the Board of Pharmacy for purposes of administration and enforcement of this article;

(7) qualified personnel for the purpose of bona fide research or education; however, data elements that would reasonable identify a specific patient or dispenser must be deleted or redacted from such information prior to disclosure. Further, release of the information may only be made pursuant a written agreement between qualified personnel and the department in order to ensure compliance with this subsection;

(8) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause and manner of death of a designated person pursuant to Chapter 5, Title 17;

(9) a physician who requests the physician's own written certification history; and

(10) the presiding judge of a court pertaining to a specific case involving a designated person.

(H)(1) A pharmacist who knowingly fails to submit medical cannabis monitoring information to the Bureau of Drug Control, or to submit the information required in the verification system, as required by this article, or who knowingly submits incorrect information, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

(2) A person who knowingly discloses medical cannabis authorization monitoring information in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(3) A person who knowingly uses medical cannabis authorization monitoring information in a manner or for a purpose in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(4) A pharmacist or physician, licensed in Title 40, who knowingly discloses medical cannabis monitoring information in a manner or for a purpose in violation of this article shall be reported to his respective board for disciplinary action.

(I) Nothing in this chapter requires a pharmacist to obtain information about a patient from the medical cannabis authorization monitoring program. A physician or authorized delegate of a physician who knowingly fails to review a patient's controlled substance prescription history, as maintained in the prescription monitoring program, or a physician who knowingly fails to consult with his authorized delegate regarding a patient's controlled substance prescription history before issuing an authorization for a medical cannabis product, as required by this article, must be reported to his respective board for disciplinary action.

(J) For the purposes of this subsection, the system may only disclose to state and local law enforcement personnel the following, if the law enforcement personnel inputs a registry identification card number:

(1) whether the registry identification card is valid;

(2) the name, address, and date of birth of the cardholder;

(3) a photograph of the cardholder, if required by department regulations;

(4) whether the cardholder is a qualifying patient or a designated caregiver;

(5) the registry identification card number of any associated qualifying patients or designated caregivers; and

(6) only if accessed by a dispensary or authorized department personnel, the amount of medical cannabis products dispensed in the past fourteen days.

(K) An authorized employee of the department may access the secure web-based verification system in the course of his official duties.

Section 44-53-2195. (A) Medical cannabis product information received and maintained by the department pursuant to this article is confidential and not subject to public disclosure under the Freedom of Information Act or any other provision of law, except as provided in subsections (D) and (E) and Section 44-53-2190.

(B) The department shall maintain procedures to ensure that the privacy and confidentiality of qualifying patients and qualifying patient information collected, recorded, transmitted, and maintained is not disclosed, except as provided for in subsections (D) and (E) and Section 44-53-2190.

(C) The department shall maintain a confidential list of the persons to whom the department has issued registry identification cards and all of their information required in Section 44-53-2110. The department shall maintain a confidential list of any person who submitted a registry identification card application. The lists maintained pursuant to this subsection may not be combined or linked in any manner with any other list. The department may provide the names and contact information for patients who volunteer to participate in research to qualified personnel for the purpose of bona fide research or education pursuant to a written agreement between qualified personnel and the department.

(D) If there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, then the department shall notify the appropriate law enforcement or professional licensure, certification, or regulatory agency or entity and shall provide medical cannabis product information required for an investigation.

(E) The department may provide medical cannabis product information to the following persons:

(1) a physician who requests information and certifies that the requested medical cannabis product information is for the purpose of providing medical or pharmaceutical treatment in the course of a bona fide physician-patient relationship;

(2) a qualifying patient or designated caregiver who requests his own medical cannabis product information;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of any person authorized to prescribe,

administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;

(4) a local, state, or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of the laws governing licit or illicit drugs and who is involved in a bona fide specific drug-related investigation involving a designated person;

(5) a properly convened grand jury pursuant to a subpoena properly issued for the records;

(6) personnel of the department for the purposes of the administration and enforcement of this article;

(7) qualified personnel for the purpose of bona fide research, except that the department may only provide the names and contact information for qualifying patients who volunteer to participate in bona fide research, including observational studies or other data collection on medical cannabis product pursuant to Section 44-53-2130(D). Release of the information may only be made pursuant to a written agreement between qualified personnel and the department in order to ensure compliance with this subsection;

(8) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause and manner of death of a designated person pursuant to Chapter 5, Title 17;

(9) a physician who requests the physician's own written certification history; or

(10) the presiding judge of a drug court pertaining to a specific case involving a designated person.

Section 44-53-2200. (A) A qualifying patient may purchase cannabis products, industrial hemp for human consumption, or paraphernalia for medical use pursuant to this article from a therapeutic cannabis pharmacy, provided that a qualifying patient may not obtain more than an allowable amount of cannabis products in a fourteen-day period.

(B) A designated caregiver may purchase cannabis products or paraphernalia to assist a qualifying patient with the medical use of cannabis products pursuant to this article from a therapeutic cannabis pharmacy, provided that the designated caregiver and the designated caregiver's associated qualifying patient may not obtain more than an allowable amount of cannabis products for a fourteen-day period for each qualifying patient.

Section 44-53-2210. (A) A qualifying patient is not subject to arrest by state or local law enforcement, prosecution or penalty under state or

local law, or the denial of a right or privilege for the medical use of cannabis products pursuant to this article if the qualifying patient does not possess more than the allowable amount of cannabis products and is lawfully using medical cannabis products under this article.

(B) A designated caregiver is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for assisting a qualifying patient with the medical use of cannabis products pursuant to this article if the designated caregiver does not possess more than the allowable amount of cannabis products for each associated qualifying patient.

(C) A designated caregiver is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for transporting cannabis products or administering cannabis products to a qualifying patient, provided that the caregiver does so in compliance with regulations promulgated pursuant to this article.

(D) A cardholder is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for delivering or transporting an allowable amount of cannabis products to an independent testing laboratory.

(E) A cardholder is presumed to be lawfully in possession of cannabis products if the cardholder possesses an amount of cannabis products that does not exceed an allowable amount of cannabis products.

(F) If a cardholder is found to be in possession of cannabis products in an amount or type that exceeds an allowable amount of cannabis products, then the excess amount or type of cannabis products is subject to seizure by law enforcement and may not be returned. The cardholder is also subject to criminal charges for possession of the amount in excess of the allowable amount of medical cannabis products as provided in this article.

(G) The presumption provided for in subsection (E) may be rebutted by evidence that conduct related to the use of cannabis products was not for the purpose of treating or alleviating a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition pursuant to this article.

Section 44-53-2220. (A) It is unlawful for a physician to certify cannabis products to any person for the purposes of smoking or burning.

(B) It is unlawful for a cardholder to possess cannabis in plant form or to smoke cannabis or use a device to facilitate the smoking of cannabis.

(1) For a first offense, a violation of this subsection by a qualifying patient with one ounce or less of marijuana or ten grams of hashish is punishable by a civil fine of up to five hundred dollars.

(2) For a second or subsequent offense, a qualifying patient with one ounce or less of marijuana or ten grams of hashish is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days, or fined not less than one hundred dollars and not more than two hundred dollars. Upon approval by the solicitor and the magistrate or municipal judge, a conditional discharge may be granted pursuant to Section 44-53-450. A person charged with the offense of possession of marijuana or hashish under this subsection may be permitted to enter the pretrial intervention program pursuant to Article 1, Chapter 22, Title 17. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this subsection may have the sentence suspended and probation granted, and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits.

(C) A violation of this section for possession of more than an ounce of marijuana or ten grams of hashish is punishable pursuant to Section 44-53-370.

(D) A qualifying patient who violates this section a second or subsequent time may have his registry identification card suspended or revoked.

Section 44-53-2230. (A) This article does not authorize any person to engage in, and does not prevent the imposition of, any civil, criminal, or other penalties for engaging in the following conduct:

(1) undertaking any task under the influence of cannabis, if doing so would constitute negligence or professional malpractice;

(2) possessing cannabis or cannabis products or otherwise engaging in the medical use of cannabis products in any correctional facility;

(3) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat while under the influence of cannabis;

(4) using cannabis products if the person does not have a debilitating medical condition or possessing cannabis products if the person is not a qualifying patient, designated caregiver, medical cannabis establishment agent, or someone who is authorized to assist a qualifying patient under Section 44-53-2210;

(5) allowing any person who is not authorized to use cannabis products under this article to use cannabis products that a cardholder is allowed to possess under this article; or

(6) transferring cannabis products for medical use to any person contrary to the provisions of this article.

(B) Nothing in this article may be construed to prevent the arrest or prosecution of a qualifying patient for reckless driving or driving under the influence of cannabis products if probable cause exists. The mere presence of cannabis metabolites shall not automatically deem a person under the influence.

(C) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis products for medical use, knowingly making a misrepresentation to a law enforcement official of any fact or circumstance relating to the medical use of cannabis products to avoid arrest or prosecution is a misdemeanor and, upon conviction, is punishable by a fine of up to one thousand dollars per offense, in addition to any other penalties that may apply for making a false statement or for the use of cannabis products other than use undertaken pursuant to this article.

(D) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis products for medical use, knowingly making a misrepresentation of a medical condition to a physician or fraudulently providing material misinformation to a physician in order to obtain a written certification is a misdemeanor and, upon conviction, is punishable by a fine of up to one thousand dollars per offense.

(E) Any cardholder who sells cannabis products or is convicted of a criminal violation of this article shall have his registry identification card permanently revoked and is subject to other penalties for the unauthorized sale of cannabis. An individual who has had his registry identification card revoked for a criminal violation of this article may never be issued another registry identification card.

(F) Any qualifying patient who commits a violation of subsection (A)(3) or refuses a properly requested test related to operating any mode of transportation while under the influence of cannabis products shall have his registry identification card revoked for a period of one year.

(G) The diversion of cannabis products to any individual who is not allowed to possess cannabis products pursuant to this article is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the relevant cardholder to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both.

Section 44-53-2240. (A) The department may deny, revoke, or suspend the registry identification card of a qualifying patient or designated caregiver for a violation of this article or of department regulations. The qualifying patient or designated caregiver is also subject to other penalties established by law.

(B) A person whose registry identification card is denied, revoked, or suspended may request a hearing in the Administrative Law Court within thirty days of the receipt of written notification of the denial, revocation, or suspension and is not subject to the requirements set forth in Section 44-1-60.

Section 44-53-2250. (A) If a state or local law enforcement officer has probable cause to believe that cannabis products possessed at a specific address in violation of South Carolina law, then the officer may verify whether the address is associated with a qualifying patient, designated caregiver, or medical cannabis establishment through the department's verification system.

(B) The department may notify a law enforcement officer about falsified or fraudulent information submitted to the department.

Section 44-53-2260. (A) Except as provided in this article, a qualifying patient who uses cannabis products for medical use must be afforded the same rights under state and local law, including those guaranteed pursuant to Article 1, Chapter 9, Title 45, as the person would be afforded if the person was solely prescribed pharmaceutical medications, as pertaining to drug testing required by any state or local law, agency, governmental official, or state or local governmental employer.

(B) The rights provided by this section do not apply to the extent that they conflict with an entity's obligations under federal law or regulations, or to the extent that the rights would disqualify a state or local agency from a monetary or licensing-related benefit under federal law or regulations.

(C) Nothing in this article requires an employer to make any accommodation for the use of medical cannabis products on the property or premises of any place of employment, to allow the ingestion of cannabis products in any workplace, or to allow any employee to work while under the influence of medical cannabis products. This article in no way limits an employer's ability to discipline or terminate an employee for being under the influence of medical cannabis products in the workplace or for working while under the influence of medical cannabis products.

(D) No employer may be penalized or denied any benefit under state law for employing a cardholder.

(E) Except as otherwise provided by this section, the provisions of this chapter do not require any person, corporation, or other entity that occupies, owns, or controls a property to allow the vaporization of cannabis products on that property. A landlord may not prohibit a tenant who is a cardholder from vaporizing cannabis products that cannot be smelled outside of the cardholder's rented dwelling unless permitting cannabis product use conflicts with the landlord's obligations under federal law or regulations or would disqualify the landlord from a monetary or licensing-related benefit under federal law or regulations. This shall not be construed to require a landlord or other property owner to allow the vaporization of cannabis products in any of the following circumstances:

(1) the tenant is a roomer who is not leasing the entire residential dwelling;

(2) the residence is incidental to the provision of medical, geriatric, educational, counseling, religious, or similar service;

(3) the residence is a transitional housing facility; or

(4) the residence is a dormitory affiliated with an educational institution.

(F) Nothing in this article requires a motor carrier or private carrier, as defined in Section 58-23-1110, to make any accommodation for the use of cannabis products by any employee whose duties affect the safety of operation of motor vehicles in transportation on public roads.

Section 44-53-2265. (A) Nothing in this article shall require an employer to permit or accommodate any applicant or employee's use, consumption, or possession of, or impairment by, medical cannabis products in any form on its premises or during work-related activities. This article also does not affect the ability of a private employer to enforce a drug-free workplace policy or zero tolerance drug testing policy prohibiting any applicant or employee from having a detectable amount of marijuana metabolites in the applicant or employee's system.

(B) No employer may be penalized or denied any benefit under state law for employing a cardholder.

(C) This article does not create a private cause of action against a private employer for wrongful discharge, discrimination, or any other adverse employment action.

Section 44-53-2270. A person who is employed by, contracting with, or an agent of the State of South Carolina is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law,

or the denial of any right or privilege for engaging in conduct authorized by this article, if the conduct is within the scope of the person's employment.

Section 44-53-2280. (A) No school or landlord may refuse to enroll, lease to, or otherwise penalize a person solely for the person's status as a cardholder, unless:

(1) failing to do so would violate federal law or regulations or would cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations; or

(2) at the discretion of the landlord or manager, conduct due to a cannabis-related offense would give cause for a landlord or manager to deny or terminate Section 8 housing to a cardholder as dictated by federal law. Denials or terminations on the basis of cannabis-related conduct must be reported to the Attorney General's Office for assessment for racially discriminatory conduct or disparate racial impact.

(B) No school or landlord may be penalized or denied any benefit under state law for enrolling or leasing to a cardholder.

Section 44-53-2290. (A)A physician is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Medical Examiners or any other occupational or professional licensing entity, for providing a written certification as authorized by state law. A physician may not be sued for medical malpractice as a result of certifying a qualifying patient's medical use of cannabis products in accordance with this article; however, the immunities provided by this section shall not be construed to prevent a physician from being penalized or sued for violating the standard of care or for any violations of this article, including certifying a person for medical cannabis products who does not have a debilitating medical condition.

(B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy or any other occupational or professional licensing entity, for dispensing an authorization for cannabis products as authorized by state law. A pharmacist may not be sued for malpractice as a result of dispensing a qualifying patient's medical cannabis products in accordance with this article; however, the immunities provided by this section shall not be construed to prevent a pharmacist from being penalized or sued for violating the standard of care or for any violations of this article,

including dispensing medical cannabis products to a person who does not have a debilitating medical condition.

Section 44-53-2300. (A) For the purposes of this section:

(1) 'Financial institution' means a bank, savings and loan association, credit union, banking association, land bank, intermediate credit bank, bank for cooperatives, production credit association, land bank association, mortgage association, trust company, savings bank, or other banking or financial institution organized or operating under the laws of the United States or South Carolina.

(2) 'Financial services' includes receiving deposits, extending credit, conducting fund transfers, and transporting cash or financial instruments.

(B) A bank, savings and loan association, or credit union, licensed attorney, or certified public accountant, and all associated employees, are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, the denial of a right or privilege for engaging in conduct authorized by this article, or professional discipline for providing advice or services related to medical cannabis establishments or applications to operate medical cannabis establishments on the basis that cannabis is illegal under federal law.

(C) A licensed attorney, a certified public accountant, or another holder of a professional or occupational license may not be subject to professional discipline for providing advice or services related to medical cannabis establishments or applications to operate medical cannabis establishments on the basis that cannabis is illegal under federal law.

(D) An applicant for a professional or occupational license may not be denied a license based on previous employment related to cannabis products establishments operating in accordance with state law.

(E) A financial institution and agents operating on its behalf are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for providing financial services to medical cannabis establishments and applicants for medical cannabis establishments.

(F)(1) A medical cannabis establishment or its principal may request in writing that the department share a person's application, license, and other regulatory and financial information with a financial institution of the person's designation. The written request shall include a waiver authorizing the transfer of that information and any confidentiality or privilege that applies to that information.

(2) Notwithstanding any law that might proscribe the disclosure of application, license, and other regulatory and financial information, upon receipt of a written request and waiver pursuant to item (1), the department may share an application, license, and other regulatory and financial information with the financial institution designated by the licensee in the request for the purpose of facilitating the provision of financial services for that licensee.

(3) A person who provides a waiver may withdraw the waiver at any time. Upon receipt of the withdrawal of a waiver, the department shall cease to share application, license, or other regulatory or financial information with a financial institution.

Section 44-53-2310. A person is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for:

(1) being in the presence or vicinity of a qualifying patient engaged in the medical use of cannabis products or a designated caregiver assisting a qualifying patient with the medical use of cannabis products;

(2) being in the presence of a medical cannabis product establishment principal or agent engaged in conduct authorized pursuant to this article;

(3) assisting a qualifying patient with the act of using or administering cannabis products for medical use; or

(4) storing or otherwise possessing a registered qualifying patient's medical cannabis products on the patient's behalf at the patient's residence, a residential facility, a school, a daycare or health care facility, or a similar location that is caring for the qualifying patient.

Section 44-53-2320. (A) The lawful use of medical cannabis products pursuant to this article shall not be used as a relevant factor or evidence in proceedings regarding parental rights, child welfare, guardianship, decision making, or probate matters.

(B) A person entitled to the custody of, or visitation or parenting time with, a child must not be denied these rights for conduct allowed pursuant to this article unless the person's behavior is such that it creates an unreasonable danger to the safety of the child as established by clear and convincing evidence.

(C) This section shall not be construed to allow a person to engage in any conduct that would be negligent to undertake while impaired by cannabis.

Section 44-53-2330. For the purposes of medical care, including organ and tissue transplants, a qualifying patient's use of cannabis

products according to this article is considered the equivalent of the authorized use of any other medication used at the discretion of a physician and does not constitute the use of an illicit substance or otherwise disqualify the qualifying patient from needed medical care.

Section 44-53-2340. (A) The department shall create a commission to assist in promulgating regulations and to evaluate the qualifications of applicants for medical cannabis establishments. At a minimum, members of the commission must include:

(1) the director of the department, or his designee;

(2) the Director of the South Carolina Department of Labor, Licensing and Regulation, or his designee;

(3) the President of the South Carolina Board of Medical Examiners, or his designee;

(4) the Chief of SLED, or his designee;

(5) a sheriff designated by the South Carolina Sheriffs' Association;

(6) the Commissioner of the South Carolina Department of Agriculture, or his designee;

(7) a patient representative, appointed by the Governor;

(8) an industry representative, appointed by the Governor, subject to the limitation that, although the industry representative may participate in assisting with the process of promulgating regulations, the industry representative must not participate in the license-selection process if he has applied for or has an affiliation with a license applicant through family or business;

(9) an individual selected by South Carolina Advocates for Epilepsy;

(10) a certified public accountant or an attorney with expertise in contract law, appointed by the Governor;

(11) a representative of the African American community, appointed by the Governor in consultation with the South Carolina Commission for Minority Affairs; and

(12) a representative from the Board of Pharmacy.

(B) Members of the commission may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

(C) Upon the issuance of all of the cannabis establishment licenses pursuant to Section 44-53-2390, the commission shall dissolve, and any future license shall be chosen by the department based on the criteria established by the commission.

Section 44-53-2350. (A) The department shall promulgate regulations to:

(1) establish the form and content of a medical cannabis establishment license and renewal applications;

(2) establish a system to numerically score competing medical cannabis establishment applicants, and in cases in which more applicants apply than are allowed by the local government, the system must include an analysis of:

(a) the preference of the local government;

(b) in the case of therapeutic cannabis pharmacies, the suitability of the proposed location and its accessibility to patients;

(c) the character, veracity, diversity, residency, background, qualifications, and relevant experience of medical cannabis establishment principals and agents; and

(d) the business plan proposed by the medical cannabis establishment applicant, which in the case of cultivation centers and therapeutic cannabis pharmacies shall include the ability to maintain an adequate supply of cannabis products, plans to ensure the safety and security of patrons and the community, procedures to be used to prevent diversion, and any plan for making cannabis products available to low-income qualifying patients;

(3) ensure the equitable distribution of therapeutic cannabis pharmacies throughout the State in order for patients to have access to medical cannabis products, with a minimum of one therapeutic cannabis pharmacy per county, while preventing an overconcentration of therapeutic cannabis pharmacies in any one area;

(4) in coordination with the Division of Small and Minority Business Contracting and Certification, implement policies to:

(a) engage in outreach to encourage racial, ethnic, and gender diversity in the South Carolina medical cannabis industry;

(b) ensure that diverse groups are afforded equal opportunity in licensing; and

(c) develop policies for medical cannabis establishments to promote the participation of diverse groups and provide equal access to employment;

(5) govern medical cannabis establishments, with the goals of ensuring the health and safety of qualifying patients and preventing diversion and theft, without creating an undue burden or compromising the confidentiality of cardholders, including:

(a) oversight requirements;

(b) recordkeeping and inventory-management requirements;

(c) security requirements, which must be developed in consultation with SLED, including lighting, physical security, and alarm requirements and, in the case of a cultivation center, access controls, perimeter intrusion detection systems, personnel identification systems, and a twenty-four hour surveillance system to monitor the interior and exterior of the cultivation center, which are accessible to authorized law enforcement personnel and the department;

(d) health and safety regulations, including:

(i) restrictions on the use of pesticides that are injurious to human health; and

(ii) standards for testing cannabis and cannabis products, including specifying prohibited concentrations of heavy metals, pesticides, microbes, and other contaminants that are injurious to human health;

(e) standards for the manufacture of cannabis products and both the indoor and outdoor cultivation of cannabis by cultivation centers, including environmental impact regulations;

(f) requirements for the secure transportation and storage of cannabis and cannabis products by medical cannabis establishments, which must be developed in consultation with SLED;

(g) employment and training requirements, including requiring medical cannabis establishments to create, administer, and track an identification badge for each medical cannabis establishment agent and principal;

(h) standards for the safe manufacture of cannabis products, including extracts and concentrates;

(i) restrictions on the advertising, signage, and display of medical cannabis products, provided that the restrictions may not prevent appropriate signs on the property of a therapeutic cannabis pharmacy; listings in business directories, including phone books; listings in cannabis-related or medical publications; and the sponsorship of health or not-for-profit charity or advocacy events, provided that the restrictions must include:

(i) requirements that the medical cannabis establishment's logo, advertising, and signage be tasteful, respectful, and medically focused and must not appeal to minors or contain cartoon-like figures or attempts at humor;

(ii) requirements that medical cannabis establishments submit any logo or sign for review to the department in accordance with department regulations;

(iii) prohibitions on medical cannabis establishments from using marijuana leaves or slang for cannabis or cannabis products in or on their signs, logos, packaging, or structures;

(iv) limitations on the size or location of signs; and

(v) prohibitions against using neon-colored signage, logos, or packaging, or neon-colored signage or logos on structures;

(j) requirements and procedures for the safe and accurate packaging and labeling of medical cannabis, cannabis products, and industrial hemp for human consumption;

(k) standards for independent testing laboratories, including requirements for equipment and qualifications for personnel;

(l) protocol for the safe delivery of cannabis products from therapeutic cannabis pharmacies to cardholders, which must be developed after consulting with SLED;

(m) requirements and procedures to maintain sanitary conditions for facilities and equipment;

(n) odor mitigation measures to ensure cannabis or cannabis products cannot be smelled outside of the property of a medical cannabis establishment; and

(o) requirements for medical cannabis establishments to maintain a discreet, professional appearance that is compatible with existing commercial structures or land uses within the immediate area, including requirements to maintain the medical cannabis establishment in a manner to prevent blight, deterioration, diminishment, or impairment of property values within the vicinity of the medical cannabis establishment;

(6) establish procedures for suspending or revoking the licenses of medical cannabis establishments that commit multiple or serious violations of the provisions of this article or the regulations promulgated pursuant to this section;

(7) establish labeling requirements for cannabis, cannabis products, and industrial hemp for human consumption, which must require cannabis product labels to include the following:

(a) the length of time it typically takes for the product to take effect;

(b) the disclosure of ingredients and possible allergens;

(c) a nutritional fact panel; and

(d) the clear identification of edible cannabis products, if practicable, with a standard symbol indicating that the product contains cannabis;

(8) establish requirements and procedures for the safe, appropriate, and accurate packaging and labeling of medical cannabis products and industrial hemp for human consumption, including prohibiting the use of any images designed or likely to appeal to minors, including cartoons, toys, animals, or children; any other likeness to images, characters, or phrases that are popularly used to advertise to children; or any imitation of candy packaging or labeling;

(9) establish requirements to ensure that cannabis products and industrial hemp for human consumption are designed, marketed, and packaged in a manner that is appropriate for a medicinal product and that does not resemble commercially sold candies or other food that is typically marketed to children;

(10) establish restrictions on the forms, appearance, and flavor of edible cannabis products in order to reduce their appeal to minors, including prohibiting edible cannabis products in the shapes of cartoons, toys, animals, or people;

(11) establish reasonable application and renewal fees for medical cannabis establishments, which must generate revenues sufficient to offset all of the expenses of implementing and administering this article. Fees must be reviewed annually and, if appropriate, adjusted to meet the financial needs of the program without charging more than is reasonably necessary to administer the program;

(12) establish the standards and requirements necessary for an independent testing laboratory to be licensed;

(13) establish the standards of care and required testing to be carried out by an independent testing laboratory consistent with the guidelines promulgated by the American Herbal Pharmacopoeia;

(14) establish minimum capital requirements for each type of medical cannabis establishment that reasonably ensure medical cannabis establishment principal applicants have sufficient resources to open and operate a medical cannabis establishment without requiring more than reasonably necessary and allowing for some of the capital requirements to be satisfied by ownership of the real property and for resources to be pooled among multiple medical cannabis establishment principals; and

(15) establish standards and requirements necessary for the destruction of cannabis, cannabis products, and cannabis waste.

(B) At any time, the department may promulgate regulations allowing additional categories of medical cannabis establishments to operate, establishing fees for these medical cannabis establishments, or governing their operations.

(C) The department shall, no less frequently than every two years, reevaluate and at its discretion:

(1) determine the appropriate number and geographical density of licenses for cultivation centers, processing facilities, therapeutic cannabis pharmacies, and independent testing laboratories; and

(2) determine adjustments, if any, to application and licensing fees.

(D) After consulting with public health experts, medical professionals, and analysts who conduct health and safety research on vaporizers; reviewing federal regulations governing electronic nicotine delivery systems; and reviewing some other states' regulations on medical cannabis vaporization, the department shall promulgate regulations to foster the health and safety of patients using medical cannabis vaporization products. The regulations may include:

(1) mandating that all models of vaporization devices sold by therapeutic cannabis pharmacies be subject to laboratory testing, including stress tests and shelf-life tests;

(2) requiring laboratory testing of medical cannabis cartridges that are allowed to be used with vaporization devices, including testing of the aerosolized products;

(3) banning all additives, cutting agents, and flavorings that are known to be harmful;

(4) creating a list of any non-cannabis ingredients that are permitted to be included in medical cannabis cartridges, which have been identified as safe for inhalation, and specifying the proportion of those ingredients that are allowed in each cartridge;

(5) issuing standards for heavy metals included in hardware; and

(6) developing warning labels that must be included on vaporization devices, detailing any known risks.

Section 44-53-2360. (A) The department shall establish standards for and shall license up to five independent testing laboratories to test cannabis products that are to be sold in the State. An independent testing laboratory must analyze a representative sample of all cannabis products pursuant to Section 44-53-2450 before the sale or transfer to a therapeutic cannabis pharmacy by a processing facility.

(B) An independent testing laboratory must be responsible for selecting, picking up, and testing product samples and must be able to determine accurately:

(1) the concentration of tetrahydrocannabinol, cannabidiol, and other cannabinoids, if applicable;

(2) whether the testing material is organic or nonorganic;

(3) moisture content;

(4) allergens;

(5) potency;

(6) foreign matter, including heavy metals;

(7) microbiological screening results;

(8) residual solvent testing results;

(9) the presence and identification of fungi, including molds;

(10) the presence and concentration of fertilizers and other nutrients; and

(11) any other determinations required by the department.

(C) An independent testing laboratory shall report the results of all testing required by the department to the department's seed-to-sale tracking system.

Section 44-53-2370. (A) To prevent diversion and protect public safety, the department shall require the use of a single, real-time, seed-to-sale tracking system used by all medical cannabis establishments and by the department that complies with Health Insurance Portability and Accountability Act guidelines, is hosted on a platform that allows for the dynamic allocation of resources, provides data redundancy, and is capable of recovering from natural disasters within hours.

(B) The department shall require that the system be capable of:

(1) tracking all plants, products, packages, qualifying patients, waste, transfers, conversions, sales, and returns, and all with unique identification numbers;

(2) tracking lot and batch information throughout the entire chain of custody until the point of sale to a cardholder;

(3) tracking all products, conversions, and derivatives throughout the entire seed-to-sale chain of custody in real time;

(4) tracking plant, batch, and product destruction;

(5) tracking the transportation of products;

(6) performing complete batch recall tracking capabilities that must be able to clearly identify all of the following details relating to a specific batch subject to recall:

(a) all sold products;

(b) products available for sale that are in finished inventory but have not been sold;

(c) products that are in the transfer process;

(d) work-in-progress products, which are in the process of being converted; and

(e) raw material products, which are in the post-harvest stage of the process, such as drying, trimming, or curing;

(7) reporting and tracking loss, theft, or the diversion of products containing cannabis to the department;

(8) reporting and tracking all inventory discrepancies to the department;

(9) reporting and tracking all sales and refunds to the department;

(10) notifying the department in real time regarding when propagation sources are planted, when plants are harvested and destroyed, and when cannabis products are transported, sold, or destroyed;

(11) tracking all plants and products using a tagging methodology that is considered environmentally friendly and sustainable;

(12) tracking all plants and products using a tagging methodology that avoids adding an undue financial burden on cultivation centers, processing facilities, and therapeutic cannabis pharmacies;

(13) receiving testing results electronically from independent testing laboratories via a secure application program interface into the seed-to-sale tracking system and directly attaching the testing results to the source batch or sample;

(14) restricting the altering of test results;

(15) providing the department with real-time access to the database;

(16) providing real-time analytics to the department regarding key performance indicators including, but not limited to:

(a) total daily sales;

(b) total plants in production;

(c) total plants destroyed; and

(d) total inventory adjustments; and

(17) providing other information specified by the department.

(C) The department shall require the provider of the seed-to-sale system to:

(1) have a current security audit that is no more than twelve months old and that was performed by a third party certified to perform such audits, demonstrating the use of sound security measures and practices by the provider hosting the data or application processing the data, as defined by a nationally recognized security framework;

(2) submit an annual update on any open corrective action plans associated with the most recent audit's noted deficiencies;

(3) produce a new or updated audit every three years; and

(4) have experience implementing and maintaining a seed-to-sale tracking system of a similar size and nature for at least two other state government agencies without interruptions of service or security

breaches, or otherwise demonstrate the ability to implement and maintain such systems.

Section 44-53-2380. (A) It is not unlawful for a cultivation center to:

(1) possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack, transport, or store cannabis;

(2) possess, use, or manufacture cannabis paraphernalia;

(3) deliver, sell, supply, transfer, or transport cannabis, cannabis paraphernalia, or educational materials to processing facilities; or

(4) deliver, transfer, or transport cannabis to independent testing laboratories.

(B) It is not unlawful for a processing facility to:

(1) obtain, possess, process, manufacture, compound, convert, prepare, pack, repack, transport, or store cannabis or cannabis products;

(2) possess, use, or manufacture cannabis paraphernalia;

(3) deliver, sell, supply, transfer, or transport cannabis, cannabis products, industrial hemp for human consumption, or educational materials to therapeutic cannabis pharmacies or universities in South Carolina engaged in conducting Institutional Review Board-approved medical cannabis or cannabinoid research; or

(4) deliver, transfer, or transport cannabis or cannabis products to independent testing laboratories.

(C) It is not unlawful for a therapeutic cannabis pharmacy to obtain, possess, transport, or dispense cannabis products, industrial hemp for human consumption that has passed independent laboratory testing, cannabis paraphernalia, or educational materials to a cardholder in accordance with the requirements of this article or to universities in South Carolina engaged in conducting Institutional Review Board-approved medical cannabis or cannabinoid research.

(D) It is not unlawful for an independent testing laboratory to possess or transport cannabis, cannabis products, or cannabis paraphernalia in accordance with the requirements of this article.

(E) It is not unlawful for a transporter to possess or transport cannabis, cannabis products, or cannabis paraphernalia in accordance with the requirements of this article.

(F) It is not unlawful for a grower of industrial hemp who is permitted pursuant to Chapter 55, Title 46 to sell or transport industrial hemp for human consumption to a therapeutic cannabis pharmacy, provided that the industrial hemp products for human consumption are

compliant with all regulations regarding laboratory testing, packaging, and labeling as determined by the department.

(G) It is not unlawful for the University of South Carolina School of Medicine, the Medical University of South Carolina, or a professor or student working on an advanced degree who is conducting Institutional Review Board-approved research to possess, store, or administer medical cannabis or cannabinoids to human or animal subjects in accordance with any department rules.

(H) Industrial hemp operations and individuals who have been issued permits pursuant to Section 46-55-20, relating to the cultivation of industrial hemp, are authorized to provide industrial hemp for human consumption to processing facilities or therapeutic cannabis pharmacies licensed pursuant to this article.

(I) A medical cannabis establishment is not subject to prosecution, search, seizure, or penalty in any manner and may not be denied any right or privilege, including civil penalty or disciplinary action by a court, or business-licensing board or entity, for engaging in activities related to cannabis that are not unlawful under South Carolina law pursuant to this article.

(J) A medical cannabis establishment principal and medical cannabis establishment agent are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for engaging in activities related to cannabis that are not unlawful under South Carolina law pursuant to this article.

(K) Nothing in this article may be construed to prohibit medical cannabis establishments from processing, producing, or selling products for human consumption from industrial hemp.

Section 44-53-2390. (A) The department shall issue licenses to the following numbers of qualified medical cannabis establishment applicants:

(1) fifteen cultivation center licenses;

(2) thirty processing facility licenses;

(3) four transporter licenses;

(4) one therapeutic cannabis pharmacy license for every twenty pharmacies with a state-issued permit in the State; and

(5) five independent testing laboratory licenses.

(B) In order to be licensed as a medical cannabis establishment, a medical cannabis establishment principal applicant shall submit to the department a completed electronic application signed by each medical cannabis establishment principal that, at a minimum, includes the following:

(1) a nonrefundable application fee to be determined by the department;

(2) proof that the applicant has sufficient liquid and non-liquid assets to open and operate the medical cannabis establishment, as determined by the department through regulation;

(3) on renewal, a financial statement reviewed by a licensed certified public accountant or a licensed public accountant in accordance with generally accepted accounting principles, including all disclosures required by generally accepted accounting principles;

(4) the legal name of the proposed medical cannabis establishment;

(5) the physical address of the proposed medical cannabis establishment, which:

(a) shall not be within one thousand feet of a public or private school existing before the date the medical cannabis establishment application is received by the department, except as provided in Section 44-53-2420;

(b) if a therapeutic cannabis pharmacy applicant, shall be located in an area zoned for commercial use; and

(c) if a processing facility or cultivation center applicant, shall be located in an area zoned for manufacturing or agricultural use;

(6) a sworn statement certifying that the proposed medical cannabis establishment is in compliance with local government zoning restrictions, if applicable;

(7) a copy of any local registration, license, or permit required by local government for the proposed medical cannabis establishment;

(8) the name, date of birth, and contact information for each principal of the proposed medical cannabis establishment, with a copy of a SLED and an FBI criminal records check for each principal, paid for by the principal;

(9) operating procedures for the proposed medical cannabis establishment to ensure accurate recordkeeping and adequate security measures;

(10) a security plan that meets all requirements promulgated by the department, which, in connection therewith, shall consult with and receive input from SLED;

(11) for a cultivation center applicant, documentation demonstrating that the applicant has appropriate expertise in agriculture and is qualified to process cannabis to sell, deliver, transport, or distribute solely for use pursuant to this article;

(12) for a processing facility applicant, documentation demonstrating that the applicant is qualified to process medical cannabis into cannabis products, utilizing industry standards for the safe handling of food products and consistency in production;

(13) for an independent testing laboratory applicant, documentation demonstrating that the applicant meets the standards and requirements for accreditation, inspection, and testing established through regulation by the department;

(14) a medical cannabis establishment applicant's plan to hire employees from within the community in which it will be operating; and

(15) for a medical cannabis establishment applicant who is applying for more than one license, a notation on the application regarding the additional licenses for which the applicant has applied.

(C)(1) Except as provided in items (2) and (3), if a licensee is not operable within twelve months of the issuance of a license, then the license is void, and the department shall within thirty days issue a license to the most qualified applicant in accordance with this article.

(2) A licensee may request and shall be granted one or more three-month extensions of the deadline if it is able to show a cause of delay that was out of the licensee's control, despite exhibiting concerted efforts to begin operation in time to meet the deadline.

(3) A licensee shall not be considered 'not operational' for the purposes of this subsection if it is a processing facility or therapeutic cannabis pharmacy and is not operational solely because sufficient cultivation facilities have not begun harvesting and distributing cannabis to supply it with cannabis.

(D) No license issued to a medical cannabis establishment is transferable until the expiration of twenty-four months from the date of issuance by the department, and until at least twelve months have passed since the medical establishment began operations.

(E) If a smaller number of qualified applicants applies for any type of medical cannabis establishment license than the department is required to issue, then the department shall issue licenses to all qualified applicants for that type of license.

(F) Prior to operating, a medical cannabis establishment shall pay a nonrefundable license fee in an amount determined by the department.

(G) The department shall issue a renewal license within thirty days of receiving, prior to the expiration of the license, a completed electronic license renewal application signed by each medical cannabis establishment principal and the renewal fee from a medical cannabis

establishment if the license is not under suspension or has not been revoked.

(H) Medical cannabis establishments must notify the department of any changes in medical cannabis establishment principals and must include their name, date of birth, contact information, a copy of a SLED and an FBI criminal records check, and any other information required by department regulations.

(I) The department shall deny, suspend, or revoke a medical cannabis establishment license if any medical cannabis establishment principal applicant or medical cannabis establishment principal has been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense, unless the medical cannabis establishment principal applicant or medical cannabis establishment principal completed the sentence, including any term of probation or supervised release, at least five years prior.

Section 44-53-2400. (A) A medical cannabis establishment shall issue an identification card to each medical cannabis establishment agent and medical cannabis establishment principal in accordance with department regulations before the person begins working at the medical cannabis establishment.

(B) A medical cannabis establishment shall request and obtain a SLED and an FBI criminal records check for every person seeking to become a medical cannabis establishment agent within the ninety days before the person is issued an identification card or begins working at a medical cannabis establishment.

(C) A medical cannabis establishment may only issue an identification card to a medical cannabis establishment agent and allow them to work for the medical cannabis establishment if:

(1) the person is twenty-one years of age or older;

(2) the person has not been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense, or if the person completed the sentence, including any term of probation or supervised release, at least five years prior;

(3) the person is not included in the list of individuals who are not allowed to serve as medical cannabis establishment agents or principals, if the department maintains and disseminates such a list pursuant to Section 44-53-2490; and

(4) the person has completed, or indicated in writing that he will complete within ninety days of being hired, an educational requirement approved by the department.

(D) Each medical cannabis establishment shall retain all records documenting compliance with this article with regard to medical cannabis establishment agents and medical cannabis establishment principals for at least five years after the end of their employment.

Section 44-53-2410. (A) The department is responsible for performing inspections of medical cannabis establishments and investigating suspected violations of this article and of department regulations and is primarily responsible for other duties with respect to regulating cannabis and cannabis products for medical use, as are specifically delegated to the department by the General Assembly.

(B) A medical cannabis establishment is subject to inspection by the department.

(C) During an inspection, the department may review the medical cannabis establishment's records required pursuant to this article and department regulations. Medical cannabis establishment records must track qualifying patient-specific and designated caregiver-specific information, if applicable, by registry identification card number to protect confidentiality.

(D) The department shall establish and charge an inspection fee in an amount to be determined by the department that will cover the expense to the department for conducting an inspection.

(E) The department may contract with state occupational or professional licensing entities and the law enforcement division of other state agencies to enforce the provisions of this article with respect to inspections and audits that apply to cultivation centers, processing facilities, therapeutic cannabis pharmacies, transporters, and independent testing laboratories.

(F) Authorized employees of state or local law enforcement agencies shall immediately notify the department if any person in possession of a registry identification card has been determined by a court of law to have willfully violated the provisions of this article or has pled guilty to an offense.

Section 44-53-2420. (A) Except as provided in this section, a medical cannabis establishment may not be located within one thousand feet of a school. This distance must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds of the school.

(B) The department has the discretion to allow an exception to the prohibition in subsection (A) if it is shown by the applicant that the exception is necessary to provide adequate access to patients. The department may require as part of granting an exception that the medical

cannabis establishment undertake additional security or other restrictions to protect children as determined by the department.

Section 44-53-2430. (A) A local government may enact ordinances or regulations not in conflict with this article or with regulations enacted pursuant to this article, governing the time, place, manner, and number of medical cannabis establishment operations in the locality. A local government may establish penalties for the violation of an ordinance or regulation governing the time, place, and manner of a medical cannabis establishment that may operate in the locality.

(B) No local government may prohibit medical cannabis establishments, either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction.

(C) The burden for compliance with zoning or land use regulations and the requirements for seeking a variance should be no greater for a cannabis-related business than for any other similar business.

(D) A local government may not impose any tax or fee for the sale of medical cannabis products sold in a therapeutic cannabis pharmacy.

Section 44-53-2440. (A) Medical cannabis establishments shall implement appropriate security measures in accordance with regulations promulgated by the department, which shall be developed by the department after consulting with and receiving input from SLED, designed to deter and prevent the theft of cannabis and cannabis products and unauthorized entrance into areas containing cannabis or cannabis products.

(B) All cultivation centers and processing facilities must conduct cultivation, harvesting, processing, and packaging of cannabis and cannabis products in a secure facility at a physical address provided to the department and SLED during their license application process. A processing facility or cultivation center may only be accessed by medical cannabis establishment agents, medical cannabis establishment principals, authorized department personnel, law enforcement personnel, emergency personnel, and adults who are twenty-one years of age and older who are accompanied by medical cannabis establishment agents or principals.

(C) All medical cannabis establishments are subject to random inspection by the department and SLED in accordance with regulations promulgated by the department, which shall be developed by the department after consulting with and receiving input from SLED.

Section 44-53-2450. (A) The department shall require each cultivation center and processing facility to conduct routine testing, at a

minimum, of cannabis and cannabis products at an independent testing facility in accordance with department regulations.

(B) A cultivation center shall test each strain's cannabinoid profile per harvest.

(C) A processing facility shall test each extraction batch and each batch of ingestible products manufactured.

Section 44-53-2460. (A) All cultivation center cannabis by-product, cannabis scrap, and harvested cannabis not intended for distribution to a processing facility or independent testing laboratory must be destroyed and disposed of in accordance with department regulations. Documentation of destruction and disposal must be retained by the cultivation center for a period of not less than one year. The cultivation center shall maintain a record of the date of destruction and the amount destroyed.

(B) A therapeutic cannabis pharmacy shall destroy all cannabis products that are not sold to qualifying patients or designated caregivers in accordance with department regulations. The therapeutic cannabis pharmacy shall retain documentation of the destruction and disposal for a period of not less than one year. The therapeutic cannabis pharmacy shall maintain a record of the date of destruction and the amount destroyed.

(C) A therapeutic cannabis pharmacy shall destroy all unused cannabis products that are returned to the therapeutic cannabis pharmacy by a former qualifying patient who no longer qualifies for the use of medical cannabis or his caregiver.

Section 44-53-2470. (A) Each therapeutic cannabis pharmacy must employ a pharmacist-in-charge who is licensed by the state as a pharmacist and who completed a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy as provided by Section 44-53-2095. A pharmacist must be reasonably available during business hours to advise and educate patients in person and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist violates the applicable standard of care.

(B) Each pharmacist who dispenses cannabis products to qualifying patients must complete a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy prior to dispensing cannabis products. The continuing education course must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, side effects, therapeutic contraindications, potential interactions, and cannabinoid profiles.

(C)(1) All items sold at a therapeutic cannabis pharmacy must be properly labeled and contained in child-resistant packaging. Each label must comply with state laws and regulations and, at a minimum, must include:

(a) the name of the therapeutic cannabis pharmacy;

(b) the percentage of tetrahydrocannabinol and the percentage of cannabidiol within a profile tolerance range of ten percent. For edible cannabis products, the cannabinoid profile should be listed by milligrams per serving;

(c) the name of the cultivation center and processing facility; and

(d) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads, 'NOT FOR RESALE. FOR MEDICAL USE ONLY. KEEP OUT OF THE REACH OF CHILDREN AND ANIMALS'.

(2) Labels shall not include strain names but may include cannabinoid and terpene profiles for identification.

(3) All cannabis products purchased in therapeutic cannabis pharmacies should be placed in child-resistant exit packaging before leaving the therapeutic cannabis pharmacy.

(D) A therapeutic cannabis pharmacy shall not allow a person under the age of eighteen to enter a therapeutic cannabis pharmacy unless the minor is accompanied by his parent, legal guardian, or designated caregiver.

Section 44-53-2480. (A) After consulting with medical professionals who are knowledgeable about the risks and benefits of cannabis and cannabis products, the department shall develop a scientifically accurate safety information flyer, which shall be provided to each person applying for a registry identification card. The flyer must be offered at every therapeutic cannabis pharmacy when a medical cannabis product is dispensed. It must include:

(1) advice about the potential risks of the use of medical cannabis products, including:

(a) the variability of quality and concentration of cannabis products;

(b) the risk of cannabis and cannabis product use disorder and resources to reach out to for help;

(c) any potential exacerbation of psychotic disorders and any adverse cognitive effects for children and young adults;

(d) potential adverse events and other risks, including falls or fractures;

(e) the risks of using cannabis products during pregnancy or breast feeding; and

(f) the need to safeguard all cannabis and cannabis products from children and pets or other domestic animals;

(2) a notification that medical cannabis products are for a qualifying patient's use only and that cannabis products should not be donated or otherwise supplied to another individual;

(3) a warning that qualifying patients should not drive or operate heavy machinery while under the influence of medical cannabis; and

(4) a disclosure that under the United States government's 1986 Gun Control Act, any 'unlawful' user of a controlled substance is prohibited from purchasing or owning a gun, that federally licensed gun dealers must ask prospective customers about drug use habits before approving a purchase, and that because cannabis is a Schedule I substance under federal law, the United States government maintains that there is no way to use cannabis products lawfully.

(B) The department shall make the information identified in subsection (A) available online with a link to the information conspicuously located on the department's website.

Section 44-53-2490. (A) The department may deny, suspend, or revoke the license of a medical cannabis establishment as a result of a violation of this article or department regulations.

(B) The department may require medical cannabis establishments to ban an individual from serving as a medical cannabis establishment agent or principal at any medical cannabis establishment for a violation of this article or department regulations. The department may maintain and disseminate to each medical cannabis establishment a list of individuals who are prohibited from serving as a medical cannabis establishment agent or principal.

(C) The department shall create a tiered structure for the identification, investigation, and resolution of potential violations of this article and department regulations.

(D) Medical cannabis establishments must be granted a reasonable resolution period established by the department to implement corrective actions acceptable to the department.

(E) The department shall create a progressive penalty structure for violations of this article and department regulations.

(F) The department is authorized to impose monetary penalties on a medical cannabis establishment for violations of this article.

(G) If a medical cannabis establishment's license is denied, suspended, or revoked, then the medical cannabis establishment may

request a hearing in the Administrative Law Court, and is not subject to the requirements set forth in Section 44-1-60, within thirty days of the receipt of written notification of the denial, suspension, or revocation.

Section 44-53-2500. (A) The department may develop, seek any necessary federal approval for, and carry out research programs relating to the medical use of cannabis. Participation in any research program must be voluntary on the part of a qualifying patient, designated caregiver, or physician.

(B) The department shall collect data on the efficiency and safety of medical cannabis products from qualifying patients who voluntarily provide this information. The department may require therapeutic cannabis pharmacies to collect that information from qualifying patients who voluntarily provide it.

(C) Physicians who issue written certifications may, but are not required to, participate in data collection.

Section 44-53-2510. (A) The department shall provide a report to the General Assembly by the second Tuesday of each year addressing the effectiveness of the medical cannabis program operated pursuant to this article and recommendations for any changes to the program.

(B) The report must, without disclosing any identifying information about cardholders, physicians, qualified patients, designated caregivers, or medical cannabis establishments, contain the following, at a minimum:

(1) the number of registry identification card applications submitted, approved, and renewed;

(2) the number of qualifying patients and designated caregivers served by each medical cannabis establishment during the report year;

(3) the nature of the debilitating medical conditions of the qualifying patients and a breakdown of qualifying patients by age group;

(4) the efficacy of or satisfaction with medical cannabis products on a yes-no questionnaire as submitted by qualifying patients in a voluntary, anonymous survey, which may be conducted online or through therapeutic cannabis pharmacies;

(5) the number of registry identification cards denied, suspended, or revoked;

(6) the number of physicians providing written certifications for qualifying patients; and

(7) the number and type of medical cannabis establishments by county.

(C) After two years, the department shall evaluate the efficacy of cannabis as medicine and make a recommendation with regard to the

rescheduling of cannabis on a lower schedule in the State of South Carolina." /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 9

Senators CROMER and KIMBRELL proposed the following amendment (150R017.SP.RWC), which was withdrawn:

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

/SECTION __. This act shall be repealed on January 31, 2029. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator CROMER, with unanimous consent, the amendment was withdrawn.

Amendment No. 10

Senators CASH, CROMER and KIMBRELL proposed the following amendment (150R020.SP.RJC), which was adopted:

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

/SECTION __. This act shall be repealed on December 31, 2028./

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 11

Senator CORBIN proposed the following amendment (150R021.SP.TDC), which was carried over:

Amend the bill, as and if amended, on page 12, by striking lines 15 through 17 and inserting:

/(i) a review of other measures attempted to ease the suffering caused by the debilitating medical condition that do not involve cannabis products for medical use, including chiropractic interventions; /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was carried over.

Amendment No. 12

Senator SENN proposed the following amendment (150R033.SP.SS), which was adopted:

Amend the bill, as and if amended, on page 9, lines 29 through 37, by striking Section 44-53-2040 and inserting:

/ Section 44-53-2040. (A) All sales of medical cannabis products are subject to a six percent sales tax at the point of sale.

(B) On the twentieth day of each month, each dispensary shall pay the taxes due on all cannabis products sold in the prior calendar month.

(C) All revenue collected pursuant to subsection (A) must be placed in the South Carolina Medical Cannabis Program Fund.

(D) This section shall not be construed as a limitation on a local government to impose a local option sales tax pursuant to Chapter 10 of Title 4. /

Amend the bill further, as and if amended, on page 49, lines 5 and 6, by striking Section 44-53-2430(D).

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator DAVIS spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 13

Senator SENN proposed the following amendment (150R031.SP.SS), which was carried over:

Amend the bill, as and if amended, beginning on page 4, Section 44-53-2010(8)(a), by striking lines 15 through 16 and inserting:

/(a) a diagnosis that has been determined by a physician of one or more of the following that also results in a debilitated condition: /

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 14

Senator SENN proposed the following amendment (150R032.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 28, Section 44-53-2230(B), by striking lines 36 through 40 and inserting:

/(B) Nothing in this article may be construed to prevent the arrest or prosecution of a qualifying patient for reckless driving or driving under the influence of cannabis products if probable cause exists. The mere presence of cannabis metabolites shall not automatically deem a person under the influence. If a qualified patient refuses to submit to a blood sample test, as provided in Section 56-5-2950, then the qualified patient's privilege to drive is suspended for at least six months and his registry identification card is revoked. The qualified patient has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension. If the person does not request a contested case hearing or if the qualified patient's suspension is upheld at the contested case hearing, then the qualified patient shall enroll in an Alcohol and Drug Safety Action Program. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator MARTIN spoke on the amendment.

Senator HUTTO spoke on the amendment.

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

Amendment No. 15

Senator SENN proposed the following amendment (150R028.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 44, Section 44-53-2390(A)(4), by striking lines 17 and 18 and inserting:

/ (4) no more than two dispensaries in any single county; and/

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

Amendment No. 16

Senator SENN proposed the following amendment (150R030.SP.SS), which was carried over:

Amend the bill, as and if amended, beginning on page 10, lines 5 through 43, and on page 11, lines 1 and 2, by striking Section 44-53-2060.

Amend the bill further, as and if amended, on page 5, lines 3 through 5, by striking Section 44-53-2010(8)(c).

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

Amendment No. 17A

Senator SENN proposed the following amendment (150R046.SP.SS), which was carried over:

Amend the bill, as and if amended, beginning on page 10, by striking lines 5 through 43, and on page 11, by striking lines 1 and 2 and inserting:

/Section 44-53-2060. (A) There is created a Medical Cannabis Advisory Board, which must be comprised of:

(1) one member appointed by the director of the department, or his designee;

(2) the following members appointed by the Governor, upon the advice and consent of the Senate:

(a) two licensed medical doctors authorized by the State to practice medicine who do not prescribe medical cannabis;

(b) two licensed doctors of osteopathic medicine who do not prescribe medical cannabis;

(c) two licensed medical doctors who are board-certified to practice addiction medicine in South Carolina;

(d) one research scientist with expertise in the field of cannabinoid medicine;

(e) one licensed pharmacist who does not dispense a medical cannabis product;

(f) one licensed pharmacist who is authorized to dispense a medical cannabis product;

(g) one cardholder or one parent of a minor qualifying patient. For an appointment made before registry identification cards are issued, this provision applies to one cardholder or one parent of a minor with a debilitating medical condition who intends to use medical cannabis; and

(B) The advisory board shall meet at least two times per year for the purpose of reviewing petitions to add debilitating medical conditions.

(C) At least once every one hundred eighty days, the advisory board shall review petitions; consult with experts in South Carolina and other states with medical cannabis programs, as well as any available research; and, if necessary, hold public hearings before voting on whether to add a certain condition as a debilitating medical condition.

(D) Members of the advisory board serve a term of four years or until their successors are appointed and qualify. A vacancy on the advisory board must be filled in the manner of the original appointment for the remainder of the unexpired term.

(E) Members of the advisory board may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

(F) Members of the advisory board may not also be a qualified patient and in possession of a registration identification card. Prior to being appointed to the advisory board, the department shall certify that the appointee does not have a current registration identification card. The department shall advise the Governor of any appointee who has previously had a registration identification card and the circumstances under which the card is no longer valid. If a member of the advisory board becomes a qualified patient, then he shall resign from the advisory board and notify the department and the Governor. /

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 18

Senator SENN proposed the following amendment (150R037.SP.SS), which was tabled:

Amend the bill, as and if amended, on page 3, lines 7 through 9, by striking Section 44-53-2010(1)(a)(iii) and inserting:

/ (iii) cannabis products for use in an inhaler that contain a metered dose of no more than eight thousand, two hundred milligrams of delta-9-tetrahydrocannabinol. This provision shall not be construed as allowing cannabis products for use by vaporization; or /

Amend the bill further, as and if amended, beginning on page 39, lines 29 through 42, and page 40, lines 1 through 10, by striking Section 44-53-2350(D) and inserting:

/(D)(1) After consulting with public health experts, medical professionals, and analysts who conduct health and safety research on cannabis inhalers and reviewing some other states' regulations on medical cannabis inhalers, the department shall promulgate regulations to foster the health and safety of patients using medical cannabis inhalers. The regulations may include:

(1) mandating that all models of inhalers sold by dispensaries be subject to laboratory testing, including stress tests and shelf-life tests;

(2) requiring laboratory testing of medical cannabis inhaler cartridges that are allowed to be used with inhaler devices, including testing of the aerosolized products;

(3) creating a list of any non-cannabis ingredients that are permitted to be included in medical cannabis inhalers, which have been identified as safe for inhalation, and specifying the proportion of those ingredients that are allowed in each cartridge;

(4) issuing standards for heavy metals or plastics included in hardware; and

(5) developing warning labels that must be included on inhalers, detailing any known risks.

(2) This subsection shall not be construed as applying to methods of vaporization. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 19

Senator SENN proposed the following amendment (150R034.SP.SS), which was adopted:

Amend the bill, as and if amended, on page 48, lines 40 through 43, by striking Section 44-53-2430(B) and inserting:

/ (B) A local government may prohibit medical cannabis establishments from operating in the jurisdiction. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator CAMPSEN spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 20

Senator SENN proposed the following amendment (150R029.SP.SS), which was tabled:

Amend the bill, as and if amended, on page 5, lines 22 through 26, by striking Section 44-53-2010(13).

Amend the bill further, as and if amended, on page 3, by striking line 4 and inserting:

/but not limited to, oils, tinctures, or capsules that /

Amend the bill further, as and if amended, on page 3, by striking lines 38 and 39 and inserting:

/ingestion by humans. The term includes, but is not limited to, a beverage, topical product, ointment, oil, /

Amend the bill further, as and if amended, on page 38, by striking lines 17 through 21 and inserting:

/(b) the disclosure of ingredients and possible allergens; and

(c) a nutritional fact panel. /

Amend the bill further, as and if amended, on page 38, by striking Section 44-53-2350(10) in lines 35 through 38.

Amend the bill further, as and if amended, on page 51, by striking lines 3 and 4 and inserting:

/percent; /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 21

Senator SENN proposed the following amendment (150R038.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 50, lines 16 through 31 by striking Section 44-53-2470(A) and inserting:

/Section 44-53-2470. (A)(1) Each dispensary must employ at least one pharmacist who is licensed by the State and who has completed a medical cannabis continuing education course approved by the South Carolina Board of Medical Examiners. The dispensary may employ and contract with or employ at least one physician assistant or clinical practice nurse who is licensed by the State and who has completed a medical cannabis continuing education course approved by the South Carolina Board of Medical Examiners. The continuing education course must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles.

(2) A pharmacist must be present during business hours to advise and educate patients in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist, physician assistant, or clinical practice nurse violates the applicable standard of care.

(3) A physician assistant or clinical practice nurse must be reasonably available during business hours to advise and educate patients, in person or by telemedicine and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist, physician assistant, or clinical practice nurse violates the applicable standard of care. A physician assistant or clinical practice nurse may contract with multiple dispensaries. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

Remarks by Senator SENN

So colleagues I rise to talk on the amendment. I'm definitely going to talk on the amendment, but before I get into the meat of this particular amendment I wanted to tell you some things -- how I feel about the Bill, and also show you some things that I saw when I was watching the testimony in Medical Affairs. And I do that because I am well aware that Senator DAVIS has worked very hard seven years to get this Bill passed. He also has confidently spoken, not only to the newspaper over the weekend, but also to a national medical group last weekend, and stated that he knows he has 23 votes out of 45 Senators. And I have no reason to doubt him. So with that being said, over the weekend, I came very close to just withdrawing my amendments because I don't want to waste anybody's time. If he's got the votes, he's got the votes. Then I woke up this morning and I thought, you know what, the one thing I never want to do is leave this State worse than when I found it. And as a mother of three, I can tell you, I honestly believe that this Bill will lead us to trouble, and it will lead the State to where it is going to be worse than when I found it. So like I said, one of the things that struck me when I was thinking about this this morning is that the Bill, in and of itself, is called the Compassionate Care Act. That implies that we are trying to help people with serious medical illnesses, and I do believe that Senator DAVIS does want to help people with serious medical illnesses. But we need to have an intellectually honest conversation because to simply say, oh well don't worry about things turning medical -- from medical to recreational, just because South Carolina is so conservative -- well that's just disingenuous. You have to look at the fact that 37 states have passed medical marijuana, 18 of which now -- 18 of which, have already gone to recreational. Now, you can't just say well, our General Assembly of the future is going to listen to their constituents. You know why you can't say that just because we hopefully will still be conservatives in the future. You can't say that because of the fact that once medical marijuana gets in here, they are going to target those of us who do not like the industry. They will pick us off one by one with their money, because they will have already invested lots and lots of money in the State of South Carolina. So, if we're going to talk about it, let's do a little bit better than say well our state's not going to do it because we're conservative. We know that that's exactly what's going to happen. How we do know a lot of this is we have the data from the other states. History repeats itself. So I'm going read to you a few points that I believe you can just go ahead and chalk to up South Carolina going along with. And I recognize that I may not be able to change the minds of the numbers that would need to

come out of the 23 and go along with the no votes, I doubt that's going to happen. But I do hope that you all at least take seriously a lot of these amendments. I don't even think we can amend this 56 page Bill, into being something palatable, but there are certainly some things we do need to amend to make it palatable. But again, let's go ahead and look at what we can expect from the other states. I have been studying this for weeks and weeks now and I have the data, if anybody wants it. I've got a big thick notebook up here and you all can come and ask me where I got this information.

But what we are going see is increased access, dependence and suicides by youth. That we can count on. We know we also can count on accidental overdoses by children who have gotten ahold of their parents', or in Lexington County, their teacher's medical marijuana. You Senators from Lexington, Senator SHEALY and of course Senator SETZLER, I know that you all read with interest when a school teacher in Lexington County mistakenly put her medical marijuana gummy bears in a children's box of candy. So when two children went up and they picked those gummy bears, the teacher realized oh my gosh you can't have that one. She took it back, but the other child had also picked those gummy bears, walked out and went to afternoon care, asked for help opening the package and, thank gosh, an aftercare worker realized that teacher just about gave access to medical marijuana to a child from the classroom candy box. So you are going to see an increase in those kind of instances, as well.

Let's also talk about veterans. We already talked about the fact that we know we are going to have increased access, dependence and suicides by youth. You're also going to have this by the veterans. And a lot of what I've heard about in favor of let's pass this Bill -- it is going to help our veterans, is that you know the veteran suicide rate is so high, they've got PTSD and they need help. They need help. I get that. I love our veterans. Who doesn't love our veterans? But if you look at the states surrounding us -- us, you look at North Carolina, you look at Georgia -- their veteran suicide rates are below the national average. But if you look at states such as Colorado, Oregon and Arizona where they have passed recreational marijuana, you will see that the incidents of suicides far, far outweigh anything than in the states that don't have it. In particular, Colorado's veteran suicide rate in comparison to ours -- ours is 38.4% for age group 18 to 34. Colorado's is 71.1% -- Arizona 86.4% and Oregon, 88%. And that tracks not just with the age group that is younger. It tracks with the older age groups, as well. So, again, the only state that we know of in the Southeastern Seaboard that has an out of line or out

of whack veteran suicide rate is Florida. And they passed medical marijuana. So let's don't argue anymore. This data comes from the VA. This data is as of 2021. So, let's don't try to say that if we pass this, it is going to help our veterans stay alive.

We will see no decrease in the use of opioids or opioid synthetics because what the trials and studies have shown is that these folks will then use medical marijuana in addition to the opiates that they're already taking. They will then add that to their regimen, making them at increased risk of morbidity. That's what we know is going to happen from the other states.

In addition, the list of ailments that will soon qualify, if we pass this, will go up exponentially. That's where they are going to come first. And if look at this Bill, and I have to agree with Senator HEMBREE from yesterday, this Bill stacks a board that would be allowed to then add what type of ailments would qualify. The board would include medical cardholders, parents of medical cardholders and physicians predisposed to want to increase those type of card ailments. That's what will happen first. That's in the playbook. Then we go next to the play book, and then you're going to see even if our state's General Assembly does not want to take up passing recreational marijuana, you will see big marijuana fund a huge effort to have it put on a referendum. That's what they'll do. Look at Ohio. Ohio just passed medical marijuana four years ago. Already they've got enough signatures in their state so that they can force the General Assembly to debate and they've said clearly that even if the General Assembly denies going to recreational marijuana, they're still going to get enough signatures to put it on a referendum. That's in the playbook. That's what's going happen in South Carolina.

So, again, what we've already talked about is the unprecedented rise and qualifications of citizens for these medical marijuana cards has been the ages of 18 to 30 claiming chronic pain, and this should be the healthiest demographic that we have. Senator DAVIS and I talked a little bit about this. I don't know if you realize, but I will tell you that I told Senator DAVIS when he was kindly entertaining me and entertaining now some of my amendments -- but when he was trying to get me to be number 24. He wanted to know what it would take. I indicated that we needed to only have objective serious medical illnesses, not medical illnesses that cannot specifically be diagnosed. So, if I go into a doctor and I say, doctor I'm hurting. I'm in pain. That is not an objective diagnosis. That is a subjective diagnosis. And you know, I wouldn't even mind with PTSD, even though that also is a subjective diagnosis. For us to put amendment in there that says combat veterans -- that's the one

category, the one category that if they feel like marijuana would help them with PTSD. If they can prove that they're actually combat veterans, then I think that they ought to have access if that's what they want, but he wouldn't do that. He thought about it and I think he honestly tried to accommodate me, but the marijuana lobby does not want that. They do not want us to have only true identifiable medical illnesses. Now they have changed it to where they are even adding -- it is even worse than when I saw it the first time -- fibromyalgia and things of that nature. Again, those are diagnoses that just cannot be objectively identified.

I also said that rather than vaping I would appreciate that if we're going to have this medicine, supposedly, in a form that can be inhaled, that it be in the form of an inhaler, like asthma. That is something to me that at least does indicate that it is medicine, and it is not what all of the kids are doing these days, which is vaping. Vaping medical marijuana or any kind of substance and they'll be doing it in the bathrooms at schools. Also, I didn't even write this on my list, but I can tell you now that what's going to happen is once we classify this as medicine, and it is going to happen like it has in other states, there are going to be challenges in accordance with the ADA. Because employers, except in certain circumstances, prisoners, inmates and students, who have medical marijuana prescriptions will have to be accommodated. That is going to add expediently to our state's burden, making our nurses and our prison wardens and everyone else have to worry about it. Oh and who is going to pay for it by the way? Who is going to pay for the medical marijuana? This is all going to follow when somebody files an ADA complaint and that will be coming, as well.

Now if I could ask staff to please play for me clips one, two and three of Ms. Debbie Moak's testimony with the Arizona Governor's office. So while the screens are coming down -- Senator DAVIS and I ended up agreeing on the 94.2% that now is the chronic pain level in Arizona. What we couldn't agree on, and I'll have to go ahead and admit that Arizona stopped keeping the data in the same form in which they had previously. I could not see the exact number of those in 18 to 34 category, so I can't say for sure that they are the overwhelming majority, but I can say the overwhelming majority of cardholders is now increased since this testimony was taken. And for you new Senators -- you new senators, you need to know that this Bill did not go through the traditional process. No testimony was taken this session. So, again, I knew that I had in my head that the overwhelming majority of the cardholders in the younger subset was for chronic pain. If I could get to you play Ms. Moak's testimony. This lady, again, was with the Arizona Governor's office. The governor

opposed a switch to recreational -- he lost, even though she was going to states trying to say don't do this, but he lost and it is now recreational, (video 2). And the next one please, (video 3).

Before we move on to any other clips, I'd like to take a moment to also mention that in Arizona there was an Attorney General who was definitely opposed to legalizing marijuana for recreational purposes. His name is Mark Brnovich and he was widely quoted as saying, "In Arizona we legalized medical marijuana for medical purposes, the results of that apparently are that there are a bunch of 18-25 year old males with back problems and migraine headaches, because that is who is getting the cards, most of them." So we know what is going to happen there and here. In addition, the things that we know we can expect to happen is we are going see a vast jump in car accidents with people who have marijuana in their systems. As you know, it is going to be very difficult for us to prove whether the marijuana was active at that point in time such that it could have contributed and the only way to do that would be to provide funding for law enforcement and hospitals to take mandatory blood draws. That's what we will have to do in order to prove that if one of our loved ones gets hit by a driver who seems to be impaired -- that's the only way as lawyers, as prosecutors, that you will be able to prove it. In addition, we will have a difficult time tracking marijuana prescriptions. It is going to take a lot of software. Otherwise, people will be able to jump from pharmacy to pharmacy or whatever we are going to call these things. Quite frankly, I don't think it makes any difference if you call something a therapeutic whatsoever. It is still a pot dispensary and so we need to be able to track and make sure that somebody is not going from one county to the next to the next picking up whatever they can and that is going to be some expensive software.

I would like to point out something I found interesting and I did not know until just this weekend, that Colorado has actually gone back and decided that they had prescribed too much medical marijuana. At one point you could get 40 grams and now they have reduced it to 8 grams. And I was curious about that, this is a recreational marijuana state. Why would they decrease the amount you can get per day by 32 grams? And you know why they did it? Because those under 21 are not considered adult, so they had a problem with the 18-21 year olds still having to rely on medical marijuana cards and then getting prescribed up to what they would consider an adult daily usage. So, that's why they went in there and decreased it downward and even that amount, 8 milligrams, is higher than what the FDA has recommended for clinical trials like those in the Right to Try category that we have already passed. Nobody wants to

mention it. The media never seems to mention it; that we have already passed the Right to Try and there are a lot of clinical trials where people can participate and get marijuana if they feel like it is going to help them. They get the certification from a doctor that they are either within a year of death or that they have an ailment, which will indeed place their morbidity at issue. So it is not even within a year of life, they basically have to prove that they have a condition that if they don't get it reversed by some form of medicine that it will end up killing them. Nobody mentions that. Nobody mentions Epidiolex, the new pill that the FDA has now approved with THC in it. Nobody mentions that that's available either -- FDA approved. You can get a real doctor to prescribe it, not one that just goes along with the flow to maybe increase his medical practice some, but you can also go get it from a very real pharmacist, not one that is called therapeutic or whatever. It is a real pharmacist. Nobody likes to talk about that, but it is exactly what has happened. So that you know, the FDA put out a recommendation that no more than 5 mg for those therapeutic trials, the clinical trials, and I see no reason in the world why we wouldn't do the same at the very least, to say no more than 5 mg per day and we need a tracking system for it. So again, we can also expect that the majority of cards will be granted by a small percentage of doctors, (video 4). If you all didn't hear that, 25 doctors prescribe 62% of the card recommendations in Arizona.

(Video 5). That was Representative Eddy Tallon. I hope you were able to hear the doctor. Her best recommendation was hydrate, go slow and start low and journal. That's the best this doctor can do and yet we are now trying to give over what these patients should take to a pharmacist.

On motion of Senator SENN, with unanimous consent, the remarks of Senator SENN were ordered printed in the Journal.

Amendment No. 22

Senator HEMBREE proposed the following amendment (150R010.SP.GH), which was carried over:

Amend the bill, as and if amended, on page 5, by striking lines 14 through 17 and inserting:

/(11)'Dispensary' means a facility operated by an organization or business licensed by the department pursuant to this article that possesses and dispenses cannabis products, industrial hemp for human consumption, or paraphernalia to cardholders. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind,

or directly or indirectly own a dispensary until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, beginning on page 5, by striking lines 41 and 42, and on page 6, by striking lines 1 through 10 and inserting:

/(18)'Medical cannabis establishment' means a cultivation center, dispensary, transporter, independent testing laboratory, or processing facility licensed by the department pursuant to this article. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a medical cannabis establishment until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(19) 'Medical cannabis establishment agent' means a board member, owner, officer, employee, or volunteer of a medical cannabis establishment. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment agent. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(20) 'Medical cannabis establishment principal' means a person who is designated as having responsibility over the actions of a board member, owner, officer, employee, volunteer, or agent of a medical cannabis establishment and who also has responsibility and control over any liability for any financial accounts. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment principal. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, on page 7, by striking lines 18 through 21 and inserting:

/(26)'Processing facility' means a facility licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a dispensary. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a processing facility until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, on page 7, by striking lines 38 through 42 and inserting:

/(32)'Transporter' means an entity licensed by the department pursuant to this article that acquires, possesses, and stores cannabis and cannabis products for human consumption and delivers, transfers, and transports cannabis products between medical cannabis establishments. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a transporter until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator DAVIS asked unanimous consent to conform Amendment No. 22 to the Bill.

Senator MALLOY spoke on the amendment.

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

Amendment No. 23A

Senator DAVIS proposed the following amendment (150R067.SP.TD), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 35 and inserting:

/ (1) as of January 1, 2021, thirty-seven states and the District of

Amend the bill further, as and if amended, on page 5, by striking line 25 and inserting:

/cannabis with a tetrahydrocannabinol concentration of not more /

Amend the bill further, as and if amended, on page 14, by striking line 40 and inserting:

/debilitating medical condition at a location where /

Amend the bill further, as and if amended, on page 21, by striking line 17 and inserting:

/cannabis products intended for a qualifying patient. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 24

Senator SENN proposed the following amendment (150R027.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 4, lines 36 - 43, by striking Section 44-53-2010(8)(a)(xiii).

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

Amendment No. 25

Senators KIMPSON and MARTIN proposed the following amendment (VR\150C001.CC.VR22), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 44-53-2350(A)(2) and inserting:

/ (2)(a) establish a system to numerically score competing medical cannabis establishment applicants, which must include the award of additional points for medical cannabis establishment applicants that meet any of the following:

(i) an existing agricultural business in operation for over two years in the State of South Carolina;

(ii) an existing production or manufacturing business in operation for over two years in the State of South Carolina;

(iii) an existing company working in the hemp industry for over two years in the State of South Carolina; or

(iv) an applicant of whom more than fifty percent of the principals are residents of the State of South Carolina;

(b) In cases in which more applicants apply than are allowed by the local government, the system must include an analysis of:

(i) the preference of the local government;

(ii) in the case of dispensaries, the suitability of the proposed location and its accessibility to patients;

(iii) the character, veracity, diversity, residency, background, qualifications, and relevant experience of medical cannabis establishment principals and agents; and

(iv) the business plan proposed by the medical cannabis establishment applicant, which in the case of cultivation centers and dispensaries shall include the ability to maintain an adequate supply of cannabis products, plans to ensure the safety and security of patrons and the community, procedures to be used to prevent diversion, and any plan for making cannabis products available to low-income qualifying patients; /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 26

Senator SENN proposed the following amendment (150R040.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 14, lines 25 through 32, by striking Section 44-53-2090(B).

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

Amendment No. 27

Senator SENN proposed the following amendment (150R041.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 14, by striking line 4 and inserting:

/in regulation.

Section 44-53-2085. A physician who writes written certifications for qualified patients must include in his dispensing instructions to the pharmacist the type of cannabis or cannabis product, the specific amount of cannabis or cannabis product to be used by the qualified patient, when

the qualified patient should use the cannabis or cannabis product, and the maximum amount of tetrahydrocannabinol allowed. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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

On motion of Senator CASH, with unanimous consent, Amendment Nos. 28-39 were carried over.

Amendment No. 40

Senator ADAMS proposed the following amendment (HB\ 150C001.JN.HB22), which was adopted:

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

/ SECTION ___. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

"Section 56-1-3910. (A) It is unlawful for a driver of a motor vehicle to vaporize cannabis products as defined in Section 44-53-2010 while operating the motor vehicle.

(B) A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days." /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 41

Senators HEMBREE and GARRETT proposed the following amendment (150R018.SP.GH), which was carried over:

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

/SECTION 1. Sections 44-53-1810, 44-53-1820, and 44-53-1830 of the 1976 Code are amended to read:

"Section 44-53-1810. As used in this article:

(1) 'Academic medical center' means a research hospital that operates a medical residency program for physicians and conducts research that involves human subjects, and other hospital research programs conducting research as a sub recipient with the academic medical center as the prime awardee.

(2) 'Approved source' means a provider approved by the United States Food and Drug Administration which produces ~~cannabidiol~~ cannabis that~~:~~

~~(a)~~ has been manufactured and tested in a facility approved or certified by the United States Food and Drug Administration~~ or similar national regulatory agency in another country which has been approved by the United States Food and Drug Administration; and~~

~~(b) has been tested in animals to demonstrate preliminary effectiveness and to ensure that it is safe to administer to humans~~.

(3)(a) ~~'Cannabidiol' means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.90 percent tetrahydrocannabinol by volume that has been extracted from marijuana or synthesized in a laboratory.~~ 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) ~~'Designated caregiver' means a person who provides informal or formal care to a qualifying patient, with or without compensation, on a temporary or permanent or full-time or part-time basis and includes a relative, household member, day care personnel, and personnel of a public or private institution or facility.~~ 'Debilitating medical condition' means a diagnosis of one or more of the following that also results in a debilitated condition:

(a) cancer;
(b) multiple sclerosis;
(c) a neurological disease or disorder, including epilepsy;
(d) glaucoma;
(e) post-traumatic stress disorder;
(f) Crohn's disease;
(g) sickle cell anemia;
(h) ulcerative colitis;
(i) cachexia or wasting syndrome;
(j) autism;
(k) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;
(l) a chronic medical condition causing severe and persistent muscle spasms;
(m) a chronic medical condition causing severe and persistent pain; or
(n) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician.

(5) ~~'Pharmacist' means an individual health care provider licensed by this State to engage in the practice of pharmacy.~~

~~(6)~~ 'Physician' means a doctor of medicine or doctor of osteopathic medicine licensed by the South Carolina Board of Medical Examiners.

~~(7)~~(6) 'Qualifying patient' means a person with a debilitating medical condition ~~anyone who suffers from Lennox-Gastaut Syndrome, Dravet Syndrome, also known as severe myoclonic epilepsy of infancy, or any other form of refractory epilepsy that is not adequately treated by traditional medical therapies~~.

Section 44-53-1820. (A) A statewide investigational new drug application may be established in this State, if approved by the United States Food and Drug Administration to conduct expanded access clinical trials using cannabis ~~cannabidiol~~ on qualifying patients pursuant to an investigational new drug application (IND) ~~with severe forms of epilepsy~~.

(B) Any physician who is board certified and practicing in an academic medical center in this State and treating patients with ~~severe forms of epilepsy~~ one or more debilitating medical conditions may serve as the principal investigator for such clinical trials if such physician:

(1) applies to and is approved by the United States Food and Drug Administration as the principal investigator in a statewide investigational new drug application; and

(2) receives a license from the United States Drug Enforcement Administration.

(C) Such physician, acting as principal investigator, may include subinvestigators who are also board certified ~~and who practice in an academic medical center in this State~~ and treat patients with debilitating medical conditions ~~severe forms of epilepsy~~. ~~Such subinvestigators shall comply with subsection (B)(2) of this section.~~

(D) The principal investigator and all subinvestigators shall adhere to the rules and regulations established by ~~the relevant institutional review board for each participating academic medical center and by~~ the United States Food and Drug Administration, the United States Drug Enforcement Administration, and the National Institute on Drug Abuse.

(E) Nothing in this article prohibits a physician licensed in South Carolina from applying for Investigational New Drug authorization from the United States Food and Drug Administration.

Section 44-53-1830. (A) Expanded access clinical trials conducted pursuant to a statewide investigational new drug application established pursuant to this chapter only shall utilize ~~cannabidiol~~ cannabis which is:

(1) from an approved source; and

(2) approved by the United States Food and Drug Administration to be used for treatment of a condition specified in an investigational new drug application.

(B) The principal investigator and any subinvestigator may receive ~~cannabidiol~~ cannabis directly from an approved source or authorized distributor for an approved source for use in the expanded access clinical trials."

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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

Amendment No. 42A

Senator CROMER proposed the following amendment (VR\ 150C003.CC.VR22), which was adopted:

Amend the bill, as and if amended, SECTION 3, page 9, by striking 44-53-2020(B)(6) and inserting:

/ (6) five percent for research conducted by the University of South Carolina College of Pharmacy and School of Medicine, the

Medical University of South Carolina, or an established pharmaceutical company located in this State that is approved by the department to be used in connection with medical cannabis research and development, including use for:

(a) clinical trials regarding the effectiveness of cannabis products at treating symptoms and conditions that are not debilitating medical conditions pursuant to this article;

(b) data collection from qualifying patients who voluntarily provide information related to dosage, efficacy, and side effects;

(c) clinical trials, observational studies, or both on the dosage, efficacy, and side effects of medical cannabis; and

(d) the publication of dosage recommendations based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 43

Senator ADAMS proposed the following amendment (150R058.SP.BA), which was carried over:

Amend the bill, as and if amended, on page 49, by striking Section 44-53-2440(A) in lines 8 through 14 and inserting:

/Section 44-53-2440. (A) Medical cannabis establishments shall employ a former or retired law enforcement officer in good standing to provide security to deter and prevent the theft of cannabis and cannabis products and unauthorized entrance into areas containing cannabis or cannabis products. The department shall consult with SLED to promulgate regulations regarding the qualifications for former or retired law enforcement officers in good standing, including requirements that the officer must have experience in securing and protecting controlled substances or similar products. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

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

RECESS

At 8:40 P.M., on motion of Senator MASSEY, the Senate receded from business until 8:55 P.M.

At 8:59 P.M., the Senate resumed.

Point of Quorum

At 9:01 P.M., Senator CASH made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Amendment No. 44

Senators GARRETT and HEMBREE proposed the following amendment (150R056.SP.BG), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 35 through 40, Section 44-53-2010(4), and inserting:

/(4) 'Cannabis product' means a product that is infused with or otherwise contains cannabis or an extract thereof and that is intended for use, consumption, absorption, or any method of ingestion by humans cultivated and produced by a licensed facility in South Carolina. The term includes, but is not limited to, an edible cannabis product, beverage, topical product, ointment, oil, patch, spray, suppository, or tincture. /

Amend the bill further, as and if amended, on page 4, by striking lines 9 through 13, Section 44-53-2010(7), and inserting:

/(7) 'Cultivation center' means a facility located in South Carolina operated by an organization or business that is licensed by the department pursuant to this article to cultivate, possess, and distribute cannabis products to processing facilities, dispensaries, and independent testing laboratories. /

Amend the bill further, as and if amended, on page 7, by striking lines 18 through 21, Section 44-53-2010(26), and inserting:

/(26)'Processing facility' means a facility located in South Carolina and operated by an organization or business that is licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a dispensary.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 45

Senator GARRETT proposed the following amendment (150R055.SP.BG), which was tabled:

Amend the bill, as and if amended, on page 13, by striking line 24 at the end of Section 44-53-2080(A)(5) and inserting:

/products;

(6) a statement that the physician maintains documentation in the patient's medical record that the patient's debilitating medical condition is one for which the physician and patient have pursued all other United States Food and Drug Administration-approved treatment options; /

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

Senator DAVIS spoke on the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator SENN requested a roll call vote.

Point of Order

Senator MARTIN raised a Point of Order that the request for a roll call came too late.

The PRESIDENT sustained the Point of Order.

Amendment No. 46

Senator GOLDFINCH proposed the following amendment (150R024.SP.SLG), which was carried over:

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

/SECTION 1. Article 3, Chapter 53, Title 44 of the 1976 Code is amended by adding:

"Section 44-53-371. (A)(1) It is an affirmative defense to a prosecution for a crime for the possession of marijuana if, at the time of

the commission of the act constituting the offense, the defendant was in possession of the marijuana because:

(a) the defendant suffers from a debilitating medical condition; or

(b) the defendant is the parent, spouse, or guardian of a person suffering from a debilitating medical condition and is in possession of marijuana to provide it to that person for the purpose of treating a debilitating medical condition.

(2) The defendant has the burden of proving the defense of a debilitating medical condition by a preponderance of the evidence.

(B) For the purposes of this section, 'debilitating medical condition' means:

(1) a diagnosis of one or more of the following that also results in a debilitated condition:

(i) cancer;

(ii) multiple sclerosis;

(iii) a neurological disease or disorder, including epilepsy;

(iv) glaucoma;

(v) post-traumatic stress disorder, subject, however, to the evidentiary requirements in Section 44-53-2100(A)(4) to confirm that the applicant has experienced one or more traumatic events;

(vi) Crohn's disease;

(vii) sickle cell anemia;

(viii)ulcerative colitis;

(ix) cachexia or wasting syndrome;

(x) autism;

(xi) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(xii) a chronic medical condition causing severe and persistent muscle spasms; or

(xiii)any chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed by a physician based on generally accepted standards of care, subject, however, to a physician's attestation regarding objective proof of the etiology of the patient's pain or regarding the patient having been diagnosed with a specific medical condition or disease that causes the patient severe pain; or

(2) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician. /

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 47

Senator CASH proposed the following amendment (150R059.SP.RJC), which was carried over:

Amend the bill, as and if amended, on page 14, after Section 44-53-2080(D), by striking line 4 and inserting:

/in regulation.

(E) A physician authorized to issue written certifications can write no more than a total of five hundred certifications for qualifying patients per year. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

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

Debate was interrupted by adjournment.

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

READ THE SECOND TIME

H. 4576 -- Reps. Tedder, G.R. Smith, Govan, B. Newton and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH YEAR AS "HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".

On motion of Senator SCOTT, with unanimous consent, the Senate proceeded to a consideration of the Bill.

Senator SCOTT explained the Bill.

The question then being second reading of the Bill.

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

TUESDAY, FEBRUARY 8, 2022

Motion Under Rule 26B

Senator MARTIN asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:00 A.M.

Motion Adopted

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

LOCAL APPOINTMENTS

Confirmations

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

Initial Appointment, Horry County Master-in-Equity, with the term to commence July 31, 2021, and to expire July 31, 2027

Alan Clemmons, 1411 SC Highway 15, Myrtle Beach, SC 29577 *VICE* Cynthia Graham Howe

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

Margaret Strom Williams, 1420 Hagood Ave., Columbia, SC 29205-1327 *VICE* Daniel M. Coble

ADJOURNMENT

At 10:04 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Wednesday, February 9, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Joshua 24:14

Speaking to his people Joshua said: "Now, therefore, revere the Lord and serve him in sincerity and in faithfulness . . ."

Please join your heart with mine as we pray: Gracious Lord, here in this bold 21st century that we're living through, there are all sorts of alluring, tempting voices that call to us again and again. And hearing such, many women and men might find themselves lost and adrift. Yet we are confident, Lord, that if all who serve You in this Senate will only turn to You and follow You, then assuredly their way will be straight and true. After all, only through becoming Your servants first of all will these leaders truly achieve the best results for this State we all love.

Further, O God, during these perilous times, keep safe our women and men in uniform serving around the globe and here at home. And use us all to Your glory. In Your wondrous name we pray, Lord. Amen.

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

Point of Quorum

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Martin

Massey	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator McELVEEN introduced Dr. Gary Culberson of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 11:07 A.M., Senator VERDIN was granted a leave of until 11:30 A.M.

Leave of Absence

On motion of Senator SHEALY, at 11:07 A.M., Senator MATTHEWS was granted a leave until 1:00 P.M.

Leave of Absence

On motion of Senator McELVEEN, at 11:07 A.M., Senator McLEOD was granted a leave until 11:30 A.M.

Leave of Absence

On motion of Senator GARRETT, at 11:17 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator MARTIN, at 11:17 A.M., Senator MALLOY was granted a leave until 1:00 P.M.

CO-SPONSORS ADDED

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

S. 248 Sen. Shealy
S. 1039 Sens. Kimpson and McElveen

WEDNESDAY, FEBRUARY 9, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1066 -- Senators Garrett, Adams, Cash and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "YOUTH PROTECTION FROM INTERNET PORNOGRAPHY ACT", BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 63 SO AS TO PROVIDE PROTECTIONS FOR CHILDREN AGAINST UNFILTERED DEVICES; TO PROVIDE NECESSARY DEFINITIONS; TO REQUIRE MANUFACTURERS TO PROVIDE AUTOMATIC FILTERING CAPABILITIES ON DEVICES ACTIVATED IN THIS STATE; TO SUBJECT MANUFACTURERS TO CIVIL AND CRIMINAL LIABILITY FOR VIOLATIONS OF THIS ARTICLE; AND TO SUBJECT INDIVIDUALS TO CRIMINAL AND CIVIL LIABILITY FOR VIOLATIONS OF THIS ARTICLE; TO AMEND SECTION 16-17-490, RELATING TO CONTRIBUTING TO THE DELINQUENCY OF A MINOR, SO AS TO PROHIBIT PROVIDING A PASSCODE TO REMOVE THE PORNOGRAPHY FILTER FOR AN INTERNET-ACCESSIBLE DEVICE BY SOMEONE OTHER THAN A MINOR'S PARENT OR LEGAL GUARDIAN; AND TO DESIGNATE SECTIONS 63-1-10 THROUGH 63-1-50 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".
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Read the first time and referred to the Committee on Judiciary.

S. 1067 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE MAYBELLE GREEN-LITTLES ON THE OCCASION OF HER ONE HUNDRED FIRST BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
l:\s-res\vs\010mayb.kmm.vs.docx

The Senate Resolution was adopted.

H. 4570 -- Reps. Calhoon, Bustos, McGarry, W. Cox, Erickson and Bradley: A BILL TO AMEND SECTION 56-3-14970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO SERVICE MEMBERS ASSOCIATED WITH VARIOUS MILITARY COMPONENTS OR DESIGNATIONS, SO AS TO PROVIDE FOR

THE ISSUANCE OF "UNITED STATES SPACE FORCE" SPECIAL LICENSE PLATES.

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

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

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

H. 4797 -- Reps. Elliott, Erickson and Bradley: A BILL TO AMEND SECTION 56-3-5010, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "PUBLIC EDUCATION: A GREAT INVESTMENT" MOTOR VEHICLE LICENSE PLATES, SO AS TO PROVIDE THE REVISED PURPOSE OF ISSUANCE OF THE LICENSE PLATES IS TO ESTABLISH A FUND FOR THE PURPOSE OF PROVIDING CLASSROOM TECHNOLOGY TO PUBLIC SCHOOLS.

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

REPORT OF STANDING COMMITTEE

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

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

Ordered for consideration tomorrow.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nick A. Mesenburg, 60 Grand Oaks Way, Beaufort, SC 29907-1183 *VICE* Ronald F. Taylor

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor
Veterans' Service Organization:
Melvin Poole, 1634 Crestdale Road, Rock Hill, SC 29732-1498

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor
At-Large:
Ada D. Stewart, 1313 Ashland Drive, Columbia, SC 29229-8414

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor
At-Large:
Brenda Lopez Stewart, 110 Devon Road, Clinton, SC 29325-5208 *VICE* James R. Lorraine

Received as information.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2018, and to expire June 30, 2022
4th Congressional District:
Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650 *VICE* Monica G. Hill

Received as information.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026
4th Congressional District:
Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650

Received as information.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

5th Congressional District:

Mary D. Long, 508 Indigo Court, Camden, SC 29020 *VICE* Ms. Martha W. Brock

Received as information.

Message from the House

Columbia, S.C., February 9, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.120, S. 836 by a vote of 92 to 1:

(R120, S836) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., February 9, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.122, S. 948 by a vote of 90 to 1:

(R122, S948) -- Senator Williams: A JOINT RESOLUTION TO MOVE THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION FROM THE SECOND TUESDAY IN APRIL OF 2022 TO THE SECOND TUESDAY IN MAY OF 2022, AND TO ADJUST THE CANDIDATE FILING PERIOD ACCORDINGLY.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, FEBRUARY 9, 2022

Message from the House

Columbia, S.C., February 9, 2022

Mr. President and Senators:

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

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Hosey, Caskey, McGinnis, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J.E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M.M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

RECOMMITTED TO COMMITTEE

In accordance with Rule 32C, the Bill was recommitted to the Committee on Judiciary.

HOUSE CONCURRENCES

S. 1057 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND JAMES C. BROWN FOR HIS TWENTY-SEVEN YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF THE PALMETTO STATE AS RICHLAND COUNTY VETERANS AFFAIRS OFFICER AND EXECUTIVE DIRECTOR OF THE RICHLAND LEGISLATIVE DELEGATION OFFICE AND, AS HE BEGINS HIS RETIREMENT, TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

S. 1064 -- Senators McElveen, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 12, 2022, AS "WORLD CHOLANGIOCARCINOMA DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

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

H. 4576 -- Reps. Tedder, G.R. Smith, Govan, B. Newton and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH YEAR AS "HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".

The Senate proceeded to a consideration of the Bill.

The question then being third reading the Bill.

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

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Martin	Massey

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

Total--38

NAYS

Total--0

The Bill was read the third time, passed and enrolled for Ratification.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Amendment No. 48

Senator CASH proposed the following amendment (150R060.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2010(25)(b).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 49

Senator CASH proposed the following amendment (150R099.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2350(A)(2)(b)(i).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 50

Senator CASH proposed the following amendment (150R062.SP.RJC), which was adopted:

Amend the bill, as and if amended, by Section 44-53-2130(A), by adding an appropriately numbered new item to read:

/( ) an applicant's job title and description of the applicant's job, provided that an applicant may not receive or keep a registry identification card if the applicant is employed in public safety, commercial transportation, or commercial machinery. A false representation of an applicant's job title or description is a felony and, upon conviction, the applicant's registry identification card shall be revoked. The offense is punishable by a fine of not more than five thousand dollars, imprisonment of not more than five years, or both. The

department must include a notice on the application that employment in public safety, commercial transportation, or commercial machinery is a prohibition on receiving a registry identification card, and that a false representation is a felony. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 51

Senator CASH proposed the following amendment (150R063.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2390(D) and inserting:

/(D) No license issued to a medical cannabis establishment is transferable until the expiration of thirty-six months from the date of issuance by the department, and until at least twenty-four months have passed since the medical establishment began operations. The license shall not be transferrable to any person who has been convicted of, or pled guilty or nolo contender to, a felony drug-related offense. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 52

Senator CASH proposed the following amendment (150R064.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2020(B)(2) through (5) and inserting:

/(2) ten percent to local providers operating under the auspices of Act 301 of 1973 for purposes related to alcohol and drug abuse prevention, education, early intervention, and treatment services;

(3) five percent to SLED;

(4) two percent to the South Carolina Department of Education to be used for drug safety education;

(5) seventy-five percent to the state general fund; and /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 53

Senator CAMPSEN proposed the following amendment (150R065.SP.GEC), which was carried over:

Amend the bill, as and if amended, by striking Section 44-53-2096(C) and inserting:

/(C) The Board of Pharmacy shall develop a process and promulgate regulations for issuing a permit to a therapeutic cannabis pharmacy, including the establishment of associated fees. The Board of Pharmacy shall not prohibit a pharmacist who owns a non-therapeutic cannabis pharmacy from obtaining a permit to own and operate a therapeutic cannabis pharmacy, provided that the pharmacies must be located in independent structures that are at least one quarter mile apart from the other. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was carried over.

Amendment No. 54

Senator SENN proposed the following amendment (150R054.SP.SS), which was tabled:

Amend the bill, as and if amended, beginning on page 2, lines 40 through 43, and on page 3, lines 1 through 11, by striking Section 44-53-2010(1)(a) and inserting:

/(1)(a) ‘Allowable amount of medical cannabis’ or ‘allowable amount of cannabis products’ means the total amount of one or more

cannabis products not exceeding a total of seventy milligrams of a delta-9-tetrahydrocannabinol per day for a fourteen-day period; /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 55A

Senator SENN proposed the following amendment (150R074.SP.SS), which was adopted:

Amend the bill, as and if amended, on page 28, Section 44-53-2230(B), by striking lines 36 through 40 and inserting:

/(B) Nothing in this article may be construed to prevent the arrest or prosecution of a qualifying patient for reckless driving or driving under the influence of cannabis products if probable cause exists. The mere presence of cannabis metabolites shall not automatically deem a person under the influence. If a qualified patient refuses to submit to a blood sample test, as provided in Section 56-5-2950, then the qualified patient's privilege to drive is suspended for at least six months and his registry identification card is suspended for six months. The qualified patient has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension. If the person does not request a contested case hearing for all issues including, but not limited, to probable cause, the refusal of, or compliance with Section 56-5-2950, or if the qualified patient's suspension is upheld at the contested case hearing, then the qualified patient shall enroll in an Alcohol and Drug Safety Action Program. Upon completion of the suspension period and the Alcohol and Drug Safety Action Program, the qualified patient may reapply for a registry identification card. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 56A

Senator SENN proposed the following amendment (150R073.SP.SS), which was adopted:

Amend the bill, as and if amended, in between Sections 44-53-2230 and 44-53-2240 by inserting a new Section to read:

/Section 44-53-2235. It is unlawful for a qualified patient, designated caregiver, or transporter to have in his possession, except in the trunk, glove compartment, closed console, or luggage compartment, a cannabis product in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this State. A person who violates the provisions of this section shall have his registry identification card suspended and is guilty of a misdemeanor. Upon conviction, the qualified patient must be fined not more than one hundred dollars or imprisoned not more than thirty days. Upon the satisfaction of the fine, or imprisonment, or both, the qualified patient may reapply for a registry identification card. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 57

Senator SENN proposed the following amendment (CM\150C001.GT.CM22), which was adopted:

Amend the bill, as and if amended, Section 44-53-2080(A)(3), as contained in SECTION 3, by adding the following appropriately lettered subitems to read:

/ ( ) that the physician has either objectively diagnosed the debilitating disease himself or has verified the diagnosis with the treating physician;

( ) that the physician has independently verified evidence provided under Section 44-53-2100(A)(4); /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 58

Senator GARRETT proposed the following amendment (150R072.SP.BG), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2010(7) and inserting:

/(7) 'Cultivation center' means a facility located in South Carolina operated by an organization or business that is licensed by the department pursuant to this article to cultivate, possess, and distribute cannabis products to processing facilities, dispensaries, and independent testing laboratories. Land used for cultivation may not exceed a total of two acres per license as provided in Section 44-53-2390 and cannot be a multi-level facility. /

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 59

Senator GARRETT proposed the following amendment (ZW\150C001.AR.ZW22), which was carried over:

Amend the bill, as and if amended, SECTION 3, page 8, after line 19, by adding an appropriately numbered subsection to read:

/ ( ) 'Standard of care for dispensing or certifying a patient for medical marijuana' means the level and type of care that a reasonably competent and skilled health care professional with a similar background and in the same medical community would provide but must include providing specific dosage units and concentration levels of each dosage unit for medical cannabis products dispensed or certified. /

Amend the bill further, as and if amended, page 30, after line 20, by adding an appropriately lettered subsection to read:

/ ( ) The department shall establish by regulation reporting requirements for emergency room treatment facilities for medical cannabis incidents involving qualified patients to be listed on the web-based verification system. /

Amend the bill further, as and if amended, page 56, subsection (C)(1)(b), by striking lines 6-9 and inserting:

/ (b) the percentage of tetrahydrocannabinol and the percentage of cannabidiol within a profile tolerance range of one percent. For edible cannabis products, the cannabinoid profile should be listed by milligrams per serving; /

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

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

Amendment No. 11

Senator CORBIN proposed the following amendment (150R021.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 12, by striking lines 15 through 17 and inserting:

/(i) a review of other measures attempted to ease the suffering caused by the debilitating medical condition that do not involve cannabis products for medical use, including chiropractic interventions; /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator SENN, with unanimous consent, Amendment Nos. 14, 16 and 27 were withdrawn.

Amendment No. 15

Senator SENN proposed the following amendment (150R028.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 44, Section 44-53-2390(A)(4), by striking lines 17 and 18 and inserting:

/ (4) no more than two dispensaries in any single county; and/

Renumber sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

Senator DAVIS spoke on the amendment.

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

Amendment No. 22

Senator HEMBREE proposed the following amendment (150R010.SP.GH), which was carried over:

Amend the bill, as and if amended, on page 5, by striking lines 14 through 17 and inserting:

/(11)'Dispensary' means a facility operated by an organization or business licensed by the department pursuant to this article that possesses and dispenses cannabis products, industrial hemp for human consumption, or paraphernalia to cardholders. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a dispensary until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, beginning on page 5, by striking lines 41 and 42, and on page 6, by striking lines 1 through 10 and inserting:

/(18)'Medical cannabis establishment' means a cultivation center, dispensary, transporter, independent testing laboratory, or processing facility licensed by the department pursuant to this article. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a medical cannabis establishment until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(19) 'Medical cannabis establishment agent' means a board member, owner, officer, employee, or volunteer of a medical cannabis establishment. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical

cannabis establishment agent. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(20) 'Medical cannabis establishment principal' means a person who is designated as having responsibility over the actions of a board member, owner, officer, employee, volunteer, or agent of a medical cannabis establishment and who also has responsibility and control over any liability for any financial accounts. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment principal. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, on page 7, by striking lines 18 through 21 and inserting:

/(26)'Processing facility' means a facility licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a dispensary. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a processing facility until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, on page 7, by striking lines 38 through 42 and inserting:

/(32)'Transporter' means an entity licensed by the department pursuant to this article that acquires, possesses, and stores cannabis and cannabis products for human consumption and delivers, transfers, and transports cannabis products between medical cannabis establishments. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a transporter until July 1, 2032. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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

On motion of Senator SENN, with unanimous consent, Amendment Nos. 17A, 21, 24, 26 and 27 were withdrawn.

Amendment No. 28

Senator CASH proposed the following amendment (150R047.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 3, lines 12 through 15, by striking Section 44-53-2010(1)(b) and inserting:

/(b)(i) In any case in which a physician has specified a certain amount of cannabis products pursuant to Section 44-53-2080(B), an allowable amount of cannabis products is the amount of cannabis products specified for a fourteen-day period.

(ii) In any case in which a physician has not specified a certain amount of cannabis products, an allowable amount of cannabis products is the amount of cannabis products specified for a fourteen-day period as provided in either subitems (i), (ii), (iii), or (iv). /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 29

Senator CASH proposed the following amendment (150R035.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 7, Section 44-53-2010(25)(a)(i), by striking lines 1 and 2 and inserting:

/(a)(i) is a physician as defined in Section 40-47-20 is authorized to prescribe /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 30

Senator CASH proposed the following amendment (150R049.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 10, lines 29 through 31, by striking Section 44-53-2060(B) and inserting:

/(B) The advisory board shall meet at least once per year for the purpose of reviewing petitions to add or remove debilitating medical conditions. The advisory board shall consult with experts in South Carolina and other states with medical cannabis programs, as well as any available research. If necessary, the advisory board may hold public hearings before voting on whether to add or remove a certain condition as a debilitating medical condition." /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 31

Senator CASH proposed the following amendment (150R050.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 10, lines 32 through 37, by striking Section 44-53-2060(C) and inserting:

/(C) The advisory board shall have a chairman who is appointed by the Governor. The chairman shall be responsible for scheduling advisory board meetings, presiding over all advisory board meetings, and determining whether a public hearing should be held in conjunction with an advisory board meeting. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 32

Senator CASH proposed the following amendment (150R051.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 14, lines 18 through 24, by striking Section 44-53-2090(A)(5)(b) and inserting:

/(b) attest to the completion of the course electronically or as otherwise specified by the department prior to writing any certifications./

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 33

Senator CASH proposed the following amendment (150R052.SP.RJC), which was adopted:

Amend the bill, as and if amended, beginning on page 27, lines 29 through 43, and on page 28, lines 1 through 6, by striking Section 44-53-2220(B) in its entirety and inserting:

/(B) It is unlawful for a cardholder to possess cannabis in plant form or to smoke cannabis or use a device to facilitate the smoking of cannabis. A person in violation of this subsection is subject to the applicable provisions of law for unlawful possession of marijuana. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 34

Senator CASH proposed the following amendment (150R048.SP.RJC), which was carried over:

Amend the bill, as and if amended, on page 35, lines 3 through 16, by striking Section 44-53-2350(A)(3) and (4).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.
Senator KIMPSON spoke on the amendment.

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

Amendment No. 35

Senator CASH proposed the following amendment (150R045.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 39, lines 18 through 21, by striking Section 44-53-2350(B). /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 36

Senator CASH proposed the following amendment (150R053.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 46, lines 34 through 41, by striking Section 44-53-2390(I) and inserting:

/(I) The department shall deny, suspend, or revoke a medical cannabis establishment license if any medical cannabis establishment principal applicant or medical cannabis establishment principal has been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 37

Senator CASH proposed the following amendment (150R044.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 47, in Section 44-53-2400(C)(2), by striking line 18 and inserting:

/supervised release, at least ten years prior; /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 38

Senator CASH proposed the following amendment (150R043.SP.RJC), which was withdrawn:

Amend the bill, as and if amended, on page 48, lines 40 through 43, by striking Section 44-53-2430(B).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Amendment No. 39

Senator CASH proposed the following amendment (150R042.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 53, by striking line 41 and inserting:

/(C) After four years, the department shall evaluate the efficacy /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 43

Senator ADAMS proposed the following amendment (150R058.SP.BA), which was withdrawn:

Amend the bill, as and if amended, on page 49, by striking Section 44-53-2440(A) in lines 8 through 14 and inserting:

/Section 44-53-2440. (A) Medical cannabis establishments shall employ a former or retired law enforcement officer in good standing to provide security to deter and prevent the theft of cannabis and cannabis products and unauthorized entrance into areas containing cannabis or cannabis products. The department shall consult with SLED to promulgate regulations regarding the qualifications for former or retired law enforcement officers in good standing, including requirements that the officer must have experience in securing and protecting controlled substances or similar products. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

On motion of Senator ADAMS, the amendment was withdrawn.

Amendment No. 43A

Senator ADAMS proposed the following amendment (150R069.SP.BA), which was adopted:

Amend the bill, as and if amended, on page 49, by striking Section 44-53-2440(A) in lines 8 through 14 and inserting:

/Section 44-53-2440. (A) Medical cannabis establishments shall employ a former or retired law enforcement officer in good standing, former or retired military personnel, or a security service agency with the ability to provide security to deter and prevent the theft of cannabis and cannabis products and unauthorized entrance into areas containing cannabis or cannabis products. The department shall consult with SLED to promulgate regulations regarding the qualifications for former or retired law enforcement officers in good standing, including requirements that the officer must have experience in securing and protecting controlled substances or similar products. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 41

Senators HEMBREE and GARRETT proposed the following amendment (150R018.SP.GH), which was tabled:

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

/SECTION 1. Sections 44-53-1810, 44-53-1820, and 44-53-1830 of the 1976 Code are amended to read:

"Section 44-53-1810. As used in this article:

(1) 'Academic medical center' means a research hospital that operates a medical residency program for physicians and conducts research that involves human subjects, and other hospital research programs conducting research as a subrecipient with the academic medical center as the prime awardee.

(2) 'Approved source' means a provider approved by the United States Food and Drug Administration which produces ~~cannabidiol~~ cannabis that~~:~~

~~(a)~~ has been manufactured and tested in a facility approved or certified by the United States Food and Drug Administration~~ or similar national regulatory agency in another country which has been approved by the United States Food and Drug Administration; and~~

~~(b) has been tested in animals to demonstrate preliminary effectiveness and to ensure that it is safe to administer to humans~~.

(3)(a) ~~'Cannabidiol' means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.90 percent tetrahydrocannabinol by volume that has been extracted from marijuana or synthesized in a laboratory.~~ 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) ~~'Designated caregiver' means a person who provides informal or formal care to a qualifying patient, with or without compensation, on a temporary or permanent or full-time or part-time basis and includes a relative, household member, day care personnel, and personnel of a public or private institution or facility.~~ 'Debilitating medical condition' means a diagnosis of one or more of the following that also results in a debilitated condition:

(a) cancer;

(b) multiple sclerosis;

(c) a neurological disease or disorder, including epilepsy;

(d) glaucoma;

(e) post-traumatic stress disorder;

(f) Crohn's disease;

(g) sickle cell anemia;

(h) ulcerative colitis;

(i) cachexia or wasting syndrome;

(j) autism;

(k) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(l) a chronic medical condition causing severe and persistent muscle spasms;

(m) a chronic medical condition causing severe and persistent pain; or

(n) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician.

(5) ~~'Pharmacist' means an individual health care provider licensed by this State to engage in the practice of pharmacy.~~

~~(6)~~ 'Physician' means a doctor of medicine or doctor of osteopathic medicine licensed by the South Carolina Board of Medical Examiners.

~~(7)~~(6) 'Qualifying patient' means a person with a debilitating medical condition ~~anyone who suffers from Lennox-Gastaut Syndrome, Dravet Syndrome, also known as severe myoclonic epilepsy of infancy, or any other form of refractory epilepsy that is not adequately treated by traditional medical therapies~~.

Section 44-53-1820. (A) A statewide investigational new drug application may be established in this State, if approved by the United States Food and Drug Administration to conduct expanded access clinical trials using cannabis ~~cannabidiol~~ on qualifying patients pursuant to an investigational new drug application (IND) ~~with severe forms of epilepsy~~.

(B) Any physician who is board certified and practicing in an academic medical center in this State and treating patients with ~~severe forms of epilepsy~~ one or more debilitating medical conditions may serve as the principal investigator for such clinical trials if such physician:

(1) applies to and is approved by the United States Food and Drug Administration as the principal investigator in a statewide investigational new drug application; and

(2) receives a license from the United States Drug Enforcement Administration.

(C) Such physician, acting as principal investigator, may include subinvestigators who are also board certified ~~and who practice in an academic medical center in this State~~ and treat patients with debilitating medical conditions ~~severe forms of epilepsy~~. ~~Such subinvestigators shall comply with subsection (B)(2) of this section.~~

(D) The principal investigator and all subinvestigators shall adhere to the rules and regulations established by ~~the relevant institutional review board for each participating academic medical center and by~~ the United States Food and Drug Administration, the United States Drug Enforcement Administration, and the National Institute on Drug Abuse.

(E) Nothing in this article prohibits a physician licensed in South Carolina from applying for Investigational New Drug authorization from the United States Food and Drug Administration.

Section 44-53-1830. (A) Expanded access clinical trials conducted pursuant to a statewide investigational new drug application established pursuant to this chapter only shall utilize ~~cannabidiol~~ cannabis which is:

(1) from an approved source; and

(2) approved by the United States Food and Drug Administration to be used for treatment of a condition specified in an investigational new drug application.

(B) The principal investigator and any subinvestigator may receive ~~cannabidiol~~ cannabis directly from an approved source or authorized distributor for an approved source for use in the expanded access clinical trials."

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

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Senators HUTTO, JACKSON, TALLEY, RICE and MASSEY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator HEMBREE resumed speaking on the amendment.

OBJECTION

Senator MASSEY asked unanimous consent that all amendments be cut off at 3:45 P.M. except members may substitute existing amendments that have not yet been published in order to make minor, technical and conforming amendments, and that there be one additional conforming and technical amendment offered by Senator DAVIS.

Senator CASH objected.

Senator HEMBREE resumed speaking on the amendment.

Remarks by Senator HEMBREE

My fellow Senators, this is the amendment that some of you will remember from last night, it was getting rather late, we had just finished dinner and I was given the opportunity to give you a bit of a preview of this amendment -- and what I will characterize as a dramatically different approach to providing medical help to South Carolinians that are suffering from diseases that can be helped by substances that are contained in cannabis. The Chamber last night was, well, it was late, folks were kind of in and out and I know there is some in and out going on today. So I feel compelled to sort of walk back through the amendment and the mechanics of the amendment first, just for those who may have missed it. Hopefully this will give those that are not in the Chamber now, but are interested, time to come back in. I will not belabor it, as far as the mechanics of the amendment, but I will review it quickly.

First, there is a definitional section. I'll take it back one step. This is a version or sort of a modification of Julian's Law that this General Assembly passed several years ago which created a process by which CBD could be studied, researched, and presumably used for medical purposes. In the interim, the FDA approved epidiolects -- this was geared

toward and aimed at mainly children that had epilepsy. That's what Julian's Law permitted. It permitted research on CBD for the purposes of treating epilepsy. In the meantime, the FDA approved epidiolects, and now we have that treatment available. A doctor can prescribe this treatment currently. That has been the law of the land for several years now. You can get it at the pharmacy and it is treated like medicine. It is medicine -- FDA approved. That is kind of the background on where we start. I'll walk you through the components of the Bill first. It defines, in this definitional section it -- adds a definition of cannabis. We use the definition that was in S. 150, the Bill that Senator DAVIS has presented to us, so we essentially just cut and pasted his language into this Bill. Secondly, we defined debilitating medical condition. This proposal, would expand the universe of diseases that can be studied in South Carolina from epilepsy to essentially the list that Senator DAVIS has in his Bill, S. 150. I will touch on the distinction; it's all the same conditions. I went through those last night. Debilitating medical conditions would be cancer, multiple sclerosis, neurological disease or disorder to include: epilepsy, glaucoma, post-traumatic stress disorder, Crohn's disease, sickle cell anemia, ulcerative colitis, wasting syndrome, autism, severe or persistent nausea in a person who is not pregnant and that is related to end-of-life or hospice care or who is bed-ridden or home-bound because of a condition, a chronic medical condition causing severe and persistent muscle spasms, a chronic medical condition causing severe or persistent pain or a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician. So in the conditions that are eligible for study under this model, they are exactly the same -- with one twist. We did not include the opioids, the reference back to opioids, "as equaling a chronic medical condition causing severe, persistent pain." We actually just used the actual words, "a chronic medical condition causing severe and persistent pain," instead of this reference to opioids. That's the one difference between the conditions that would qualify for treatment under this model or Senator DAVIS' amendment. It defines physician and qualifying patient, which means a person with a debilitating condition, which is defined above. Those are the definitional sections and those are the changes that are made to Julian's Law. Next: 44-53-1820 Section A. This is kind of the meat of it. A statewide investigational new drug application. Now, let me tell you an investigational new drug is a term of art. That is a process through the FDA that companies, academia, state government and others, can apply through this, for this investigational new drug application. That process meshes and connects with the federal

system so we do not run afoul of federal law. Not run afoul of the federal system but to stay within the confines and the rules that the federal government prescribes for these sorts of trials. A statewide investigational new drug application may be established in the State, if approved by the United States Food and Drug Administration, to conduct expanded access clinical trials using cannabis on qualifying patients pursuant to an investigational new drug application. So, we set that up in the State. Now, here is something that's real interesting about this that I have learned. We have to get FDA approval to do the clinical trial. I mean, there is no question about that. At a time in history it was very difficult to study cannabis, because it was a Schedule I drug. Although the FDA might be saying, "Well, you know, we're okay with it, or we would be fine," the DEA, would step in and say, "No, that's a Schedule I drug." The DEA would hinder states, academia, and others from conducting research on marijuana, on cannabis. This is the interesting part, as I was researching this I learned the very proviso in the federal budget that says DOJ won't prosecute you if state law allows you to do this -- so the very proviso that this medical marijuana program is based on is the same proviso that gives us the opportunity under this scheme not to have to get DEA approval, the same way as we did before. Which makes it easier, more available, and more flexible for us to do these kind of clinical trials. So it is an interesting thing that this proviso is sort of the what is good for the goose, in this case, is good for the gander.

On motion of Senator GARRETT, with unanimous consent, the remarks of Senator HEMBREE, were ordered printed in the Journal.

Senator DAVIS spoke on the amendment.

Remarks by Senator DAVIS

Mr. PRESIDENT, members of the Senate, I have known Dr. Cutler for a number of years. I am glad that Senator HEMBREE has met him. I have known Dr. Nagakatti a number of years. They are every bit as illustrious, every bit as qualified, every bit as respected and every bit as known in this field. Did you know that our proceedings are broadcasted on SCETV? People are watching what we say and how we characterize what they say. Dr. Cutler was listening to Senator HEMBREE. He hurriedly was trying to find my number so he could text me. Dr. Stephen Cutler -- upon whom Senator HEMBREE has bottomed this clinical trial. The text reads, "Senator, as an expert on marijuana, I support the Compassionate Bill S. 150 by Senator TOM DAVIS. I support this as

an expert in the field and stand ready to be a resource." The reason Dr. Cutler can say that is because clinical trials relate to obtaining data and do not relate to providing access. It is important to make that distinction. I will talk about this more in a moment. The other individual Senator HEMBREE invoked was Dr. Nagarkatti, whom I've known for a number of years. The email he sent to me contemporaneously stated that this is a wonderful idea and is critical for gaining support from the medical community and society. However, it is extremely challenging to pursue clinical trials of marijuana because it is a Schedule I drug. The National Academy of Science has identified several barriers to conducting clinical trials with cannabis. These include the need for the investigator to seek review and approval from the FDA, the DEA, the National Institute on Drug Abuse and the Institutional Review Boards. These are very time consuming and very expensive.

Secondly, there are several debilitating and painful diseases, against which, currently there are no cures. They widely range from cancers to autoimmune diseases to Fibromyalgia. It is difficult to conduct clinical trials with such wide ranging diseases because of inclusion and exclusion criteria. For example, such patients are treated by physicians with a specific specialty and to group them in one category would not be feasible. Some of these patients may already be taking a wide array of medicines specific to their disease which may interfere with cannabis. This would make it difficult to review the results of the trial for those patients. The ideal solution is to offer the cannabis to those who need it right now and in parallel, pursuing clinical trials, and not the other way around. This is a direct quote from Dr. Nagarkatti. So the two individuals that Senator HEMBREE citied as authorities for the proposition that "this is the way we should go", go the way of clinical trials, replied to me, in real time, via a text and said, "That is not what I meant". The other doctor emailed me in real time stating, also, "That is not what I meant."

Okay, now let's dig a little deeper about why they say that. I passed out some materials to you. The first one I want to refer to starts with a quote at the top of the page. The one begins with something that Senator HEMBREE stated yesterday as I was pitching a model that South Carolina engage in the largest medical marijuana research in the history of the country. You may want to pay attention to that Senator PEELER because the projections are -- if that is actually what we want to do -- going to cost us $406 million dollars. Keeping that in mind, I prepared a little memorandum -- a little brief -- little memo of law. Dr. Sisley is one of the few researchers in the country that has a DEA Schedule I

researcher license. She is an acknowledged leader in the field and has spent 14 years doing clinical studies. We will get to her statement in a moment. I handed out a copy of her statement sent to me in an email, but for now let us look at how she petitioned to have a trial done. It took her 10 years to get the permission. Then there were 5,000 applicants that wanted to participate in this study which related to cannabis, PTSD, and veterans. 80 of them got to participate in this clinical trial. That underscores the fact that this is not a way to provide access. This is a way to collect data. If you want to help out people like Margaret Richardson this is not the way to go about it. When you have 5,000 people funneling in, you can only select 80, 40 of them, by the way, get placebos. The other 40 get the cannabis. This is not the way to provide relief. If this were the way to do it, 37 states that have legalized medical cannabis, would have done this, but none of them have done this as a stand alone. Some have done it concurrently. They say that we can do both, like Dr. Nagarcoti said. Let's do research, let's do clinical studies, let's collect data, but not to the exclusion of access. Again, the very individuals that Senator HEMBREE cites as authorities and that this is the right approach, are texting me, emailing me, in real time saying, "No, no, that is not what we said." Research is important, but don't deny cannabis to people we know who will benefit from it. They stood with me at the press conference in January earlier this year and called for the passing of S. 150. They stood there and issued statements to the media. So to characterize what they are putting forward as a substitute for what S. 150 is right now, is not a fair characterization of what Dr. Cutler and Dr. Nagarkatti are advocating at all. I am going to walk you through, again, starting with a quote from Senator HEMBREE yesterday when he said it is doable. I'm going to tell you why it is not doable. The cost is incredibly prohibitive. To scale this up to providing meaningful access, let's say 10,000 people. I think I am underestimating the more than 5 million or so in South Carolina that would benefit from it. I think 10,000 is a reasonable number. It would cost $406 million dollars. Even if you got that gauntlet of federal agencies to agree to let you do it. It is just not the FDA, DEA, National Institute of Drug Abuse, and the Institute Drug Review Boards. All whom historically have been hostile to any sort of research in regard to cannabis. I promise you, with that approach, you would have seen me pursuing this. It is not a matter of having an excellent College of Pharmacy down here or Dr. Nagarkatti at the School of Medicine at our fingertips, but to say we can just reach out and touch them and automatically give cannabis to everyone in South Carolina who needs it. It is just not true. It is simply not true.

This Bill is all about giving relief to people who are suffering. To say there have not been studies, or the science, or peer reviews is not true. It is true that it has not been rescheduled by the federal government or approved by the FDA. However, there have been tens of thousands of studies on cannabis over the past 30 years that states have been actively looking into making it available as medicine. Tens of thousands and of those ten thousands, the National Academy of Sciences in 2007 analyzed them and said, based on those peer reviewed studies, there is conclusive proof that medical cannabis is efficacious in treating chronic pain at the highest of the 5 degrees of proof. Why in the world are we standing in the way? Why are lawmakers standing in the way of doctors who want to help their patients? Of doctors who want to say to them, I want to address your pain. I don't want to give you these opioids, but I can't because people up in Columbia have said no, we can't do that. That does not make sense.

This Bill has always been about getting politicians out of the practice of medicine, getting legislators out of the practice of medicine, and getting law enforcement out of the practice of medicine. Empowering that physician to do what is in that patient's best interest. For the life of me, why do we denigrate physicians? Why are we going to say to physicians that they are not going to discharge their duties, their responsibilities, or exercise their professional expertise? They are going to throw all of that out the window and they are not going to be a good physician. I submit to you that is not the foundation upon which our society is based. We believe in individual liberty. We do not need the government peering over and deciding whether or not the patient and physician can decide what is in their best interest. That is not our business. That is not what we do. We are putting ourselves in a position of 170 physicians and we are going to tell the physician what he or she can't do for their patient. That is wrong. I do keep saying 37 states because 37 states have recognized that it is wrong. Just recently, Mississippi, which does not have a THC cap, by the way -- and we made a big deal about the THC cap. There is not any THC cap and they allow marijuana leaf to be burned. They also allow twice the qualifying conditions that this Bill does. Then Mississippi passed this by a 10 to 1 margin in both the House and the Senate. We are missing something here. People get it. People are really suffering out there and they are not potheads. They are not. They are people that are suffering. They are people creeping around like criminals to buy marijuana on the street not knowing what is in it because they need it and their children need it. That is what they are doing. They are breaking the law. Shame on us for

making them do that. That is not necessary. You know, I do respect Senator HEMBREE and I agree that clinical trials are important, but that is not about access. It is about data collection. When you have what Dr. Sisley said in regard to one of the few that got approved -- she had 5,000 applicants. Only 80 were allowed to participate in the trial. Half of them received a placebo. That is not access. You can get meaningful data out of that. It is not useless, but don't even pretend that you are going to help people who need medical cannabis by moving to these clinical trial approaches. If that was going to work, that would have been done in all the other states. It doesn't work because you have a federal government, like Senator SENN said, that is hostile to this approach. The DEA and FDA are hostile to this approach. And to say that there is a new day now and they are wide open to accepting applications. That is not the reality. Again I'm going to turn to a letter that I passed out to you from Dr. Sue Sisley. In bold print it describes how as a 14 year DEA Schedule I drug researcher, she has been through the process. She has actually done this.

Let's go ahead and look at this letter. I have been involved in researching cannabis for more than 20 years. I am writing to you today simply to tell you that a large scale clinical trial is not feasible in a reasonable amount of time. There is not enough funding to execute for the vast number of patients needing access. Basically, this is not a solution for sick patients who need safe legal access right now or any time within the next decade. I don't want to wait another decade. I don't want Margaret Richardson or anyone else like her to wait another decade to get something that her physicians think will help her. That is not what we are sent up here to do -- continuing on with the letter -- Through the relentless trials and tribulations, I have experienced trying to research this plant. I implore you not to travel down this road. You will not be providing relief to the suffering patients of South Carolina. This is a woman who has got a Schedule I drug DEA research license. One of the few in the country. She has been through this process and is begging us not to do this. Dr. Cutler is begging us not to do this. Dr. Nagarkatti is begging us not to do this. Yes, research is important but don't deny access. In real time, these gentlemen, whose names were being invoked in this podium, took the time to email me and text me to say we stand for your Bill. We stand for providing access to these patients. We believe clinical research is important, but we never suggested it was meant to replace, giving a physician the opportunity for the patient to benefit from something that science has proven will help. You need that context ladies and gentlemen. This Bill is about access. Senator HEMBREE is proposing it can be done concurrently with merit. It can be concurrent if

you want it to be, but it is not a replacement for access -- clinical trials collecting data when you are funneling 5,000 applicants into 80 applicants, most of them had to go home. How is that giving them access? Most of them were not able to participate in this trial. Continuing on with Dr. Sisley's letter, the regulatory approval process for starting a study is excruciating. Her term -- excruciating. The brutal list of inclusion and exclusion criteria required by the FDA and IRB to screen potential patients for a clinical trial is exhausting. Then she calls it excruciating again when she embarked on her first study. It took seven years to start a simple phase 2 trial. I have been leading studies for cannabis safely and efficaciously for pain and PTSD until finally gaining approval in 2014. It has taken us 14 years and we are still stuck in phase 2 trials with most likely 9 to 10 more years before beginning phase 3 and obtaining FDA approval. This is a massive undertaking not to be taken lightly. I've already talked about and Dr. Sisley has talked about the fact that half of the very small number that are able to participate take placebos, no access for them. Even when you have 5,000 applicants and 80 got approval, only 40 received cannabis and the other 40 got a placebo. This again, from Dr. Sisley's letter she wrote to me last night. It is a fantasy to think that an investigator can put any person who wants to enter a clinical trial in these studies on any one of these diseases. The screening process is extremely rigorous overseen and audited by both FDA and IRB. Even if you are lucky enough to be authorized by all of these federal agencies to conduct a clinical trial -- even if you run that gauntlet, go dozens of years, spend millions of dollars, and you have your clinical study. Only a handful of individuals get to participate. Because again, this is about providing data not providing access. This Bill is about providing access. I am not saying it is bad or it doesn't have merit. It is just not a replacement with what is before us. It is not a replacement for what we have been working on for 7 years and what we have been debating for 3 weeks. It is not. It is something completely different. And to suggest that a clinical trial is going to provide access to people like Mrs. Richardson or anybody else is a cruel assertion. It is not going to happen. Don't take my word for it. Take it from this doctor who has a phase 1 DEA license and her work over 14 years trying to make it happen. She has actually been in there and has seen how it works. Not just made a phone call to Drs. Cutler and Naragatti. All though that is fine to do. They do not support a clinical trial alone; they support S. 150. That is why they were at the press conference in January and calling for it to be passed. Speaking directly to it because she saw a clip or read the text of Senator HEMBREE and the amendment from Senator

GARRETT. What this idea really puts forward is at least 20 clinical trials. This will never be accomplished in our lifetime. Most terminally ill patients will die before ever getting approval for the first study. Even if you decide to take this road to perdition via clinical trials, where are you going to get the cannabis for trials? There are hundreds of entities ahead of you in the process and production for research is littered with issues. The demand for research cannabis is at an all time high. So again, aside from the fact that it is difficult to get an authorized trial, despite the fact that a number of people are able to participate in those trials, we have got to get in line behind hundreds of other people to get cannabis from the federal government to do the clinical trials. This is not going to happen. We had something similar to this back in 1980 pass; it is a dead letter. Nothing ever happened to it. It was a dead letter because of authorization access. In other words, the types of approval that is being suggested can easily be secured now because it is brand new day up there in Washington D.C. That is not what people who actually do this are saying. From Dr. Sisley's letter, I see this Bill as one of -- if not the most -- restrictive in the country. This is what you are deciding today. I cannot, in clear conscience, tell you to proceed with this medical cannabis program as a clinical trial. If your intent is to provide relief to suffering patients with debilitating conditions, please implement your medical program as Senator DAVIS envisions. I know he has made many compromises along the way to assuage what fears this plant has for many. But at the end of the day, this is a complex medically active plant that provides relief to millions in this country with not one death related to its inherent properties. Currently, this is now the best middle ground available in the United States. Members of the Senate, I'm not going to take up a lot more of your time. I am just going to tell you there is a place for research, there is a place for clinical trials, and it is important to collect data, but please do not substitute that for access to people who need it. It is a completely different animal. Experience has shown us that. Thank you.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator DAVIS, were ordered printed in the Journal.

Senator K. JOHNSON spoke on the amendment.

Remarks by Senator KEVIN JOHNSON

Thank you, Mr. PRESIDENT, and members of the Senate. I will not be long at all. I think everybody understands the position that I have with

this Bill and how I feel about it. I was almost hesitant to do this because Senator HEMBREE had already made some points that I was going to make. I was also going to say that my feelings are based on my involvement with this Bill since eight years ago when I was a member of the subcommittee. I have said it several times, and I will say it again, I would have rather been debating recreational marijuana as opposed to medical marijuana. And as Senator HEMBREE said, "I would probably vote against that Bill but based on folks who have contacted me about this Bill, it looks like that's what they wanted anyway, and what they're hoping is going to transpire from this medical marijuana." Someone mentioned Julian's law. I think that is the Bill we passed a few years ago, that legalized the oil in marijuana. We had those hearings and it was very sad to see so many parents bring their children into the meeting room in wheelchairs and some wearing protective helmets because they had so many seizures in a day. It was made clear to us that it was something about the oil, minus the THC, that it would help a young child that was having a hundred seizures a day. It was discovered that if used they may only have two or three seizures a day, and so of course, I supported that Bill. I was glad that it passed. I also supported industrial hemp, and a lot of people, who contacted me back when we were debating that Bill thought that when we passed the industrial hemp, we were passing marijuana but we did not. I just want to let you know that I did support those Bills, but I do not support this medical marijuana Bill and as you all know, I have never tried to convince anybody to agree with me. I have never tried to put my name on a Bill or block the Bill, but I just have some observations that I have made. Senator GARRETT held up a book, and well I have a book that I was given back when I was on the subcommittee. It is a book by William Bennett who is a former Secretary of Education for the United States of America, and it is entitled "Going to Pot: Why the rush to legalize marijuana is harming America." I have had a lot of information given to me about this Bill, but I found most of what I like about opposing the Bill is in this book. It makes a lot of great points, as far as why medical marijuana is bad, and then I often wonder, as I listen to the debate, why do we keep referring to this as a medicine? I don't think it's medicine but that's just my opinion, and other people have their own opinion. I think somebody said earlier, maybe Senator HEMBREE, and I agree with him that some people do find relief from marijuana. Some people may find relief, but I think a lot of people do not. I would tell you that most of the people who contacted me about this Bill -- it wasn't about any type of medicinal value, it was about getting high, and most of the folks who contact me about this Bill, I don't

mean to be ugly but to be downright honest, they were potheads. They saw this Bill as a way to have access to marijuana legally and that is why they supported the Bill.

It had nothing to do with medicinal value or whatever. When I was on the subcommittee, an individual verbally attacked me personally. He was upset, and he just went off, but it did not bother me. He later apologized. He told us, he was from California, and how marijuana was so beneficial. I think the very next day somebody sent me a picture of him on Facebook with loads of marijuana, so it turns out this person stood to make a lot of money if the Bill passed in South Carolina. I also had one visit that stuck out in my mind of a guy that came to my office. He rolled into my office in his wheelchair. I think he said he was a veteran, and he explained how he has excruciating pain and other issues and the only thing that helps him is marijuana. When that guy left my office, I really felt bad for him. He didn't convince me, but I felt bad for him because I know that people do suffer from a lot of issues. I guess it was maybe ten minutes later that I got a phone call from someone in Sumter, and they said, "There's not a thing wrong with him, and he borrowed the wheelchair. He is a pothead. He wants marijuana." That weighed heavy on me. What also weighed heavy on me were some physicians that I have a lot of respect for back home, earlier on in this debate, seven, eight years ago, and they talked about medical marijuana and they told me how much they were against it. They told me the increasing number of young people that were coming to their practice dependent on marijuana. I told you before, by choice, I live in the neighborhood, which I grew up in. I built a house right next to my mother, and I contemplated moving several times but I stayed there. A few streets over is an apartment complex surrounded by gang activity and sometimes they do things that young people should not do. Therefore, I get to see firsthand how marijuana has just destroyed people's lives, especially young people, and more especially young black people. I go to the barbershop and because of Covid we are outside waiting to be seen. While waiting to be seen by the barber, I am sitting in my truck with my adopted grandson and all we can smell is marijuana. There were young guys -- 20, 25, 30 years old -- sitting in their cars and trucks waiting to go get a haircut and smoking marijuana. I hope the owner is not watching but if he is, I am speaking my truth. The last time I went in the barbershop I almost choked because of the strong aroma of the marijuana. I went to another barbershop and I remember one day when I was taking my grandson to school and we stopped to get a haircut, and the scent of marijuana in the barbershop was extremely strong. I

thought to myself, "I'm going to take him to school and he's going to smell like marijuana and I know what they're going to think." They're not going to know that I'm a person that's never even tried it." Never even had a puff of a marijuana cigarette. I've been around enough of it in high school and college. Anyway, the other thing I want to say about this Bill is that there has been a lot of talk about the percentage of people that want to see medical marijuana. I do not think the whole story has been told. I read a study conducted by Winthrop University and it said that 70% of people would like to see medical marijuana made legal but the second half of that statement says only if it is regulated by the FDA, so I think we need to get the whole story out there. This book here says that back in 2012, 34,000 people had a medical marijuana card, 3.7% used the card to help ease cancer symptoms, 1.5% from glaucoma, 1.6% from aids, but 89.8% of those people out of the 34,000 that had that marijuana card used it for pain, just terrible pain. The other part of the story is that only 13% of those folks were over 60 years old, 73% were men between the ages of 18 and 30 years old, which is normally the healthiest part of our community. Those same men had a card saying they needed medical marijuana for pain. I already talked about medical marijuana being more expensive than how you can get recreational marijuana now but I'm concerned that if this Bill passes -- how are the people in my community and that I live next door to are going to afford to get medical marijuana? Shouldn't they have relief? But it will be more expensive. This book was written in 2012 when I was on the subcommittee so maybe things have changed, but it said that every single state that passed medical marijuana now has recreational marijuana. Therefore, just as people are hoping, we pass medical marijuana, and the next thing we are going to pass is recreational use, making marijuana fully legal. There was an article in the Denver Post that stated that nearly three-quarters of teens in two metro area substance abuse programs said that they use medical marijuana that was bought or grown for someone else and that's what's going to happen in this case with marijuana just like it happens with drugs like opioids and even Viagra. People have prescriptions for these types of drugs, and then they end up in the hands of people who shouldn't have them. So a lot of young people are going to have access to this medical marijuana because somebody they know will have a prescription for it and they'll either give it to them, sell it to them, or the kid is going to take it from them. Marijuana used by 12 to 17 year olds is dramatically higher in states that have legalized marijuana. Young people are going to have access to marijuana more than ever before and this all may lead to improper brain development, becoming more dependent on marijuana,

and trying other harsh drugs. Nationwide, over 70% of teens admitted to a substance abuse program claim that marijuana is their drug of choice, not alcohol, not cigarettes, not prescription drugs, but marijuana. In 2010, marijuana contributed to nearly 3,000 traffic fatalities or 12% of all traffic deaths. So my thought process is that the more we make marijuana available, the more we are going to have people out on the highways and byways driving under the influence of marijuana. I just told you all about being rear-ended in Charlotte, NC. When the accident happened, I got out of my car and all I could smell was marijuana and the sad part of that story is that the lady that hit me had a three or four year old daughter in the car with her, and she was driving around smoking marijuana. Doctor Sanjay Gupta said back in 2009 that he supported the concept of medical marijuana. After he made that comment, he did some research and studies and came back in 2013 and apologized for saying that medical marijuana was a good thing because he realized that it wasn't. I don't agree with the concept that's being implied that medical marijuana is a cure for everything. I will agree that some people get relief from marijuana; however, I do not know if they are just in such a state of high that they do not know they are in pain. I do understand that some people get relief. I got a letter today from a person back in my district, asking me to support this Bill because he is a 100% disabled veteran, and he has to smoke two joints a night so that he can sleep. Then, I got another email from someone else saying just the opposite, and they did not want to see this Bill passed. I believe marijuana is a gateway drug. I know people who started with marijuana, then went to crack, then went to heroin, then went to meth, and then they went to their grave. We know of people, and I will not call names because they have families, but we know of celebrities that started with just alcohol and marijuana and then one thing led to the other, and they ended up killing themselves or they committed suicide or whatever. I had a question about the fiscal impact, but I think that question was addressed a while ago. I have a question but I'll have to look back at the Bill, to see if this Bill will even allow tracking, so we would know how much marijuana a person has, and is there anything to say how much someone can get. If I have a bad back, then I can get x amount and if you have a bad back and your problem is worse than mine, then do you get more or does everybody get the same amount? From what I read, the amount of medical marijuana people can get every two weeks is alarming to me. Therefore, we know that the South Carolina Medical Association is against the Bill, the South Carolina Pediatric Association, the American Academy of Pediatrics, and the American Ophthalmological Society are

all against the Bill. The American Medical Association, the American Society of Addictive Medicine, and we all got the correspondence from the South Carolina Baptist Convention where they are adamantly opposed to medical marijuana that is not regulated by the FDA.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

Senator MALLOY spoke on the amendment.
Senator McLEOD spoke on the amendment.

Remarks by Senator McLEOD

Thank you, Ladies and gentlemen of the Senate. It's been a long three weeks. I was hoping that I could wait and speak on the Bill. That was before this amendment and since it's a referendum on the Bill, I am going to go ahead and speak. It is nice to see all you all. I don't get down here much anymore. I want to start by saying, thank you, Senator DAVIS. I mean that sincerely. I appreciate your years of hard work and perseverance. Thank you for caring enough to try and usher our State into the 21st century. Your patience here at the well and your passion for the people of South Carolina and compassion for the people, is truly admirable. It should challenge all of us to do and be better. I've taken copious notes. I appreciate those of you who sent copies of the amendments up to the gallery so that I could participate and engage from up there. What I am about to say, not just about this amendment, but about the Bill -- what I am about to say is not a reflection of you, Senator DAVIS or your efforts. It's not an indictment of anyone in particular, inside or outside of this Chamber. And certainly not of those of us who have been fighting with you to legalize medical marijuana. I am not one to mince words and let's be real -- this amendment is just another effort to kill the Bill. And the Bill is already a much weaker version than the original proposal. In fact, it's already the most conservative Bill in the country and a fraction of our original proposals. And yet, for the past two weeks, I've watched and listened, as some of you try to dilute it even more. I've co-sponsored this Bill each time Senator DAVIS has sponsored it -- has introduced it, but this time I am listed last. And the reason that I am listed last on this Bill is because it took me a minute, it took me a minute, to decide whether I wanted to even co-sponsor this version. I added my name to it again, reluctantly, in spite of my reservations. Because if our efforts move the needle, even slightly in a better direction, we'll significantly improve the quality of life for so

many South Carolinians. So that means our first big step in the right direction is definitely one worth taking. For years, I've sponsored and advocated for each version of our Medical Cannabis Bill. And for years, many of us have listened, even in the House, to so much testimony from people who traveled from all over the State about the life changing benefits of medical cannabis for South Carolinians who suffer. They continue to suffer in silence with cancer, PTSD, Lupus, Crohn's, Epilepsy, chronic pain, nausea, Sickle Cell Anemia and so much more. I've been listening intently up there to this debate from the gallery while trying to protect myself from Covid. Because, there seem to be no governmental protections or compassion for people with chronic medical conditions like mine. To hear some of you bash, and stigmatize those of us who benefit from medical marijuana hurts. Because the reality is, I wouldn't wish the pain and suffering I've personally endured with sickle cell anemia -- I wouldn't wish it on anybody. And, to think that some of us in this Body would obviously have to feel that kind of pain firsthand. Just to have an ounce of compassion and empathy for people, across the State, who struggle like I do is disheartening. So for those who have expressed judgment, disdain and disregard for anyone who would use marijuana for any reason, shame on you. Shame on us in this Body. Will there be some who abuse or try to beat the system? Of course! That is the case for just about everything. There will be some, there are already some who do it when it comes to opioids and narcotics and other regulated substances. This one is going to be no different. While it's great that neither you nor anyone close enough to you knows what it feels like to have pain so intense -- so excruciating and debilitating -- that it can only be managed in a hospital, please understand that some of us know that level of pain all too well. So well, in fact, that ER docs have asked when I've gone to the ER, many times, Ms. Mcleod, "What's your pain on a scale of 1 to 10?" Believe it or not, I didn't have the words or the numbers that were high enough to express it. But how -- how can I prove that? How can I prove to a doctor or anybody else that I am in that much pain? And if sickle cell wasn't a qualifying condition, am I limited to just opioids? To deny those of us who do know that kind of pain one of the few natural remedies that would allow us to live, work, and actively engage in life is a frightening misuse of our legislative powers. So while you may not know what it feels like to stare at a bottle of opiates and wonder if your pain would finally stop -- big bottle. And wonder whether or not your pain would finally stop -- maybe it would if you took the whole bottle, because that's what the kind of pain you're feeling requires or demands. Maybe some of you know what it feels like to have one of

your limbs hurt so badly that you'd consider cutting it off, if severing it would make the pain stop just for a minute. So to hear some of you boast about never having used marijuana, and assuring us that you never will, speaks volumes about the level of ignorance and misinformation that's out there. Let me assure you, the majority of those who find hope and relief in medical marijuana aren't pot heads. They aren't weed heads or criminals or characters in a Cheech and Chong movie. And quite frankly, referring to any South Carolinian who is reaching out to us for help in such a demeaning and derogatory manner is beyond offensive. The majority of us -- believe it or not -- are law abiding citizens, taxpayers and voters. We're moms, dads, grandparents, aunts, uncles and daughters. We're neighbors, constituents, parishners and hard working South Carolinians who love our State and are committed to doing our part to make it better. Just because stronger more dangerous and addictive drugs are the preferred or acceptable prescriptions by law, obviously doesn't mean they are better or safer. Fortunately there's another option. When it becomes marijuana, we become particularly interested in those that might drive while under the influence or work while under the influence. Truth is, they would be breaking the law, like too many other South Carolinians. Apparently since South Carolina is the fifth highest in the country for DUI's. Despite our DUI stats, alcohol has never been and probably never will be illegal. Neither have we penalized or vilified those who consume it. Yet we question or challenge the validity of every qualifying condition, because some of you want or seem to think that everybody who wants medical marijuana will lie, cheat and steal to get it. Accusing South Carolinians of faking or embellishing symptoms, possibly using it for purposes that are outside of the prescribed conditions is interesting. Actually, it is ironic -- a better word. Hypocritical, that's a better word. Take Viagra, for instance. When I introduced the Viagra Bill in 2016, I discovered that it was originally prescribed for high blood pressure and cardiovascular disease. It just happened that one of the side effects, one of the side effects of Viagra were erections. But we don't want to debate that. We don't want to regulate that because that was a welcome side effect. Nobody in this Chamber or in this General Assembly wanted to talk about that. I am not aware of any attempts to regulate Viagra. But yet when it comes to medical marijuana, we've got folks who come to this well and bring up blunts. Why would we bring blunts into the equation here on the floor. I think there was a casual reference to smoking blunts and it just happened to be connected to some folks who were on trial for murder. It is like wow. I guess that is why we are banning the smoking of medical

marijuana in this Bill. Not allowing it to be smoked is just another way of making an unnecessary distinction between those who smoke it and those who if this Bill passes, and this amendment fails, will legally consume it. The same cannabis -- same marijuana, just like the same Viagra used to treat high blood pressure and heart disease can also be abused by men because of its unintended but desirable side effects, and impact it supposedly has on those who suffer with Erectile Dysfunction. And yet I have never heard you all say that Viagra and Cialis and similar drugs can only be used or prescribed for their originally intended purposes. Not sure why we are making so many distinctions. Especially when the same rules ultimately apply to operating a motor vehicle, employment and workplace policies, school policies, and other venues where they would be prohibited. There is no safe harbor for those who abuse this or any other drug or consume it at a time or place it would otherwise be prohibited. Yet some of us continue to challenge the efficacy of medical cannabis when comes to certain conditions. We spent the past few weeks out experting the medical experts. I think Senator DAVIS talked a bit about that yesterday or maybe it was today -- my days are starting to run together. We keep looking for and talking about conditions that we don't think should be on that short list of those who medical cannabis will help. What is our end game? We could stay here from now until June, as Senator K. JOHNSON just talked about, showcasing our opinions about the efficacy of medical marijuana and the acceptable ways to consume it. Meanwhile Viagra and Cialis can be ordered online without physically seeing a medical doctor or getting an official medical diagnosis. Imagine that. Why is that? Why isn't the same access being considered for medical marijuana? So if we truly want to make a difference in the lives of South Carolinians who are suffering and we have a safe, effective antidote why wouldn't we do everything we can to make it available and accessible? As someone who has had excruciatingly painful sickle cell crises. I can tell you firsthand when that pain hits, you can't eat, can't sleep, can't think and can't move. Everything hurts. You can't have the quality of life so many who have never experienced that kind of pain take for granted. If this Bill had passed years ago, you may have been able to avoid so much of the pain I have endured because I was so afraid of taking too many of the opioids my doctors prescribed. When my sons played college football, they tore ACL's, LCL's, Achilles'. I didn't want to take the chance of them becoming addicted to prescription opioids or narcotics that could have seriously hurt or killed them. Take a look at the size of this bottle, please, if you will. It is a big old bottle. I still got plenty left in it. These are

prescription opioids. Think about how often these are prescribed in South Carolina. Think about how many South Carolinians have overdosed and died trying to manage their pain at home and their dosages at home. When I looked up this drug, here is how it is defined -- narcotic used to treat moderate to severe pain, controlled substance, high risk of addiction and dependence, can cause respiratory distress and death when taken in high doses or when combined with other substances. Are we really going to make a dangerously strong semi-synthetic opioid like this the only option suffering South Carolinians have? Over the years I've been prescribed -- and I am just speaking for me personally, I have been prescribed Morphine, Hydrocodone, Percoset, Oxicontin and Dilaudid. When it comes to pain meds, you name it and I have probably been prescribed it. Some cause nausea and other side effects, but then some of us are damned if we do and damned if we don't. Not taking anything to help alleviate the pain for many of us is simply not an option. When I think about passing a Medical Marijuana Bill -- what it would mean for my sister, a stage four breast cancer survivor and others who have beat cancer but still struggle with chronic nausea and other complications. I am reminded there are far more of us who struggle with chronic medical conditions than you may realize. So the question before us is will we remain in the dark ages, or will South Carolina become the 38th state finally taking a bold, necessary step toward legalizing medical cannabis. For those of us who need it and those of us who deserve a different safer, effective option. Even republican-controlled states like Alabama and now Mississippi have legalized medical marijuana. Like me I am sure all of you have gotten lots of emails from folks across the State asking, "Why is South Carolina still behind the curve of medical cannabis?" A recurring theme. It makes no sense that our doctors have to prescribe far more dangerous medications when no one has died. No one has died of a marijuana overdose. But more than 145,000 South Carolinians or Americans, I am sorry, die every year from prescription opioids. Why is South Carolina pushing patients and doctors to the far more harmful option? DHEC has even referred to opioid misuses and overdoses in South Carolina as an epidemic. We know marijuana usage actually decreases the dependence and likelihood of overdosing on opioids. Contrary to misinformation that has been disseminated by those who oppose it, marijuana is not a gateway drug. Let me say that again for the folks in the back. Marijuana is not a gateway drug, but a safer alternative. It doesn't have the propensities opioids have. In fact, 37 other states, like I said, including Alabama and Mississippi, as late as last week have legalized it. At last check an overwhelming majority of South

Carolinians support the legalization of it. Let's be real bipartisanship is hard to come by these days but this is a bipartisan effort. Republicans and Democrats alike support this Bill and this issue. Just take a look at those of us who have consistently sponsored and co-sponsored it. If passed, this Bill would create one of the most strictly regulated medical marijuana programs in the country. While I agree that legalization would be a big step in the right direction for South Carolinians. I am concerned that overregulating it will make medical marijuana too expensive for some South Carolinians, and even deny or restrict access to the very people we are trying to help. We haven't spent much time on the economic impact of legalization. We know that passing this measure would generate millions in taxable revenue not more, and create thousands of jobs in its first year, providing a huge economic boost to our state's economy. Like it or not, medical marijuana is safe and effective. Especially when compared to opioids. In 2019 South Carolina physicians prescribed more opioids than the national average. Medical marijuana should be taxed and regulated like any other prescription drug -- not more and not less. Legalization is strongly supported by veteran's groups who say the data shows suicides among combat veteran declines when they have access to medical cannabis. There are so many reasons to support this Bill. Not only am I a proud co-sponsor, I have introduced a Bill to decriminalize it because I will never forget what SLED and the South Carolina Sheriff's Association and other members of the law enforcement said during a hearing on my Schools Bill when I first introduced it in the House. I think it was 2016, and I remember them pleading with us not to remove that tool from their tool boxes. I thought, wow, that is an interesting request. So when I asked what they meant by that -- what tool they were referring to? They simply said that law enforcement needed to hold on to the ability to arrest students while in school, and that if my Bill passed, that tool or that ability would be removed from their tool boxes. Sadly, those offices and organizations were well aware that the old disturbing schools law had already sent more than 30 thousand South Carolina students into the school-to-prison pipeline -- had already sent over 30,000 South Carolina students to DJJ. The majority were not engaged in criminal activities at school when they were arrested. Arguably that is the same point they are making here when they voice their opposition to medical marijuana. Saying that the legalization of medical marijuana will impact their ability to distinguish between the good guys and the bad guys. If that is their rationale or reasoning, I can't help but wonder why were those same law enforcement officers and agencies noticeably silent and low key supportive of open

carry? Because if there ever were Bills that would impede law enforcement's ability to perceive an eminent threat or distinguish the good guys from the bad guys it is open carry Bills that have sailed through this Chamber despite the opposition -- despite the research and with reckless disregard for those of us who'll be negatively impacted. For any law enforcement officer or elected official to sit in a medical cannabis hearing and mean mug struggling South Carolinians -- Republicans and Democrats who travel from all over the State year after year every time these Bills are introduced -- pleading with us for help and relief -- that is what seems criminal. I was curious about why medical marijuana ever became an illegal substance in the United States. According to Britannica, the answer is simple yet not surprising. The root of marijuana's illegality, Senator K. JOHNSON, is racism. In the 1930's Harry Endslinger, head of the Federal Bureau of Narcotics turned his battle against marijuana into an all out war. His motivation seemed less about safety concerns. Since the overwhelming majority of the surveyed claimed the drug was not dangerous, Endslinger however was not deterred by the science or the scientists. So he sought a federal ban on marijuana and moved full speed ahead with his high profile campaign that relied heavily on racism. Even claiming that the majority of marijuana smokers were black and brown people and that marijuana had an effect on these degenerate races -- such as inducing violence and causing insanity. He also said, "Reefer makes darkies think they are as good as white men." He went on to express his belief that smoking pot would result in white women having sex with black men. Endslinger eventually oversaw the passage of the Marijuana Tax Act in 1937, which effectively made the drug illegal across the United States. But it was declared unconstitutional in 1969 and replaced by the Controlled Substance Act the following year. That legislation classified marijuana, as well as Heroin, LSD and others as a Schedule I drug. Also not surprising is that racism was evident in the enforcement of the law as well. Those enforcement disparities are unfortunately still happening today. In 1996 California was the first state to the criminalize marijuana for medicinal purposes. By 2019 more than 30 U.S. states permitted some marijuana use, although it remained unlawful at the federal level. According to Britannica, African Americans in early 21st century were nearly four times more likely than whites to be arrested on marijuana related charges. Despite both groups having similar usage rates. That is why I've introduced the Bill that would take the question concerning whether to legalize medical and recreational marijuana to the people of South Carolina. Let's put the request question on the ballot so we will

know once and for all where South Carolinians stand on this extremely important issue. We owe that to the people who continue to suffer without help and without hope. Before I take my seat, and I am sure you're ready for me to do that, I just want to remind all of you of the words of Greenville native civil rights icon reverend Jesse Jackson who said, "Never look down on anybody unless you are helping them up." My prayer is not that you will come to know or understand or experience our pain firsthand. My prayer for all of you is that God will give you the courage, compassion and empathy to do right by all of the people of South Carolina. Regardless, that starts by tabling this amendment and passing a bipartisan Medical Marijuana Bill that makes medical marijuana affordable and accessible to all of us who need it. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

Senator GROOMS spoke on the amendment.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Motion Failed

Pursuant to Rule 15A, Senator GROOMS moved that a time certain be set on the entire matter in Interrupted Debate, S.150, at 5:45 P.M. on Wednesday, February 9, 2022; that the Clerk be prohibited from receiving further amendments, other than technical or correcting amendments, and debate on the pending amendments be limited to 5 minutes for proponents and 5 minutes for opponents, then debate on the main question be limited to 15 minutes for proponents and 15 minutes for opponents.

The question then was the adoption of the motion.

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

Ayes 3; Nays 39

AYES

Corbin	Goldfinch	Grooms

Total--3

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Garrett	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

Having failed to receive the necessary votes, the motion failed.

Senator DAVIS moved to lay the amendment on the table.

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

Ayes 26; Nays 18

AYES

Adams	Allen	Climer
Cromer	Davis	Fanning
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Matthews
McElveen	McLeod	Rankin
Sabb	Shealy	Stephens
Talley	Verdin	

Total--26

NAYS

Alexander	Bennett	Campsen
Cash	Corbin	Garrett
Hembree	*Johnson, Kevin*	Loftis
Massey	Peeler	Rice
Scott	Senn	Setzler
Turner	Williams	Young

Total--18

The amendment was laid on the table.

Motion Adopted

Senator MASSEY asked unanimous consent that all amendments be cut off at 3:45 P.M. except members may substitute existing amendments that have not yet been published in order to make minor, technical and conforming amendments, and that there be one additional conforming and technical amendment offered by Senator DAVIS and that Senator CASH may offer one additional amendment.

Amendment No. 53

Senator CAMPSEN proposed the following amendment (150R065.SP.GEC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2096(C) and inserting:

/(C) The Board of Pharmacy shall develop a process and promulgate regulations for issuing a permit to a therapeutic cannabis pharmacy, including the establishment of associated fees. The Board of Pharmacy shall not prohibit a pharmacist who owns a non-therapeutic cannabis pharmacy from obtaining a permit to own and operate a therapeutic cannabis pharmacy, provided that the pharmacies must be located in independent structures that are at least one quarter mile apart from the other. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 60A

Senator SENN proposed the following amendment (150R085.SP.SS), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2060 inserting:

/Section 44-53-2060. (A) There is created a Medical Cannabis Advisory Board, which must be comprised of:

(1) one member appointed by the director of the department, or his designee;

(2) the following members appointed by the Governor, upon the advice and consent of the Senate:

(a) two licensed medical doctors authorized by the State to practice medicine who do not authorize medical cannabis;

(b) two licensed doctors of osteopathic medicine who do not authorize medical cannabis;

(c) one licensed medical doctor who is board-certified to practice addiction medicine in South Carolina;

(d) one research scientist with expertise in the field of cannabinoid medicine;

(e) two licensed pharmacists who do not dispense a medical cannabis product;

(f) two licensed pharmacists who dispense a medical cannabis product;

(g) one cardholder and one parent of a minor qualifying patient. For an appointment made before registry identification cards are issued, this provision applies to one cardholder or one parent of a minor with a debilitating medical condition who intends to use medical cannabis; and

(B) The advisory board shall meet at least two times per year for the purpose of reviewing petitions to add or remove debilitating medical conditions.

(C) At least once every one hundred eighty days, the advisory board shall review petitions; consult with experts in South Carolina and other states with medical cannabis programs, as well as any available research; and, if necessary, hold public hearings before voting on whether to add or remove a certain condition as a debilitating medical condition.

(D) Members of the advisory board serve a term of four years or until their successors are appointed and qualify. A vacancy on the advisory board must be filled in the manner of the original appointment for the remainder of the unexpired term.

(E) Members of the advisory board may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

(F) Except as designated in subsection (A)(2)(g), members of the advisory board may not also be a qualified patient and in possession of a registration identification card. Prior to being appointed to the advisory board, the department shall certify that the appointee does not have a current registration identification card. The department shall advise the Governor of any appointee who has previously had a registration identification card and the circumstances under which the card is no longer valid. If a member of the advisory board becomes a qualified patient, then he shall resign from the advisory board and notify the department and the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 61

Senator SENN proposed the following amendment (150R077.SP.SS), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2470(A) and inserting:

/Section 44-53-2470. (A) Each therapeutic cannabis pharmacy must employ a pharmacist-in-charge who is licensed by the State as a pharmacist and who completed a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy as provided by Section 44-53-2095. A pharmacist must be reasonably available during business hours to advise and educate patients in person and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist violates the applicable standard of care. A pharmacist must be physically on premises during dispensing hours. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator K. JOHNSON spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 62A

Senator SENN proposed the following amendment (150R084.SP.SS), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2290 and inserting:

/Section 44-53-2290. (A) A physician is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Medical Examiners or any other occupational or professional licensing entity, for providing a written certification as authorized by state law. A physician may not be sued for medical malpractice solely as a result of certifying a qualifying patient's medical use of cannabis products in accordance with this article, but this section shall not be construed to prevent a physician from being penalized or sued for violating the standard of care or for any

violations of this article, including certifying a person for medical cannabis products who does not have a debilitating medical condition.

(B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy or any other occupational or professional licensing entity, for dispensing an authorization for cannabis products as authorized by state law. A pharmacist may not be sued for malpractice solely as a result of dispensing a qualifying patient's medical cannabis products in accordance with this article, but this section shall not be construed to prevent a pharmacist from being penalized or sued for violating the standard of care or for any violations of this article, including dispensing medical cannabis products to a person who does not have a debilitating medical condition. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 63

Senator CASH proposed the following amendment (150R080.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2100(A)(4) and inserting:

/(4) Acceptable evidence must include, but is not limited to, proof of military service in an active combat zone, that the person was the victim of a violent or sexual crime, or that the person was a first responder. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 64

Senator CASH proposed the following amendment (150R082.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2370(B)(11).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 65A

Senator SENN proposed the following amendment (150R086.SP.SS), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2010(A)(12) and inserting:

/(12)‘Edible cannabis product’ means an individually packaged food or potable liquid into which has been incorporated a cannabinoid concentrate or extract or the dried leaves or flowers of cannabis with a tetrahydrocannabinol concentration of not more than ten milligrams per serving and may include a gelatin-based chewable product; however, an edible cannabis product cannot resemble or taste like commercially sold candies or other food that is typically marketing to children. An edible cannabis product cannot be in the shape of cartoons, toys, animals, or people. An edible cannabis product cannot include baked goods that would be attractive to children. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 66

Senator CASH proposed the following amendment (150R079.SP.RJC), which was tabled:

Amend the bill, as and if amended, on page 14, after Section 44-53-2080(D), at line 8, and inserting and new subsection to read:

/ (E) A physician authorized to issue written certifications can write no more than a total of five hundred certifications for post-traumatic stress disorder, chronic pain, or severe pain for qualifying patients per year. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 34; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Cromer	Davis	Fanning
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

Total--34

NAYS

Cash	Corbin	Garrett
Hembree	*Johnson, Kevin*	Loftis
Peeler	Rice	Senn
Williams		

Total--10

The amendment was laid on the table.

Amendment No. 67

Senator HEMBREE proposed the following amendment (150R087.SP.GH), which was tabled:

Amend the bill, as and if amended, by striking Section 44-53-2020(B) and inserting:

/(B) Revenues generated in excess of the amount needed to implement, administer, and enforce this article must be annually distributed as follows:

(1) twenty percent to SLED;

(2) sixty percent for treatment of substance abuse addiction; and

(3) twenty percent to the Commission on Higher Education to provide scholarships to South Carolina residents seeking a degree in the substance abuse and mental health treatment fields. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 68

Senator CASH proposed the following amendment (150R088.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2350(A)(3) and (4)(c).

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 69

Senator HEMBREE proposed the following amendment (JUD0150.001), which was withdrawn:

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

/ SECTION 1. Article 1, Chapter 53, Title 44 of the 1976 Code is amended by adding:

"Section 44-53-373. (A) It shall be an affirmative defense for any person charged with a violation of Section 44-53-370(d)(4) with respect to twenty-eight grams or one ounce or less of marijuana that he has been diagnosed with a debilitating medical condition by a licensed physician and that the patient and physician have pursued all other U.S. Food and Drug Administration approved treatment options.

(B) For purposes of this section:

(1) 'Debilitating medical condition' means:

(a) a diagnosis of one or more of the following that also results in a debilitated condition:

(i) cancer;

(ii) multiple sclerosis;

(iii) a neurological disease or disorder, including epilepsy;

(iv) glaucoma;

(v) post-traumatic stress disorder;

(vi) Crohn's disease;

(vii) sickle cell anemia;

(viii) ulcerative colitis;

(ix) cachexia or wasting syndrome;

(x) autism;

(xi) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition; or

(xii) a chronic medical condition causing severe and persistent muscle spasms; or

(b) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician."

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

Renumber sections to conform.

Amend title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 70

Senator CASH proposed the following amendment (150R089.SP.RJC), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately lettered new subitem to Section 44-53-2350(A)(5) to read:

/( ) requirements that cannabis products that are taken in edible forms be made with a taste and odor that are neutral insofar as possible.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Amendment No. 71A

Senator CASH proposed the following amendment (150R096.SP.RJC), which was adopted:

Amend the bill, as and if amended, at the end of SECTION 3, by adding a new Section to read:

/Section 44-53-2520. The department shall require annually from a medical cannabis establishment proof of liability coverage of no less than one million dollars. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

RECESS

At 7:15 P.M., on motion of Senator MASSEY, the Senate receded for 20 minutes.

At 7:41 P.M., the Senate resumed.

Amendment No. 72

Senator CASH proposed the following amendment (150R090.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2090(A)(5)(a) and inserting:

/(5)(a) complete a three-hour continuing medical education course on medical cannabis on a yearly basis, including an online course, that is approved by the South Carolina Board of Medical Examiners; and /

Amend the bill further, as and if amended, by striking Section 44-53-2095(A)(4)(a) and inserting:

/(4)(a) complete a three-hour continuing education course on medical cannabis on a yearly basis that is approved by the South Carolina Board of Pharmacy, which must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles; and /

Amend the bill further, as and if amended, by adding an appropriately lettered subsection to Section 44-53-2095 to read:

/( ) The continuing education requirements included in subsection (A)(4)(a) are applicable to all pharmacy employees who assist the pharmacist in the preparation or dispensing of cannabis products or who interact with qualifying patients or designated caregivers. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 73

Senator CASH proposed the following amendment (150R093.KMM.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2510(B)(3) and inserting:

/ (3) the nature of the debilitating medical conditions of the qualifying patients by percentage, and a breakdown of qualifying patients by the following age groups:

(a) 0 to 10 years of age;

(b) 11 to 17 years of age;

(c) 18 to 23 years of age;

(d) 24 to 35 years of age;
(e) 36 to 49 years of age;
(f) 50 to 65 years of age;
(g) over 65 years of age.

Within each age group, the report must provide a breakdown, by percentage, of debilitating medical conditions of the qualifying patients./

Amend the bill further, as and if amended, by striking Section 44-53-2510(B)(6) and inserting:

/ (6) the number of physicians providing written certifications for qualifying patients and a breakdown of how many physicians wrote certifications in the following numbers:

(a) 1 to 100;
(b) 101 to 249;
(c) 250 to 500;
(d) 501 to 750;
(e) 751 to 1,000; and
(f) over 1000. /

Amend the bill further, as and if amended, by adding to the end of Section 44-53-2510(B):

"(8) the percentage of all physicians providing written certifications who accounted for eighty percent of the total annual prescriptions written;

(9) the total revenue of the South Carolina Medical Cannabis Program fund, the total expenses of the department in administering the program, the net revenue, and the amount distributed to each of the recipients in Section 44-53-2020(B); and

(10) a year-by-year chart showing the total number of annual certifications, the total number of registry identification cards issued, and the total number of fourteen-day supply purchases made. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 74

Senator CASH proposed the following amendment (150R094.SP.RJC), which was adopted:

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

/SECTION __. Sections 44-53-1810, 44-53-1820, and 44-53-1830 of the 1976 Code are amended to read:

"Section 44-53-1810. As used in this article:

(1) 'Academic medical center' means a research hospital that operates a medical residency program for physicians and conducts research that involves human subjects, and other hospital research programs conducting research as a subrecipient with the academic medical center as the prime awardee. A South Carolina research university shall be considered an 'academic medical center' for the purpose of this article.

(2) 'Approved source' means a provider approved by the United States Food and Drug Administration which produces ~~cannabidiol~~ cannabis that~~:~~

~~(a)~~ has been manufactured and tested in a facility approved or certified by the United States Food and Drug Administration~~ or similar national regulatory agency in another country which has been approved by the United States Food and Drug Administration; and~~

~~(b) has been tested in animals to demonstrate preliminary effectiveness and to ensure that it is safe to administer to humans~~.

(3)(a) ~~'Cannabidiol' means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.90 percent tetrahydrocannabinol by volume that has been extracted from marijuana or synthesized in a laboratory.~~ 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) ~~'Designated caregiver' means a person who provides informal or formal care to a qualifying patient, with or without compensation, on a temporary or permanent or full-time or part-time basis and includes a relative, household member, day care personnel, and personnel of a public or private institution or facility.~~ 'Debilitating medical condition' means a diagnosis of one or more of the following that also results in a debilitated condition:

(a) cancer;

(b) multiple sclerosis;

(c) a neurological disease or disorder, including epilepsy;

(d) glaucoma;

(e) post-traumatic stress disorder;

(f) Crohn's disease;

(g) sickle cell anemia;

(h) ulcerative colitis;

(i) cachexia or wasting syndrome;

(j) autism;

(k) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(l) a chronic medical condition causing severe and persistent muscle spasms;

(m) a chronic medical condition causing severe and persistent pain; or

(n) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician.

(5) ~~'Pharmacist' means an individual health care provider licensed by this State to engage in the practice of pharmacy.~~

~~(6)~~ 'Physician' means a doctor of medicine or doctor of osteopathic medicine licensed by the South Carolina Board of Medical Examiners.

~~(7)~~(6) 'Qualifying patient' means a person with a debilitating medical condition ~~anyone who suffers from Lennox-Gastaut Syndrome, Dravet Syndrome, also known as severe myoclonic epilepsy of infancy, or any other form of refractory epilepsy that is not adequately treated by traditional medical therapies~~.

Section 44-53-1820. (A) A statewide investigational new drug application may be established in this State, if approved by the United States Food and Drug Administration to conduct expanded access clinical trials using cannabis ~~cannabidiol~~ on qualifying patients pursuant

to an investigational new drug application (IND) ~~with severe forms of epilepsy~~.

(B) Any physician who is board certified and practicing in an academic medical center in this State and treating patients with ~~severe forms of epilepsy~~ one or more debilitating medical conditions may serve as the principal investigator for such clinical trials if such physician:

(1) applies to and is approved by the United States Food and Drug Administration as the principal investigator in a statewide investigational new drug application; and

(2) receives a license from the United States Drug Enforcement Administration.

(C) Such physician, acting as principal investigator, may include subinvestigators who are also board certified ~~and who practice in an academic medical center in this State~~ and treat patients with debilitating medical conditions ~~severe forms of epilepsy~~. ~~Such subinvestigators shall comply with subsection (B)(2) of this section.~~

(D) The principal investigator and all subinvestigators shall adhere to the rules and regulations established by ~~the relevant institutional review board for each participating academic medical center and by~~ the United States Food and Drug Administration, the United States Drug Enforcement Administration, and the National Institute on Drug Abuse.

(E) Nothing in this article prohibits a physician licensed in South Carolina from applying for Investigational New Drug authorization from the United States Food and Drug Administration.

Section 44-53-1830. (A) Expanded access clinical trials conducted pursuant to a statewide investigational new drug application established pursuant to this chapter only shall utilize ~~cannabidiol~~ cannabis which is:

(1) from an approved source; and

(2) approved by the United States Food and Drug Administration to be used for treatment of a condition specified in an investigational new drug application.

(B) The principal investigator and any subinvestigator may receive ~~cannabidiol~~ cannabis directly from an approved source or authorized distributor for an approved source for use in the expanded access clinical trials." /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 75

Senator CROMER proposed the following amendment (WAB\ 150C001.JN.WAB22), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2290(B) and inserting:

/ (B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy of any other occupational or professional licensing entity, for dispensing an authorization for cannabis products as authorized by state law. A pharmacist may not be sued for malpractice solely as a result of dispensing a qualifying patient's medical cannabis products in accordance with this article, but this section shall not be construed to prevent a pharmacist from being penalized or sued for violating the standard of care or for any violations of this article including, but not limited to, dispensing medical cannabis products to a person who does not have a cannabis certification card. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 76

Senator GARRETT proposed the following amendment (WAB\ 150C002.JN.WAB22), which was adopted:

Amend the bill, as and if amended, SECTION 3, page 8, after line 19, by adding an appropriately numbered subsection to read:

/ ( ) 'Standard of care for dispensing or certifying a patient for medical marijuana' means the level and type of care that a reasonably competent and skilled health care professional with a similar background and in the same medical community would provide, which must include whether the physician exercised a standard of care in connection with the authorization of a cannabis product, to a qualified patient, pursuant to Section 44-53-2080. /

Amend the bill further, as and if amended, page 30, after line 20, by adding an appropriately lettered subsection to read:

/ ( ) The department shall establish by regulation reporting requirements for emergency room treatment facilities for medical cannabis incidents involving qualified patients to be listed on the web-based verification system. /

Amend the bill further, as and if amended, page 56, subsection (C)(1)(b), by striking lines 6-9 and inserting:

/ (b) the percentage of tetrahydrocannabinol and the percentage of cannabidiol within a profile tolerance range of five percent. For edible cannabis products, the cannabinoid profile should be listed by milligrams per serving; /

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 13

Senator SENN proposed the following amendment (150R031.SP.SS), which was withdrawn:

Amend the bill, as and if amended, beginning on page 4, Section 44-53-2010(8)(a), by striking lines 15 through 16 and inserting:

/(a) a diagnosis that has been determined by a physician of one or more of the following that also results in a debilitated condition: /

Renumber sections to conform.

Amend title to conform.

On motion of Senator SENN, with unanimous consent, the amendment was withdrawn.

Amendment No. 15

Senator SENN proposed the following amendment (150R028.SP.SS), which was withdrawn:

Amend the bill, as and if amended, on page 44, Section 44-53-2390(A)(4), by striking lines 17 and 18 and inserting:

/ (4) no more than two dispensaries in any single county; and/

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

Amendment No. 22A

Senator HEMBREE proposed the following amendment (150R097.SP.GH), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2010(A)(11) and inserting:

/(32)'Therapeutic cannabis pharmacy' means a location for which a pharmacy permit has been issued by the Board of Pharmacy and in which cannabis products, industrial hemp for human consumption, and paraphernalia are maintained, compounded, and dispensed for cardholders by a pharmacist. Each therapeutic cannabis pharmacy shall be issued a registration and a registry identification number by the department. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a dispensary until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act./

Amend the bill further, as and if amended, by striking Section 44-53-2010(A)(17) through (19) and inserting:

/(17)'Medical cannabis establishment' means a cultivation center, therapeutic cannabis pharmacy, transporter, independent testing laboratory, or processing facility licensed by the department pursuant to this article. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a medical cannabis establishment until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(18) 'Medical cannabis establishment agent' means a board member, owner, officer, pharmacist, employee, or volunteer of a medical cannabis establishment. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment agent. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(19) 'Medical cannabis establishment principal' means a person who is designated as having responsibility over the actions of a board member, owner, officer, pharmacist, employee, volunteer, or agent of a medical cannabis establishment and who also has responsibility and control over any liability for any financial accounts. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment principal. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill further, as and if amended, by striking Section 44-53-2010(A)(26) and inserting:

/(26)'Processing facility' means a facility located in South Carolina and operated by an organization or business that is licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a dispensary. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a processing facility until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Amend the bill, as and if amended, by striking Section 44-53-2010(A)(32) and inserting:

/(33)'Transporter' means an entity licensed by the department pursuant to this article that acquires, possesses, and stores cannabis and cannabis products for human consumption and delivers, transfers, and transports cannabis products between medical cannabis establishments. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a transporter until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 34

Senator CASH proposed the following amendment (150R048.SP.RJC), which was withdrawn:

Amend the bill, as and if amended, on page 35, lines 3 through 16, by striking Section 44-53-2350(A)(3) and (4).

Renumber sections to conform.

Amend title to conform.

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Amendment No. 77

Senator DAVIS proposed the following amendment (150R066.SP.TD), which was adopted:

Amend the bill, as and if amended, by striking Section 44-53-2010(8)(a) and inserting:

/(8) 'Debilitating medical condition' means:

(a) a diagnosis of one or more of the following that also results in a debilitated condition to the individual patient:

(i) cancer;

(ii) multiple sclerosis;

(iii) a neurological disease or disorder, including epilepsy;

(iv) post-traumatic stress disorder, subject, however, to the evidentiary requirements in Section 44-53-2100(A)(4) to confirm that the applicant has experienced one or more traumatic events;

(v) Crohn's disease;

(vi) sickle cell anemia;

(vii) ulcerative colitis;

(viii) cachexia or wasting syndrome;

(ix) autism;

(x) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(xi) a chronic medical condition causing severe and persistent muscle spasms; or

(xii) any chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed by a physician based on generally accepted standards of care, subject, however, to the requirements of Section 44-53-2080(A)(3)(h)(i) and (ii) as to a physician's attestation regarding objective proof of the etiology of the

patient's pain or regarding the patient having been diagnosed with a specific medical condition or disease that causes the patient severe pain;/

Amend the bill further, as and if amended, by striking Section 44-53-2010(11) and inserting:

/(11)'Diversion' means the obtaining or transferring of cannabis products from a legal possession or use to an illegal use. /

Amend the bill further, as and if amended, by striking Section 44-53-2010(15) and inserting:

/(15)'Independent testing laboratory' means a facility licensed by the department pursuant to this article to offer or perform testing related to cannabis or cannabis products that is independent of cultivation centers, processing facilities, therapeutic cannabis pharmacies, and physicians who authorize the use of medical cannabis. /

Amend the bill further, as and if amended, by striking Section 44-53-2020(B)(1) and inserting:

/(1) three percent for research conducted by the University of South Carolina's College of Pharmacy and School of Medicine, the Medical University of South Carolina, or both for research to improve detection and training methods to detect drivers impaired by cannabis, prescription medications, and other drugs, until SLED affirms that no additional research is needed;

Amend the bill further, as and if amended, by striking Section 44-53-2080(A)(3)(f) and (g) and inserting

(f) notification of the patient or caregiver that medical cannabis products are for the qualifying patient's use only and that cannabis products must not be donated or otherwise supplied to another individual;

(g) that the physician has discussed the risks and benefits of the use of medical cannabis products with the patient or caregiver, including the variability and lack of standardization of cannabis preparations, their potential effects, and an admonition that qualifying patients must not drive or operate heavy machinery while under the influence of medical cannabis; and /

Amend the bill further, as and if amended, by striking Section 44-53-2080(A)(7) and inserting:

/(7) an acknowledgement that the physician has considered that any patient who has a history of substance use disorder or a co-occurring mental health disorder shall require specialized assessment and treatment; in those instances, the physician must seek a consultation with or refer the patient to a pain management, psychiatric, addiction, or mental health specialist as needed. /

Amend the bill further, as and if amended, by striking Section 44-53-2100(A)(2) and inserting:

/(2) establishing reasonable application and renewal fees for registry identification cards, provided that:

(a) the fees charged to qualifying patients and designated caregivers must be no greater than the costs of processing the applications and issuing registry identification cards; and

(b) the department shall provide optional discounts for qualifying patient application and renewal fees based upon a qualifying patient's household income and shall waive all applicable fees for veterans; /

Amend the bill further, as and if amended, by striking Section 44-53-2110(A)(8) and inserting:

/(8) a photograph of the cardholder. /

Amend the bill further, as and if amended, by striking Section 44-53-2130(A)(7) and inserting:

/(7)(a) a statement signed by the qualifying patient applicant agreeing not to divert cannabis products to anyone and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the qualifying patient to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both;

(b) an attestation that the individual is not employed in, or contracted to perform, any job:

(i) in which the person will carry a weapon, including a firearm;

(ii) requiring a law enforcement credential;

(iii) requiring a commercial driver's license, charter boat license, or a pilot's license;

(iv) involving operation of trains, buses, or any form of public transportation; or

(v) involving the operation of heavy machinery; /

Amend the bill further, as and if amended, by striking 44-53-2130(B)(1)(e) and inserting:

/(e) a statement signed by the designated caregiver applicant agreeing not to divert cannabis products to anyone other than the qualifying patients to whom the designated caregiver is associated and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the designated caregiver to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both; and/

Amend the bill further, as and if amended, by striking Section 44-53-2140(D) and inserting:

/(D)(1) The department may not issue a registry identification card to a person who is employed in or contracted for any job:

(a) in which the individual will carry a weapon, including a firearm;

(b) requiring a law enforcement credential;

(c) requiring a commercial driver's license, a charter boat license, or a pilot's license;

(d) involving the operation of trains, buses, or any form of public transportation; or

(e) involving the operation of heavy machinery.

(2) The department may compare applicants for registry identification cards to any professional, licensing, or other relevant database to ensure compliance with this section. /

Amend the bill further, as and if amended, by adding an appropriately numbered new item to Section 44-53-2180(A) to read:

/( ) A qualifying patient shall notify the department and surrender his registry identification card before starting any job or contract:

(a) in which he will carry a weapon, including a firearm;

(b) requiring a law enforcement credential;

(c) requiring a commercial driver's license, a charter boat license, or a pilot's license;

(d) involving operation of trains, buses, or any forms of public transportation; or

(e) involving the operation of heavy machinery. /

Amend the bill further, as and if amended, by striking Section 44-53-2195(E) and inserting:

/(E) The department must provide medical cannabis product information to the following persons:

(1) a physician who requests information and certifies that the requested medical cannabis product information is for the purpose of providing medical or pharmaceutical treatment in the course of a bona fide physician-patient relationship;

(2) a qualifying patient or designated caregiver who requests his own medical cannabis product information;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of any person authorized to prescribe, administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;

(4) a local or state law enforcement or prosecutorial official pursuant to a court-ordered search warrant issued in connection with a crime or civil investigation involving a designated person;

(5) a properly convened grand jury pursuant to a subpoena properly issued for the records;

(6) personnel of the department for the purposes of the administration and enforcement of this article;

(7) qualified personnel for the purpose of bona fide research, except that the department may only provide the names and contact information for qualifying patients who volunteer to participate in bona fide research, including observational studies or other data collection on medical cannabis product pursuant to Section 44-53-2130(D). Release of the information may only be made pursuant to a written agreement between qualified personnel and the department in order to ensure compliance with this subsection;

(8) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause and manner of death of a designated person pursuant to Chapter 5, Title 17;

(9) a physician who requests the physician's own written certification history; or

(10) the presiding judge of a court pertaining to a specific case involving a designated person. /

Amend the bill further, as and if amended, by striking Section 44-53-2250(B) and inserting:

/(B) The department shall notify a law enforcement officer about falsified or fraudulent information submitted to the department. /

Amend the bill further, as and if amended, by striking Section 44-53-2260(A) and inserting:

/Section 44-53-2260. (A) Except as provided in this article, a qualifying patient who uses cannabis products for medical use must be afforded the same rights under state and local law, including those guaranteed pursuant to Section 1-13-10, et seq., as the person would be afforded if the person was solely prescribed pharmaceutical medications, as pertaining to drug testing required by any state or local law, agency, governmental official, or state or local governmental employer. /

Amend the bill further, as and if amended, by striking Section 44-53-2310(2) and inserting:

/(2) being in the presence of a medical cannabis product /

Amend the bill further, as and if amended, by adding an appropriately lettered new subsection to Section 44-53-2360 to read:

/( ) No principal, manager, employee, or agent of an independent testing laboratory may work for, contract with, receive compensation from, or have an equity interest in any medical cannabis establishment./

Amend the bill further, as and if amended, by striking Section 44-53-2380(G) and inserting:

/ (G) It is not unlawful for the University of South Carolina's College of Pharmacy and School of Medicine, the Medical University of South Carolina, or a professor or student working on an advanced degree who is conducting Institutional Review Board-approved research to possess, store, or administer medical cannabis or cannabinoids to human or animal subjects in accordance with any department rules.

Amend the bill further, as and if amended, by striking Section 44-53-2510(B)(4) and inserting:

/(4) the efficacy of, and side effects reported to, or satisfaction or dissatisfaction with medical cannabis products on a yes-no questionnaire as submitted by qualifying patients in a voluntary, anonymous survey, which may be conducted online by the department; /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Senator BENNETT spoke on the Bill.

Remarks by Senator BENNETT

Thank you, Mr. PRESIDENT. I knew it was a dangerous move when I saw the eyes cross when I asked to be heard. I will be brief. You have probably noticed or maybe you haven't noticed, which is ok, nobody notices me much anyway, but I've sat back there pretty quiet during this whole debate. I want to join the chorus of thanking Senator DAVIS in his efforts and his work over the many years. It is pretty rare, at least pretty rare for me, where I face an issue sitting in this Chamber during a debate, where I will be completely honest with everybody here -- I did not make up my mind which way I was going to go on this Bill until about an hour ago. I want to thank everybody in here that participated in the debate because I think that is what it is all about. Whether you are for a Bill or against a Bill, try to improve a Bill, and the debate goes on.

Senator DAVIS, I think you said you have been working on this for seven years. I think I have been telling constituents in my community for about seven years that I wasn't sure where I was on this issue. I believe in my heart of hearts that marijuana is a dangerous substance. I think we all believe to a certain degree that it's a dangerous substance or else we wouldn't have spent all the time that we've spent trying to fashion a piece of legislation that is going to be workable. To be honest with you, I don't know that we have. I think it is to Senator DAVIS' credit, and probably to his detriment, because he has tried to include everybody, and make this thing something that we all can agree upon, or coalesce around. It probably creates a problem with the legislation down the road that we do not even really realize yet. I think we have probably created an infrastructure here that is going to have some challenges to it. I think we are going to spend the next couple of years, now let's be honest -- it still has a long way to go. It has to go across the hall -- they have to do whatever they are going to do to it. They send it back to us, and we pass it. Then it will go the Governor, and it has all of these issues. We have a long way to go but assuming it goes the way we say it is, I think we're going to come back here over the next number of years and revisit a lot of challenges that we just don't know about and that's okay. I do not think that is necessarily a problem, but I think it is something that we all should except and understand -- it is not a perfect Bill. I think the public is going to be a little surprised by what is in it, what is not in it, what they can do, and what they cannot do. I am going to end up supporting this Bill. As I said, I didn't know that I was going to do that until about an hour ago. But I wanted to take the opportunity to, again, thank everybody that was engaged. I was engaged. I wasn't not listening. I was listening to the debate. I wasn't engaged in the debate because I really didn't have to. But I appreciated all of the information that came through. So, I wanted to stand up and thank you all. And I wanted to let my constituents know that what I've been telling you over the last seven years is the truth. I didn't know where I was on this and I had to get the information. A lot of my constituents will be disappointed with that and a lot of them will appreciate that, I think. But that's what it is like being here, right? So I'm going to support the Bill. Thank you, Senator DAVIS. I think we are going to be dealing with this again. This is not the last time we are going to have to be dealing with issues that pop up and problems that pop up. I hope, I pray, that one of the biggest things-- what we were able to do here, I pray is that we were able to curb this opioid problem. I pray that medical cannabis will help us do that. Folks, we have in this State thousands of people who are dealing with substance

abuse problems with opioids that we can never understand. Some of us can understand it because we have family members that went through it. Others will never understand it. This entire Nation has that problem. I hope and pray that this is part of the solution. If it is not, we gave it a shot. But I hope that some people get some help and the help that they need. I hope we have not created something that we are going to look back on as a Frankenstein monster and have to fix. But I'm ready to do that if we have to. So thank you very much to all my colleagues.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator BENNETT, were ordered be printed in the Journal.

Senator CROMER spoke on the Bill.

Senator CASH spoke on the Bill.

The question then was second reading of the Bill.

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

Ayes 28; Nays 15; Abstain 1

AYES

Adams	Allen	Bennett
Cash	Climer	Davis
Fanning	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	Matthews	McLeod
Rankin	Sabb	Shealy
Stephens	Talley	Turner
Verdin		

Total--28

NAYS

Alexander	Campsen	Corbin
Garrett	Hembree	*Johnson, Kevin*
Loftis	McElveen	Peeler

Rice	Scott	Senn
Setzler	Williams	Young

Total--15

ABSTAIN

Cromer

Total--1

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

Statement by Senator CROMER

I abstained from voting on second reading of S. 150 because of my long standing practice of abstaining from Bills that impact pharmacies and pharmacists.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator JACKSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Cynthia White Williams of Columbia, S.C. Cynthia was a member of Bible Way Church where she was active in woman's ministry and was the founder of My Heart, My Breast Foundation. She was a paralegal at Bernstein and Bernstein Law Firm in Columbia. Cynthia was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ginny DeWitt Zemp of Camden, S.C. Ginny was the executive director for Historic Camden and worked hard for her community. She loved adventure, history, art, music and the Lord. She was a joy to all who knew her. Ginny was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 8:28 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 10, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 16:22

We read in the Book of Proverbs: "Wisdom is a fountain of life to one who has it, but folly is the punishment of fools."

Join me as we pray: Most blessed God, we lift up to You today all in South Carolina who are involved in every aspect of education, all who are dedicated to bringing the gifts of wisdom and knowledge to every one of our children, and even to many adults. This Senate has always been determined to place a high value upon assuring that our citizens have the very best tools conceivable -- and the most dedicated teachers possible -- in order for learners to succeed here in the Twenty-First Century. Therefore, O God, unfailingly guide this Body as these Senators and their aides continue to do all that is necessary to be certain that education will always thrive here in South Carolina. In Your holy name we pray, Lord. Amen.

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

Doctor of the Day

Senator MARTIN introduced Dr. Greg Colbath of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 11:18 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator KIMPSON, at 11:18 A.M., Senator McLEOD was granted a leave of absence until 11:30 A.M.

THURSDAY, FEBRUARY 10, 2022

Leave of Absence

On motion of Senator K. JOHNSON, at 11:18 A.M., Senator SABB was granted a leave of absence for today.

Leave of Absence

On motion of Senator SCOTT, at 11:42 A.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 11:42 A.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator WILLIAMS, at 11:44 A.M., Senator MALLOY was granted a leave of absence for today.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 961 Sen. Alexander
S. 984 Sen. Gustafson

RECALLED

S. 951 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA UPON THE OCCASION OF ITS ONE HUNDRED TENTH ANNIVERSARY, TO RECOGNIZE MARCH 12, 2022, AS "GIRL SCOUT DAY", AND TO COMMEND THE GIRL SCOUTS ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

Motion to Ratify Adopted

At 11:32 A.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1068 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-20 OF THE 1976 CODE, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, TO DEFINE "TORTURE" AND TO INCLUDE TORTURE IN THE DEFINITION OF "CHILD ABUSE OR NEGLECT"; AND TO AMEND SECTIONS 63-7-1640 AND 63-7-2570 OF THE 1976 CODE, RELATING TO THE RIGHT TO FOREGO REASONABLE EFFORTS TOWARD REUNIFICATION AND GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, RESPECTIVELY, AND TO MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
l:\s-res\ks\037robe.kmm.ks.docx

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

S. 1070 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 2022 AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.
l:\s-res\ks\055amer.kmm.ks.docx
The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1071 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 18, 2022, AS "NATIONAL CAREGIVERS DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

H. 4504 -- Reps. Hewitt, Huggins, Forrest, McKnight, Wooten, M. M. Smith, Bennett, Lowe, Bailey, Kirby, Ligon and Davis: A BILL TO AMEND SECTION 12-36-2110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM SALES TAX, SO AS TO PROVIDE THAT A WATERCRAFT TRAILER AND A WATERCRAFT MOTOR MAY NOT BE TAXED MORE THAN THE MAXIMUM TAX.
Read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEE

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

S. 961 -- Senators Senn, Campsen, Loftis, Bennett and Alexander: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF “HONEY”. TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION

VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

Ordered for consideration tomorrow.

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

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

Ordered for consideration tomorrow.

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

H. 4872 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN

OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19 THROUGH 26, 2022.

Ordered for consideration tomorrow.

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

READ THE THIRD TIME
SENT TO THE HOUSE

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

The Senate proceeded to a consideration of the Bill.

The question then being the third reading of the Bill.

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

AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

The Senate proceeded to a consideration of the Bill.

Senators MALLOY, SHEALY, HUTTO and YOUNG proposed the following amendment (3211R003.SP.GM), which was adopted:

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

/SECTION 2. Section 63-1-50(F) of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then being the third reading of the Bill.

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

Ayes 36; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Martin	Massey	McElveen
Peeler	Rankin	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A

BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson and Shealy: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S

DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

The Senate proceeded to a consideration of the Bill.

Senator RICE explained the Bill.

Senator SCOTT objected to consideration of the Bill.

CARRIED OVER

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

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

CARRIED OVER

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL

TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

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

CARRIED OVER

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

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

CARRIED OVER

S. 952 -- Senators Peeler and Alexander: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

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

READ THE SECOND TIME

H. 4495 -- Reps. B. Newton, McGarry and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF FIVE PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE

PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON explained the Bill.

The question then being second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

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

H. 4495--Ordered to a Third Reading

On motion of Senator M. JOHNSON, H. 4495 was ordered to receive a third reading on Friday, February 11, 2022.

CARRIED OVER

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

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

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

MOTION ADOPTED

At 11:45 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED

SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

The question then was third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Recorded Votes

Senators CORBIN, PEELER, YOUNG and LOFTIS desired to be recorded as voting against the third reading of the Bill.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Doug A. Snyder, 178A Queen Street, Charleston, SC 29401-1969 *VICE* Devron H. Edwards

On motion of Senator HEMBREE, the question was confirmation of Doug A. Snyder.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Doug A. Snyder was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

James Graves, 127 High Hampton Drive, Columbia, SC 29209-1222 *VICE* Monte A. Lemmon

On motion of Senator DAVIS, the question was confirmation of James Graves.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of James Graves was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Edwin M. Estridge, 121 Pamela Court, Chapin, SC 29036-9481

On motion of Senator DAVIS, the question was confirmation of Edwin M. Estridge.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Edwin M. Estridge was confirmed.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2020, and to expire July 28, 2023

3rd Congressional District:

Richard K. Blackwell, 308 Devon Way, Seneca, SC 20672-6819

On motion of Senator DAVIS, the question was confirmation of Richard Blackwell.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Richard Blackwell was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2021, and to expire June 30, 2025

At-Large/Chairman:

John Robert Bolchoz, PO Box 6989, Columbia, SC 29260-6989 *VICE* Mark Elam

On motion of Senator VERDIN, the question was confirmation of John Robert Bolchoz.

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

Ayes 33; Nays 0; Abstain 6

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Fanning
Garrett	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--33

NAYS

Total--0

ABSTAIN

Campsen	Davis	Goldfinch
Rankin	Setzler	Young

Total--6

The appointment of John Robert Bolchoz was confirmed.

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2022, and to expire February 13, 2027

At-Large:

Felicia Rhue Howard, 127 King Charles Road, Columbia, SC 29209-2239 *VICE* William W. Jones, Jr.

On motion of Senator GROOMS, the question was confirmation of Felicia Rhue Howard.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Felicia Rhue Howard was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence June 4, 2018, and to expire June 4, 2023

At-Large:

Kurt D. Grindstaff, 20 Manor Court Lane, Hilton Head Island, SC 29926

On motion of Senator GROOMS, the question was confirmation of Kurt D. Grindstaff.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Kurt D. Grindstaff was confirmed.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2021, and to expire February 13, 2026

At-Large:

William A. Coates, 177 Marshall Bridge Dr., Greenville, SC 29605-1256 *VICE* Kenneth R. Jackson

On motion of Senator GROOMS, the question was confirmation of William A. Coates.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of William A. Coates was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence March 19, 2019, and to expire March 19, 2024

At-Large:

Whitemarsh Seabrook Smith III, 6 Concord Street, Charleston, SC 29401

On motion of Senator GROOMS, the question was confirmation of Whitemarsh Seabrook Smith III.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Whitemarsh Seabrook Smith III was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204

On motion of Senator GROOMS, the question was confirmation of Pamela P. Lackey.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Pamela P. Lackey was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

William H. Stern, 2134 Bermuda Hills, Columbia, SC 29223

On motion of Senator GROOMS, the question was confirmation of William H. Stern.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of William H. Stern was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Mark W. Buyck, Jr., 1439 Cherokee Road, Florence, SC 29501

On motion of Senator GROOMS, the question was confirmation of Mark W. Buyck, Jr.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Mark W. Buyck, Jr. was confirmed.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Willie E. Jeffries, 85 Nance Drive, Elloree, SC 29047

On motion of Senator GROOMS, the question was confirmation of Willie E. Jeffries.

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

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Willie E. Jeffries was confirmed.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 10, 2022, at 12:00 P.M. and the following Act was ratified:

(R124, H. 4576) -- Reps. Tedder, G.R. Smith, Govan, B. Newton and Thigpen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH

YEAR AS "HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".
L:\COUNCIL\ACTS\4576DG22.DOCX

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond Richard Haynesworth of Sumter, S.C. Raymond was a loving husband and devoted son who was loved by many and will be dearly missed.

ADJOURNMENT

At 12:15 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 11, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

ORDERED ENROLLED FOR RATIFICATION

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

H. 4495 -- Reps. B. Newton, McGarry and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF FIVE PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator M. JOHNSON.

MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond "Jerry" Strawbridge of Leesville, S.C. Jerry served in the South Carolina National Guard for 40 years and retired as Sergeant Major. He was a past master of Pacific Masonic Lodge, a member of Saluda Masonic Lodge and was a 32rd degree Scottish Rite Mason. Jerry served as chair of the Saluda County Republican Party, chair of the Saluda County Water and Sewer Authority and was current chairman of Saluda County Council. He was an active member of Rehoboth United Methodist Church. Jerry was a loving husband, devoted father and doting grandfather who will be dearly missed.

FRIDAY, FEBRUARY 11, 2022

ADJOURNMENT

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, February 15, 2022, at 12:00 Noon.

***

Tuesday, February 15, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

II Samuel 22:29

We read in II Samuel that: "Indeed, you are my lamp, O Lord, the Lord lightens my darkness."

Join me as we bow in prayer: Glorious, ever-loving Lord, this verse from II Samuel reminds us how very often we discover ourselves to be desperate for Your light to shine upon us and to keep us on track. And especially do we need Your reminder this February of those sisters and brothers who, in so many positive and various ways, have enriched life for all of us. We think of a few of our South Carolina heroes such as Robert Smalls, Septima Clark, Harvey Gant, Dr. Matilda Evans, and Major General Charles Bolden, just to name a few. Help us all, O God, to hold fast to all of our heroes, past and present, those who have made life better for every single South Carolinian in one way or another: all gifted, talented, brave, exceptional women and men. May this Senate and our State always honor each and every one. In Your loving name we pray, dear Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Davis	Fanning	Garrett
Goldfinch	Grooms	Hutto

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:
Document No. 5103
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-1-140(11), 44-1-150, 44-55-825, 44-55-827, and 48-1-10 et seq.
SUBJECT: Onsite Wastewater Systems
Received by Lieutenant Governor February 14, 2022
Referred to Committee on Medical Affairs

Leave of Absence

On motion of Senator MARTIN, at 12:05 P.M., Senator CORBIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 12:08 P.M., Senator CROMER was granted a leave of absence for today.

Leave of Absence

On motion of Senator McELVEEN, at 12:09 P.M., Senator HARPOOTLIAN was granted a leave of absence until February 17, 2022.

Leave of Absence

On motion of Senator TURNER, at 12:09 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator McELVEEN, at 12:09 P.M., Senator McLEOD was granted a leave of absence until 12:30 P.M.

TUESDAY, FEBRUARY 15, 2022

Leave of Absence

At 2:03 P.M., Senator DAVIS requested a leave of absence for Wednesday, February 16, 2022, and Thursday, February 17, 2022.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

Remarks by Senator ADAMS

Most of you already know that I am a retired police officer and served proudly within the State of South Carolina for the City of North Charleston, where I spent the majority of my years, and with the City of Goose Creek, where I started my service. My brothers and sisters in blue have been struggling over the past several years. We as a society have been letting them down. The public servants that I am speaking about are our front line of defense to fighting crime and protecting us -- serving their communities in ways most of us would never do.

Last year has been one of the deadliest years for law enforcement officers across this country. We all need to remember when someone is engaged in an evil act and in the process of hurting others, these brave men and women are running towards the danger, risking their lives for strangers and willing to make that sacrifice. I can promise you that our men and women in blue do not hate nor dislike the public they serve. The law enforcement officers who decide to protect us during these times are extraordinary people. They serve, knowing the difficulties, understanding the risk and know they will not become wealthy as a police officer, and yet, are still willing to serve.

In 2021, there were 346 officers shot in the line of duty. There were 103 ambush-style attacks on law enforcement officers, which is a 115% increase from the prior year. These ambush style attacks resulted in 130 officers shot and 30 of whom were killed. In January alone of this year, there has been a 67% increase in shootings of police officers compared to the same time last year. There have already been 30 officers shot in the line of duty with four ambush-style attacks this year. This past weekend during a 24-hour period, there were 13 officers shot with six of them being killed.

We have got to stand up for police officers and against the violence that is occurring across our country -- hurting our law enforcement. Let me tell you who these men and women are. They are our neighbors, coaches, community leaders, volunteers, friends and family members. They happen to be willing to put on a uniform, which includes a ballistic vest. These men and women kiss their families good bye, not knowing if

they will return at the end of their shift and not knowing what their job may ask of them during their tour of duty. Don't get me wrong, they proudly serve and are willing to risk it all to stand between the bad guy and those they are protecting. Yet, fully aware that some will question if what they did was right. I cannot fully explain the emotions that go through the minds of my brothers and sisters when they prepare for their shift to begin. They understand that this shift could very well be their last. For their loved ones it is also a daily stress. Just the door opening when they return is an incredible relief. I will never forget after returning home from my many shifts, not turning on the bedroom light to remove my uniform, as to not disturb my wife. There was no need because the sense of anticipation of hearing the rip of Velcro from my ballistic vest was almost visible, even in the darkness. She knew I was home and safe from another night. I knew I was home safe with my family. There are 346 families that will not experience that relief ever again when their loved one returns home. The violence against our law enforcement officers has got to stop. We need to stand in unity to protect them as they do us. Those who hurt our officers should understand there will be consequences for their actions and that we will not stand for it. Our men and women need to hear our voice and see our actions. Understand, without our brave men and women in blue, the crime will continue to increase and our safety will diminish, which we are currently witnessing across our country.

In closing, I want to thank my fellow officers for their service and the sacrifice they make every day when they put on that uniform to protect us. God Bless the brave men and women in blue.

On motion of Senators SENN and GROOMS, with unanimous consent, the remarks of Senator ADAMS, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 458	Sen. Senn
S. 961	Sens. Fanning and Kimbrell
S. 1017	Sen. Senn
S. 1042	Sen. Shealy
S. 1063	Sen. McLeod

RECALLED AND COMMITTED

S. 535 -- Senator Grooms: A BILL TO AMEND SECTION 16-11-760(B) OF THE 1976 CODE, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER OR LIENHOLDER OF A VEHICLE PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10(A), (B), AND (E) OF THE 1976 CODE, RELATING TO LIENS FOR REPAIRS OR STORAGE, TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630(A) AND (C) OF THE 1976 CODE, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY OR STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES, TO MAKE CONFORMING CHANGES.

On motion of Senator GROOMS, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Transportation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4964 -- Reps. Bustos, Jones, Bennett, Gilliam, Dabney and T. Moore: A CONCURRENT RESOLUTION TO REMEMBER AND HONOR THE HEROIC RECIPIENTS OF THE MEDAL OF HONOR AND TO DECLARE MARCH 25, 2022, AS "MEDAL OF HONOR DAY" IN THE STATE OF SOUTH CAROLINA.

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

H. 4974 -- Rep. Allison: A CONCURRENT RESOLUTION TO DESIGNATE SATURDAY, OCTOBER 15, 2022, AS "SLOW DOWN, MOVE OVER DAY" IN SOUTH CAROLINA.

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

REPORT OF STANDING COMMITTEE

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

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 15, 2022

Mr. President and Senators:

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

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS

FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Very respectfully,
Speaker of the House

Received as information.

H. 3255--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 3255 and asked for a Committee of Conference.

Whereupon, Senators SCOTT, GAMBRELL and CLIMER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

AMENDMENT PROPOSED, OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (230R001.SP.GH):

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

/SECTION 2. Sections 16-3-2020(F) and (G) of the 1976 Code are amended to read:

"(F) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of~~, or incidental or related to,~~ being a victim of trafficking. A victim of trafficking in persons convicted of a violation of this article, ~~or~~ prostitution, or any other nonviolent offense may motion the court to vacate the conviction and expunge the record of the conviction for an offense committed as a direct result of being a victim of trafficking. The court may grant the motion on a finding

that the ~~person's~~ person proved by a preponderance of evidence that his participation in the offense was a direct result of being a victim of trafficking. For the purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60.

(G) If the victim was a minor at the time of the offense, then the victim of trafficking in persons may not be prosecuted in court pursuant to this article ~~or~~ for a prostitution offense~~,~~ or for any other nonviolent offense if ~~it is determined after investigation that the victim~~ he proves to a court by a preponderance of evidence at a pre-trial hearing that he committed the offense as a direct result of~~, or incidental or related to,~~ being a victim of trafficking. For the purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60. A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of being a victim of trafficking." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator MALLOY objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (DG\3466C002.NBD.DG21), which was adopted:

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

/ SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

"Section 6-1-190. (A) If a firefighter or emergency medical technician satisfactorily completes training within the first two years of employment while working for one employer is hired by a subsequent employer within two years after the date on which he satisfactorily completed such training, the subsequent employer shall reimburse the employer for whom the employee worked at the time of attending the training:

(1) one hundred percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired within one year of the date of satisfactory completion of the training; or

(2) fifty percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired after one year but before the end of the second year after the date of satisfactory completion of the training.

(B) If the employee works for more than one subsequent employer within the two-year period after the date of satisfactory completion of the training, an employer that reimbursed the employer for whom the employee worked during the training period may obtain reimbursement from the successive subsequent employer for:

(1) one hundred percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired within one year of the date of satisfactory completion of the training; or

(2) fifty percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired after one year but before the end of the second year after the date of satisfactory completion of the training.

(C) The employer for whom the employee works during the training period or an employer seeking reimbursement from a subsequent employer may not be reimbursed for more than one hundred percent of the combined cost of the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(D) An employer, prior to seeking any other reimbursement, shall first seek reimbursement from the subsequent hiring employer under the provisions of this section. In no case may an employer receive more than

one hundred percent of the cost of the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(E) An employee may not be required to assume the responsibility of the repayment of these or any other related costs by an employer seeking reimbursement pursuant to this section.

(F) An agreement in existence before the effective date of this section between an employee and an employer concerning the repayment of costs for training remains in effect to the extent that it does not violate the provisions of subsection (C), (D), or (E). An employer may not, as a condition of employment, enter into a promissory note for the repayment of costs for training after the effective date of this section.

(G) Notwithstanding any other provision of this section, a volunteer fire department is not required to reimburse a previous employer more than one thousand dollars for the training and associated costs for each firefighter or emergency medical technician, including the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(H) For purposes of this section:

(1) 'Employee' means a firefighter or emergency medical technician.

(2) 'Employee training' or ' training' includes basic training equivalent to the South Carolina Fire Academy Firefighter Recruit School, prehospital medical provider training to include emergency medical responder, emergency medical technician basic, emergency medical technician advanced, and emergency medical technician paramedic training.

(3) 'Employer' means an agency that provides fire suppression or prehospital emergency medical care to the public on behalf of, under the control of, or as part of the State or any political subdivision thereof."

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

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator DAVIS spoke on the Bill.

Senator GAMBRELL spoke on the Bill.

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

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson and Shealy: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

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

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 952 -- Senators Peeler and Alexander: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (952R001.KMM.HSP), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting: /

Part I

Authorization to Expend Federal Funds

SECTION 1. (A) The source of revenue authorized for expenditure in this section is the State Fiscal Recovery Funds disbursed to the State pursuant to the federal "American Rescue Plan Act of 2021", Public Law No. 117-2, (hereinafter referred to as "ARPA"). The expenditure authorizations contained in this section are for the maximum amounts that may be disbursed or expended by the receiving government entity. All disbursals and expenditures must be made in compliance with the provisions contained in this Joint Resolution. The receiving entities are:

(1) Department of Transportation..... $453,499,758

Of the amount authorized for expenditure by the Department of Transportation $297,462,293 is reimbursement for general fund and Education Improvement Act revenue not collected and $156,037,465 is reimbursement for motor fuel user fee revenue not collected due to the COVID-19 pandemic as calculated by the Executive Budget Office.

(2) Rural Infrastructure Authority.....$900,000,000

(3) Office of Regulatory Staff.....$400,000,000

(B) If any disbursement to any recipient, or subrecipient, resulting from an authorization contained herein is disallowed by federal law, regulation, or order, then the recipient or subrecipient shall promptly return the disbursed funds to the disbursing entity.

Part II

Directives to State Agencies Concerning the Authorization to Expend Federal Funds

Department of Transportation

SECTION 2. There is established in the State Treasury an account to be known as the Transportation Infrastructure Acceleration Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of the federal funds authorized pursuant to SECTION 1(A)(1) of this Joint Resolution. The funds in the Transportation Infrastructure Acceleration Account shall be used by the Department of Transportation to accelerate completion of projects included in the Statewide Transportation Improvement Program. These funds are not intended to satisfy state matching requirements for any other federal grants to the extent that such use is disallowed by ARPA.

SECTION 3. Funds in the Transportation Infrastructure Acceleration Account may be released to the Department of Transportation upon the direction of the Executive Budget Office. The Executive Budget Office may not direct the release of funds until the Department of Transportation has submitted its plans for the funds to the Joint Bond Review Committee for its review and comment.

Rural Infrastructure Authority

SECTION 4. There is established in the State Treasury an account to be known as the ARPA Water and Sewer Infrastructure Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(2) of this Joint Resolution. The funds in the ARPA Water and Sewer Infrastructure Account shall be used by the Rural Infrastructure Authority to administer and operate three grant programs designed to provide for improvements in water, wastewater, and storm water infrastructure throughout the State. In each of the three grant programs, units of local government, special purpose districts, commissions of public works, and joint municipal organizations may apply for grants. A unit of local government may apply for a grant on behalf of non-profit water and sewer systems. Grants may be awarded for the completion of water, wastewater, and storm water projects as defined in ARPA.

SECTION 5. (A) The Rural Infrastructure Authority shall utilize $800,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate, in cooperation with the Department of Health and Environmental Control, a competitive infrastructure grant program. Of the funds in the account for the competitive infrastructure grant program, the Rural Infrastructure Authority may allocate up to one percent of the funds for its administrative costs and shall transfer one percent to the Department of Health and Environmental Control for related permitting

activities. One hundred million dollars shall be available for projects designated by the Secretary of Commerce as being significant to economic development and may be funded at up to fifty million dollars per project with no local match requirement. The Rural Infrastructure Authority shall transfer five hundred thousand dollars to each of the ten South Carolina Councils of Governments for planning assistance, development of grant application proposals, and compliance assistance related to improvements in water, wastewater, and storm water infrastructure for smaller systems.

(B) Grants pursuant to this program must be issued equitably based upon established priorities and parameters. Applicants may request up to ten million dollars per project or application. Awards shall be made from the funds authorized for the competitive infrastructure grant program, less any amounts allocated for purposes designated in subsection (A). Large utilities, defined as those serving a population equal to or greater than thirty thousand people, shall be eligible for sixty percent of the funds, and small and medium utilities, defined as those serving a population of less than thirty thousand people, shall be eligible for forty percent of the funds.

(C) Local financial support is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. For large utilities, the local financial support must be equal to or greater than twenty-five percent of the project cost. For small and medium utilities, the local financial support must be equal to or greater than fifteen percent of the project cost.

(D) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

(1) regional solutions - projects that implement solutions that impact multiple systems;

(2) water quality - projects that address consent orders, violations, or other public health or environmental impacts;

(3) resilience and storm protection - projects that help utilities prepare for emergencies;

(4) other aging infrastructure - projects that upgrade or replace infrastructure that has exceeded its useful life; and

(5) capacity - projects that improve service for existing residents while preparing for future opportunities.

(E) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

(1) documented priority needs;

(2) the transformational impact of the project on the relevant community;

(3) the extent to which additional funds may be leveraged by the grant;

(4) the readiness of the applicant to proceed with the project and meet program deadlines;

(5) the project's feasibility; and

(6) geographic diversity.

SECTION 6. (A) The Rural Infrastructure Authority shall utilize $20,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a planning grant program for very small water systems. This program will assist very small systems that are unable to provide the required local investment for the competitive infrastructure grant program or that cannot identify a competitive project for assistance. Applicants for grants from this program must identify the assistance needed. Grants from this program may be awarded in an amount up to one million dollars per system.

(B) Grant recipients may utilize grant funding pursuant to this program for approved purposes including, but not limited to, capital improvement planning, rate studies and other financial assessments, asset management, smoke testing, mapping, televising of lines and other necessary analyses, as well as preliminary planning and design for capital improvement projects. As a condition for receiving a grant pursuant to this program, recipients must demonstrate the intent to implement the recommendations arising from approved planning assistance.

SECTION 7. (A) The Rural Infrastructure Authority shall utilize $80,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a regional solutions grant program. Applicants may request up to ten million dollars per project or application. The maximum grant request may be waived by the Rural Infrastructure Authority if the proposed project provides a regional solution that will result in consolidation of or for projects located in Tier III or Tier IV counties.

(B) Local financial support equal to or greater than fifteen percent of the cost of the project is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. The local financial support requirement may be waived by the Rural Infrastructure Authority if the proposed project

provides a regional solution that will result in consolidation or for projects located in Tier III or Tier IV counties.

(C) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

(1) the project results in a consolidation or operating agreement with at least one small system with viability concerns;

(2) the project results in an expanded partnership agreement with at least one small system with viability concerns; and

(3) the project results in a consolidation or operating agreement with other systems.

(D) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

(1) documented priority needs;

(2) the transformational impact of the project on the relevant community;

(3) the extent to which additional funds may be leveraged by the grant;

(4) the readiness of the applicant to proceed with the project and meet program deadlines;

(5) the project's feasibility; and

(6) geographic diversity.

SECTION 8. The Rural Infrastructure Authority shall be permitted to modify or waive the program parameters contained in SECTIONS 4, 5, 6, and 7 to ensure the timely and equitable distribution of funds in compliance with federal guidelines for these funds. Modifications to funding amounts authorized for specific use by each program must first be submitted with justification to the Joint Bond Review Committee for review and comment. The Rural Infrastructure Authority shall submit a report of all other modifications to the Joint Bond Review Committee.

Office of Regulatory Staff

SECTION 9. There is established in the State Treasury an account to be known as the ARPA Broadband Account. This account is separate and distinct from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(3) of this Joint Resolution. The funds in the ARPA Broadband Account shall be used to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services.

SECTION 10. (A) The Office of Broadband Coordinator, an office within the Office of Regulatory Staff, is authorized to expend funds from the ARPA Broadband Account to:

(1) administer a grant program to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;

(2) provide technical assistance and coordination;

(3) host and participate in stakeholder discussions and advisory groups;

(4) support continued mapping efforts including, but not limited to, costs associated with storage, security, and data collection;

(5) engage in and undertake such other activities related to or necessary to fulfilling the requirements of expanding broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;

(6) expend funds for alternative and enabling technologies, including, but not limited to, wireless broadband service, low earth orbit satellite, middle-mile fiber, enhanced cellular service, and carrier neutral broadband infrastructure; and

(7) reimburse any state funds as may be allowed by ARPA, or related guidance issued by the United States Department of the Treasury, for reasonable costs associated with administering the grant program and fulfilling the Office of Broadband Coordinator's obligations established by this Joint Resolution.

(B) The grant program may include an opportunity to reimburse a portion of construction costs, incurred on or after March 15, 2021, related to the expansion of broadband during the pandemic.

(C) All expenditures, reimbursements, and grants awarded by the Office of Broadband Coordinator must be in compliance with ARPA and the methods and guidance issued by the United States Department of Treasury for the allocation and oversight of ARPA funding.

SECTION 11. (A) The Office of Broadband Coordinator may award grants from the ARPA Broadband Account to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services. The speed at which an applicant can complete the proposed project shall be considered among significant criteria for awarding grants.

(B) Electric Cooperatives that own broadband facilities pursuant to the provisions of S.C. Code Sections 58-9-3000, et seq., the Broadband

Accessibility Act of 2020 are eligible to receive grants from the ARPA Broadband Account.

(C) Grants may be disbursed to recipients in tranches; the number and amount of funding in each tranche shall be determined by the Office of Broadband Coordinator.

SECTION 12. (A) Grant recipients and other entities receiving funds pursuant to SECTION 11 shall report to the Office of Broadband Coordinator concerning the progress of the recipient's project. The reports shall provide the most accurate and granular representation of then-currently available broadband infrastructure installed by the recipient, the type of technology installed, the sustainable download and upload speeds available at each serviceable location, and such other information that the Office of Broadband Coordinator requires.

(B) The Office of Broadband Coordinator shall maintain as confidential all individual company-designated proprietary information. All such individual proprietary information is exempt from the provisions contained in S.C. Code Sections 30-4-10, et seq., the South Carolina Freedom of Information Act.

(C) The Office of Regulatory Staff is authorized to contract with broadband service providers and to procure professional grant management, vendor, consulting, or other services for oversight and compliance of funds designated, granted, and disbursed pursuant to this act and for such other purposes as the Office of Regulatory Staff may deem necessary to implement the purposes of this Joint Resolution.

(D) It is vital to the state's interest that grant funds be awarded for the deployment of broadband infrastructure in rural communities in the most expeditious manner possible. Accordingly, contracting with broadband service providers and the procurement of professional grant management, vendor, consulting, or other services and pursuant to this act should be done pursuant to the provisions of S.C. Code Section 11-35-1570 of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to contract with broadband service providers and to procure grant management, vendor, or consulting services and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff in carrying out its duties under this Joint Resolution.

Part III

Miscellaneous Provisions

SECTION 13. The expenditure authorizations contained in this Joint Resolution are supplemental to the expenditure authorizations for receiving entities as contained in Act 94 of 2021, the General Appropriations Act for Fiscal Year 2021-22, and future expenditure authorizations enacted by the General Assembly through December 31, 2026.

SECTION 14. Earnings and interest on accounts created pursuant to this Joint Resolution must be credited to the account and any balance at the end of the fiscal year carries forward to the account in the succeeding fiscal year for the same purpose.

SECTION 15. The General Assembly finds that the sections presented in this Joint Resolution constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of authorizing the disbursal and expenditure of federal funds received by the State pursuant to ARPA as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the Joint Resolution.

SECTION 16. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Joint Resolution is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this Joint Resolution, the General Assembly hereby declaring that it would have passed this Joint Resolution, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 17. This Joint Resolution shall become law upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the Resolution and the amendment.

Senator SETZLER spoke on the Resolution.
Senator GAMBRELL spoke on the Resolution.
Senator TURNER spoke on the Resolution.
Senator K. JOHNSON spoke on the Resolution.

The amendment was adopted.

The question then being second reading of the Resolution as amended.

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

Ayes 40; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Kimpson

Total--1

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (956R002.KMM.HSP), which was adopted:

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

/Part I

Appropriation of SRS Settlement Funds

SECTION 1. The source of revenue appropriated in this section is the August 31, 2020, settlement of the lawsuit between the State of South Carolina and the United States Department of Energy ("DOE") concerning the termination of the Mixed Dioxide Fuel Fabrication Facility at the Savannah River Site ("SRS") and the DOE's failure to remove the plutonium stored at the SRS which is located in Aiken, Barnwell, and Allendale Counties ("SRS Settlement"). The expenditure authorizations contained in this section are for the maximum amounts that may be disbursed or expended by the receiving government entity. All disbursals and expenditures must be made in compliance with the provisions contained in this act. The receiving entities are:

(1) Department of Administration Savannah River Site Primary and Perimeter Counties……$393,698,276

(2) County Transportation Committees…….$131,301,724

Part II

Directives to State Agencies Concerning the Appropriation of SRS Settlement Funds

Department of Administration

SECTION 2. (A) There is established in the State Treasury an account to be known as the SRS Settlement Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of the settlement funds appropriated to the Department of Administration pursuant to SECTION 1(1) of this Joint Resolution. The funds in the SRS Settlement Account shall be used to fund the projects identified in subsections (C) and (D).

(B) Counties in which projects identified in subsections (C) and (D) are located must submit a written request for funds appropriated in the

county to the Executive Budget Office. Funds in the SRS Settlement Account may be released to fund an eligible project at the direction of the Executive Budget Office upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursal, the Executive Budget Office shall report each request for disbursement to the Joint Bond Review Committee and the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds.

(C) Of the funds appropriated in SECTION 1(1), the following amounts shall be made available to the named primary counties for the named eligible projects:

(1) Aiken County:

(a) City of Aiken - SRS Corridor/Whiskey Road (Powderhouse Connector Road) congestion relief..... $29,500,000

(b) North Augusta/Aiken County - New Savannah Bluff Lock and Dam Redevelopment……..... $20,000,000

(c) USC Aiken - National Guard Dreamport facility (coordination with US Cyber Command)..... ……$9,800,000

(d) Aiken County - Improvements to Sage Mill Industrial Park to include water and sewer upgrades..... $5,000,000

(e) Aiken County - Industrial Park Project in eastern Aiken County (land and infrastructure)..... $10,000,000

(f) Aiken County - Off-site infrastructure Improvements for SRS/National Lab, including the Aiken Technology/Innovation Corridor……... $20,000,000

(g) Aiken County - Upgrades to Horse Creek Wastewater Treatment Plant (expansion for future growth) $10,000,000

(h) Aiken County - Water line along Highway 39 from Wagener to Monetta with two elevated storage tanks and three pump stations……...$4,000,000

(i) Aiken County - Water line from Beech Island to Jackson with elevated storage tanks and pump stations..... $6,000,000

(j) Aiken County - Public Safety Infrastructure/County Fire Suppression..... $4,000,000

(k) North Augusta - Cyber Initiative infrastructure investment to complement Fort Gordon Army Cyber Command and Georgia Cyber Command…… $15,000,000

(l) North Augusta - Regional Solid Waste Transfer Station……..... …..$2,000,000

(m) City of Aiken/Aiken County - Redevelopment and economic development in downtown and Aiken's Northside toward I-20…… . $25,000,000

(n)Aiken County - Highway 19 Corridor Business/Economic Development Improvements (New Ellenton) and Downtown Water/Sewer Infrastructure (Wagener, Jackson, Burnettetown and Salley)$5,000,000

(o) Aiken Technical College - Nursing School Facility ……..... ..... $9,950,000

(p) Aiken Technical College - Welding Lab …….. ..... $1,500,000

(q) Aiken County Public School District - New Career and Technology Center and district-wide technology upgrades……...……... ..... $30,000,000

(2) Barnwell County - Construction of Consolidated High School and Career Center and K-8 school for Williston and Blackville.....$110,000,000

(3) Allendale County:

(a) Allendale School District - Capital Improvements to Allendale High School and other district buildings……..... .$15,000,000

(b) Allendale County - Renovate C.V. Bing High School to consolidate law enforcement and other Town and County facilities……...$4,500,000

(c) Allendale County - Purchase, permitting, and development of potential industrial property site……..... $5,000,000

(D) Of the funds appropriated in SECTION 1(1), the following amounts shall be made available to the named perimeter counties for the named eligible projects:

(1) Bamberg County:

(a) Bamberg County - Cross Rhodes Industrial Park Speculative Building……..... $4,000,000

(b) Bamberg County - Airport Improvements . $2,336,207

(2) Colleton County - New speculative industrial shell building and engineering of the primary road into the Colleton Mega Site……...… .. $1,387,932

(3) Edgefield County:

(a) Piedmont Technical College - Center for Advanced Manufacturing……..……..... $15,000,000

(b) Edgefield County Law Enforcement Center……..... $4,000,000

(c) Edgefield County School District - Workforce Development Training and Equipment……..... $1,600,000

(d) Fox Creek High School Athletic Complex .$1,000,000

(4) Hampton County - Purchase property adjacent to Southern Carolina Industrial Park $3,137,931

(5) Lexington County:

(a) Batesburg-Leesville Industrial Park - Site Preparation for Parcel #1..... $1,250,000

(b) Saxe Gotha Industrial Park - Site Preparation for Parcel #9……..… $2,500,000

(c) Chapin Business and Technology Park at Brighton - Site Preparation for Parcel #10……..……..... $1,250,000

(d)Saxe Gotha Industrial Park - Phase III Roadway and Water Expansion..... $4,800,000

(e) Batesburg-Leesville Industrial Park - Construction of Speculative Building on Parcel #1……..... $2,100,000

(6) Orangeburg County:

(a) Orangeburg County - Western End Industrial Speculative Building……..... $4,000,000

(b) Orangeburg County - Property Acquisition……..... $500,000

(c) Orangeburg County - Holly Hill Services Center Renovation……..... $1,000,000

(d) Orangeburg County - Hidden Valley Road/Essex Road Sewer……... ..... $655,172

(7) Saluda County - Piedmont Technical College - Workforce Development and Career Training……..... $1,931,034

County Transportation Committees

SECTION 3. (A) Except as provided in subsection (B), the funds appropriated in SECTION 1(2) to the County Transportation Committees shall be disbursed to the eligible counties pursuant to S.C. Code Section 12-28-2740(A).

(B) Counties in which projects funded in SECTION 2(C) are located are not eligible to receive funds appropriated to the County Transportation Committees by this Joint Resolution.

Part III

Miscellaneous Provisions

SECTION 4. The expenditure authorizations contained in this Joint Resolution are supplemental to the expenditure authorizations for receiving entities as contained in Act 94 of 2021, the General

Appropriations Act for Fiscal Year 2021-22, and future expenditure authorizations enacted by the General Assembly.

SECTION 5. Earnings and interest on accounts created pursuant to this Joint Resolution must be credited to the account and any balance at the end of the fiscal year carries forward to the account in the succeeding fiscal year for the same purpose.

SECTION 6. The General Assembly finds that the sections presented in this Joint Resolution constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of appropriating funds received by the State pursuant to the SRS Settlement as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the Joint Resolution.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. This Joint Resolution shall become law upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the Resolution and amendment.

Senator SETZLER spoke on the Resolution.

The amendment was adopted.

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

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

POINT OF ORDER

S. 961 -- Senators Senn, Campsen, Loftis, Bennett, Alexander, Fanning and Kimbrell: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY", TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION

CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 951 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA UPON THE OCCASION OF ITS ONE HUNDRED TENTH ANNIVERSARY, TO RECOGNIZE MARCH 12, 2022, AS "GIRL SCOUT DAY", AND TO COMMEND THE GIRL SCOUTS ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

S. 1070 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 2022, AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

S. 1071 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 18, 2022, AS "NATIONAL CAREGIVERS DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

H. 4872 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19 THROUGH 26, 2022.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

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

MOTION ADOPTED

At 2:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

NONCONCURRENCE

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

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

Senator HEMBREE explained the amendments.

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

Ayes 0; Nays 38

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree

Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Verdin
Williams	Young	

Total--38

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ruben Lee Gray of Sumter, S.C. Judge Gray earned a law degree from South Carolina State College. He served in the United States Army during the Vietnam war. Judge Gray served on many boards and committees including Sumter County Council, Sumter School District 17, S.C. Crime Victims Board, United Way, Salvation Army and Sumter branch of the NAACP to mention a few. He was elected as the first African American Family Court Judge in Sumter County in 1992 and served for 10 years. After retirement from the bench, he worked for 15 years in a private law practice. Judge Gray was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CAMPSEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harry "Buck" Limehouse, Jr. of Johns Island, S.C. Buck was a graduate of The Citadel. He was founder and owner of Limehouse Properties for many years before becoming South Carolina's first Secretary of Transportation in 2007. Buck served on numerous boards including the State Infrastructure Bank, Charleston Board of Realtors, The Citadel Board of Visitors and was a longtime member of the Hibernian Society. He was an avid sportsman and enjoyed spending time with his family. Buck was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:19 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 16, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Daniel 12:3

In a vision Daniel hears a voice proclaiming to him: "Those who are wise shall shine like the brightness of the sky, and those who lead many to righteousness, like the stars forever and ever."

Let us pray: Holy God, today we lift up to You each and every individual who serves in any leadership role across our forty-six counties. In towns and cities, in rural areas, here in this State House, in all sorts of roles, so many women and men faithfully carry out a rich variety of tasks. We are grateful for each and every one who strives to be a thoughtful, caring and conscientious servant of Your people, Lord, indeed "shining like the brightness of the sky," not for any personal gain, but solely for the benefit of those they serve. And may that be true always of each servant here in the Senate of South Carolina as well, as these individuals thoughtfully and wisely lead the way for all of our citizens. And, as always, to You be the glory, dear Lord. Amen.

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

Doctor of the Day

Senator GOLDFINCH introduced Dr. Jilian Rinehart Sansbury of Myrtle Beach, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ADAMS, at 1:30 P.M., Senator GROOMS was granted a leave of absence for today.

Expression of Personal Interest

Senator M. JOHNSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator BENNETT rose for an Expression of Personal Interest.

WEDNESDAY, FEBRUARY 16, 2022

CO-SPONSORS ADDED

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

S. 248 Sen. Jackson
S. 952 Sen. Setzler

RECALLED AND ADOPTED

S. 1026 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-8, 2022, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1072 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 9, TITLE 23 SO AS TO PROVIDE FOR THE TRAINING, REGISTRATION, AND CERTIFICATION OF FIRE-RESISTANT MATERIAL APPLICATORS BY THE STATE FIRE MARSHAL.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1073 -- Senator Hembree: A BILL TO AMEND SECTION 23-3-430 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE SEX OFFENDER REGISTRY, TO ESTABLISH A TIER SYSTEM FOR OFFENSES THAT REQUIRES AN OFFENDER TO REGISTER AS A SEX OFFENDER; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23 TO ADD SECTION 23-3-463 TO

ESTABLISH THAT AN OFFENDER WHO IS REQUIRED TO REGISTER, MAY, AFTER A SPECIFIED PERIOD OF TIME BASED ON THE TIER OF HIS OFFENSE, PETITION THE CIRCUIT COURT FOR REMOVAL OF THE REQUIREMENTS OF THE SEX OFFENDER REGISTRY UPON MEETING CERTAIN REQUIREMENTS; TO AMEND SECTION 23-3-490 TO CLARIFY THE PROVISIONS FOR PUBLIC AND ELECTRONIC DISSEMINATION OF SEX OFFENDER INFORMATION; AND TO AMEND SECTION 23-3-460 TO MAKE FURTHER CONFORMING CHANGES.
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Read the first time and referred to the Committee on Judiciary.

S. 1074 -- Senators Bennett, Adams, Alexander, Allen, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ASHLEY RIDGE HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2022 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.
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The Senate Resolution was adopted.

S. 1075 -- Senator Williams: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF FORMER FLORENCE COUNTY CHIEF DEPUTY JOHNNIE ABRAHAM, SR., AND TO HONOR HIS DEVOTION TO PUBLIC SAFETY, LAW ENFORCEMENT, AND FLORENCE COUNTY IN A CAREER SPANNING NEARLY FOUR DECADES.
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The Concurrent Resolution was adopted, ordered sent to the House.

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY

NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

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

REPORTS OF STANDING COMMITTEES

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

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO

PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Ordered for consideration tomorrow.

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

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

Ordered for consideration tomorrow.

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

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE

THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO

PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 16, 2022

Mr. President and Senators:

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

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., February 16, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Jay West, Bradley and Kirby to the Committee of Conference on the part of the House on:

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND

PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY

APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Very respectfully,
Speaker of the House

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolutions were read the third time and ordered sent to the House of Representatives:

S. 952 -- Senators Peeler, Alexander and Setzler: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

CARRIED OVER

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

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

CARRIED OVER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT

ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\946C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-5-63(A)(1), by striking item (1) and inserting:

/ (1) The State Board of Education shall ~~promulgate regulations directing~~ adopt and periodically revise as necessary a statewide policy that each local school board shall use to develop and implement a plan that directs the principal of each elementary school having ~~grades one~~ kindergarten through ~~six to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff. The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984-85 school year~~ fifth grade to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers. The policy also shall direct a principal of any elementary, middle, or high school to provide at least thirty minutes of unencumbered time on each regular school day to any teacher who is responsible for instructing a

student who is removed from the general education setting for more than twenty percent of the day. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (946R002.SP.GH), which was adopted:

Amend the bill, as and if amended, in SECTION 1, Section 59-5-63(A)(1), by striking item (1) and inserting:

/(1) The State Board of Education shall ~~promulgate regulations directing~~ adopt and periodically revise as necessary a statewide policy that each local school board shall use to develop and implement a plan that directs the principal of each elementary school to provide at least thirty minutes of unencumbered time on each regular school day to all full-time teachers teaching in a grade between ~~having grades one~~ kindergarten through ~~six to develop and implement a plan which shall equitably apportion lunchroom duty among the teachers so that each teacher has as many duty free lunch periods as may be reasonable in order to insure the safety and welfare of students and staff. The implementation of the plan shall not impose additional costs on the school districts. The regulations shall direct that the plan be in effect for the 1984-85 school year~~ fifth grade. The policy also shall direct a principal of any elementary, middle, or high school to provide at least thirty minutes of unencumbered time on each regular school day to any teacher who is responsible for instructing a student who is removed from the general education setting for more than twenty percent of the day.

/

Amend the bill further, as and if amended, by striking Section 59-5-63(A)(2)(c) and inserting:

/(c) that additional compensation may not be offered in place of unencumbered time, except as provided by Section 59-5-63(A)(2)(b) and as prescribed in the policy; /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 961 -- Senators Senn, Campsen, Loftis, Bennett, Alexander, Fanning and Kimbrell: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING

ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

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

READ THE SECOND TIME

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL explained the Bill.

The question then being second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

POINT OF ORDER

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

CARRIED OVER

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING

TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the amendment.

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

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

I hesitated coming before you for a couple weeks in reference to this issue because I know we have been dealing with a lot of issues that affect the lives of many hurting South Carolinians. I am not going to be one of those ones who again downplay the hard work of all of the Senators who worked so hard on the legislation that was previously before us.

I would like for you to follow with me for a little bit. I will try to be short. All of you know that I am a volleyball mom and that I have four girls. Imagine, a mother who has four girls like myself -- all of the girls about the same age. We did the volleyball circuit together since our daughters were ten years old. Her oldest daughter started with mine and in June of 2016 was 15 years old. We dropped our kids off to the Mount Pleasant Center and we'd usually sit in the stands and just chat and lollygag -- she had been going through a divorce -- just talking about life in general, being a single mom, and getting it done if you know what I mean. We would talk about how crazy the girls were -- their going through puberty. We would talk about how crazy her husband was and about how she had just finished at MUSC, had gotten her degree, and was opening her counseling center as a psychotherapist. She was from a very religious family on Wadmalaw Island.

On this particular night I was like, "Where are you going?" because we would usually sit there, drink, hang out, and eat snacks while the kids were in practice. And she said, "Girl, I'm getting ordained. I am getting

ordained tonight." As she left her daughter at practice that night, I said to her, "Well, let me know if I need to bring Kaylin downtown." She said, "No, her sister is going to come and get her." I waited -- I hung out with the other parents in Mount Pleasant, at Park West, as you know very well Senator SENN -- for practice to be over. As my daughter and I left practice and came through Charleston, it just seemed so eerie. You know how something hits you and you know something is wrong? I got to Walterboro and was sitting on my sofa, as I usually do, looking at the news on TV, and I got a call. I start calling Senator MALLOY, all the while I am getting calls from our neighbors in Colleton County and Charleston that something horrific has happened at Mother Emanuel. I started screaming and yelling because I had just talked to Senator Pinckney. We were to meet that next week regarding some issues in Colleton County. I also knew that my friend, Dr. Depayne Middleton, was at the church with Senator Pinckney because he was ordaining them. I knew what Senator Pinckney was going through, having to rush from this Body to get to an ordination of all of those ministers at that Bible study that night. I knew how important it was to everybody there. I felt it. He was very conscientious. From my conversations with him, I also knew what he was going through with the threats he was receiving when he stood on this floor and did such a great job talking about his beliefs regarding the gun issue and the problems that we have. I know firsthand, what I have gone through, and I am just a baby Senator. I have had emails sent to me, calls that came in, and my cars keyed for the positions that I have taken. I don't belittle the fact that I know everyone in here has been contacted by the people who I call, "the fringes." But we do our job anyway. And we showed last week that we really care about the people of South Carolina.

I just don't represent the six areas of the Lowcountry; I represent South Carolina. I apologize to my people on all sides of the aisle, if I cannot come to you and beg you to think, not about politics, but to think about the sacrifices that you are making today. The sacrifices you have to make tomorrow for your political positions and the positions of your people. I can't sit and beg you to set aside politics to do the right thing. There are 48 states in America that have passed Hate Crimes Bills. I cannot believe that we have ten from this Body, and for the listening audience -- see Bill H. 3620 -- who have opposed legislation that would give our law enforcement officers -- it would give our solicitors the right to further investigate and do their jobs.

Imagine going to a synagogue on a morning with your family in tow. In the last week and last year, we have had incidents in America where

you go to a church on Easter or you go to a synagogue and while you are sitting there, an ISIS person comes in and blows you away. If that were to happen here in the State of South Carolina, in Walterboro, are you trying to tell me that my solicitor and my sheriff's department cannot prosecute that person for a hate crime? Is that fair?

Is it right for a police officer who is doing his job as he normally does -- an officer who is not a bad cop -- because you know there are both good and bad in every sect of our employment spectrum -- for some far-right person -- I do not care whether they are white or black. They are involved in these incidents at Walmart, in Texas, and other places. I have a list of all of them or you can research them; or, after the George Floyd killing -- to come up and assault officers? That's wrong! That's a hate crime because of an animus. I'm not going to get into the facts of it; it's just common sense. This is low-hanging fruit for this body. It is low-hanging fruit.

I cannot believe we are worried about texting and everything else and we do not care about protecting law enforcement. We are not caring about the Easter Sunday goers. We are not caring about taking care of the people we're supposed to. Somebody said something to me that this is about constitutional rights. This doesn't have constitutional issues. This is the same thing law enforcement and solicitor's offices do with other types of offenses to enhance when a person does something they didn't have to do. For instance, if I hit a police officer in an arrest without any reason -- it is only a one-year offense -- I go to jail for one year. But, if it can be proven that I did that because I am just mad about what police officers are doing, that solicitor and that officer can show a pattern to get more time. So, I don't understand where we're going. We can do better! We owe Senator Pinckney that. We owe the State of South Carolina and we owe law enforcement officers that. This is not a political issue. It is a human rights issue. Why can't we stop pandering to those other sources out there and do what's right? I'm not going to beg. I cannot do it. You're going to be judged by this one day. I hope your car doesn't get scratched and I hope your children don't get shot in a church over some issues behind this. I hope the State of South Carolina will have at its means the way to prosecute people as they should be prosecuted. I am sorry if I took more time but this really does bother me.

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator MATTHEWS, were ordered printed in the Journal.

WEDNESDAY, FEBRUARY 16, 2022

Motion Adopted

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

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert Langley of Hemingway, S.C. Robert was a loving son, devoted brother and doting father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jeffery Lynn McCraw of Gaffney, S.C. Jeffery was the son of our beloved former Representative DeWitt McCraw. Jeffery was a member of Adaville Baptist Church where he served as a deacon and worked with the youth group. He enjoyed doing projects around the house and yard and spending time at the beach with his family. Jeffery worked over 25 years at General Electric. Jeffery was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 3:35 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 17, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 98:1a

We read how the Psalmist proclaims: "O sing to the Lord a new song, for he has done marvelous things."

Bow with me, if you will: Your many, many blessings truly overwhelm us, dear Lord. As we reflect upon them, our hearts are full. So today here in the Senate of South Carolina we together sing to You our richest songs of thanksgiving and praise. Your gracious and loving gifts humble us; they are so marvelous, indeed. And on this day, O God, as we reflect upon South Carolina's recently ratified "Historically Black Colleges and Universities Day," we inevitably consider the impact these schools have had on our State, indeed upon our Nation. Continue, Lord, to bless these institutions and those who support them. Encourage each one of us also to give thanks for those who teach and who learn at these schools; may those blessings truly bring life changing benefit for all. In Your loving name we indeed sing Your praises, O Lord. Amen.

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

Point of Quorum

At 11:03 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Cromer	Garrett	Grooms
Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rice	Shealy	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Samuel Rivers, Jr., Post Office Box 760, Goose Creek, SC 29445-0760 *VICE* Christopher F. Gibbs

Referred to the Committee on Corrections and Penology.

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

Governor Appointed:

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Cynthia C. Dooley, 1522 Counts Ferry Road, Lexington, SC 29072-8376 *VICE* Susan S. Barden

Referred to the Committee on Judiciary.

Doctor of the Day

Senator HEMBREE introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

THURSDAY, FEBRUARY 17, 2022

Leave of Absence

On motion of Senator MATTHEWS, at 11:25 A.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator MATTHEWS, at 11:25 A.M., leave of absence was granted for February 22, 2022, through February 24, 2022.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Remarks by Senator KEVIN JOHNSON

Members, as I walked over here from the Gressette building a little while ago Senator BRIGHT-MATTHEWS and I were talking about how busy we are and how we have not been getting a lot of rest. I told her, "Because of you I didn't get any sleep last night," and she asked what I was talking about. I told her for some reason I tossed and turned all night thinking about the words she spoke before we adjourned yesterday in reference to House Bill 3620.

During her debate, she stated that she was not going to beg anybody, but as I tossed and turned I thought of something. You know the Temptations had a song back in the day titled, "Ain't Too Proud To Beg". Well, I am not too proud to beg if that is what it takes. I am not trying to change anybody's mind -- as far as how they feel -- but I would like to change some of your minds so we can at least debate this Bill and the merits of it. This is a Bill that has passed in 48 out of 50 states. I do not know everything that we have in common with Wyoming but I do know that we have this Bill in common. We debated a Bill yesterday brought up by Senator YOUNG and I support his Bill as it relates to handheld devices, texting, and talking on the phone while driving. He mentioned that 24 states have passed that Bill. We debated a Medical Marijuana Bill for three or four weeks and he mentioned that over 30 other states have passed that Bill. So now, I'm talking about a Bill today that was passed in 48 states, and not only that, it passed our House of Representatives in a bipartisan fashion with a vote of 70 something to 30 something, and here in the Senate, we can't even get the Bill up for debate. So I thought about it. I know there's a part of the Bill named after our esteemed, distinguished, and late colleague Senator Pinckney but this Bill is about more than what happened at Emmanuel AME Church in Charleston. We have a colleague that was killed because of hate. He was not in the House of Representatives nor in the other 48

states that passed this Bill. He served with us. I remember the last day that Senator Pinckney served, I remember being in a Senate Democratic Caucus meeting, and as long as I've known Clementa Pinckney, for whatever reason, I paid more attention to him that day than I had at any other time. I remember sitting across from him in the conference meeting. He had on a sharp black suit and a very nice crisp white shirt, and he looked more distinguished than ever. The Senate Democratic Caucus asked for donations for the custodians that day, so he reached in his pocket and pulled out his part, which was more than what we were asked to donate. They tried to give him the change back and he said, "No, no I want them to have that." He later told us that he had to rush to Charleston because he had a church meeting and Bible study. That was the last time I saw him alive. I know that I have been here for a little while now, not as long as some others, but I have been a member of this Body probably longer than about half of the Senate. During my time here, I do not think I have ever seen a Bill that was objected to by so many members as I have with this Bill. I got up around two or three o'clock this morning, read over the Bill, and said I must be missing something. Senator Pinckney left here that day and went to Charleston. He did not die as a result of a tragic automobile accident, as often as that is the case on I-26. He did not have a massive heart attack or some other type of sudden medical emergency. He died because of hate, just hate, and evilness. You do not have to take my word for it, because the person that committed that tragic crime said so himself. He said he did it because he wanted to start a race war. The church invited that same person in for Bible study. Senator Pinckney was studying the word of God and the word of God is about love. This was an evil hateful act. At least 48 states and the South Carolina House sees that, and those of us who served with Senator Pinckney see that. I looked at the list of us that objected to this Bill, and I think over half of the members that objected were not here as a member of the Senate when this awful act happened. I will tell you, and remind others, that on the first day we came back in session after that awful incident there were some comments made. The Chamber was crowded, with members and staff, and there was not one dry eye in this Chamber because we realized not only did we lose a good member, friend, and brother but also we lost him because of hate in the heart of others. This Bill does not say that every time someone commits a crime it adds this extra punishment. Think about the Ahmaud Arbery case in Brunswick, Georgia, which was clearly a crime of hate and the people that committed the crime were found guilty and they will now go on to another step, which will be a hate trial. This Bill just adds five more

years of punishment because the crime was based on hate in the heart and over the last several years throughout this country, hate has become more and more visible. It does not say that everything you do is a hate crime. Senator McELVEEN gave a good example with an incident we had in Sumter County, where a young white male somehow got access to a contractor-owned traffic sign that was altered to read, "Honk if you hate Niggers." He used the word hate, and I was told that several people were passing by honking their horns; however, that incident would not fall under this legislation. As I told you, I tossed and turned last night. I just want you to know that all this Bill says is that if you burn a church down, which we've had in Clarendon and Sumter Counties, or you commit a murder like the one we had in Charleston County, then you may be charged. I know that we members know, but for the TV listening audience, this Bill does not only address hate crimes when the victims are black, Jewish, or gay. This Bill will addresses all crimes of hate, yet 22% of this Body will not allow us to debate this Bill. As I said earlier, I could not sleep last night. I feel passionate about this issue, and I just wanted you to know how I feel. Thank you.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 892 Sen. Verdin
S. 895 Sen. Verdin
S. 968 Sen. Kimbrell

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bill:

S. 961 Sens. Kimbrell and Loftis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
l:\council\bills\dbs\31599wab22.docx

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

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell and Stephens: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.
l:\s-jud\bills\alexander\jud0038.hla.docx

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

S. 1078 -- Senator Hutto: A BILL TO AMEND SECTION 5-7-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDEPENDENT AUDITS OF MUNICIPAL FINANCIAL RECORDS AND TRANSACTIONS, SO AS TO ALLOW MUNICIPALITIES WITH LESS THAN $500,000 IN TOTAL REVENUES TO PROVIDE A COMPILATION OF FINANCIAL STATEMENTS; AND TO AMEND SECTION 14-1-208, RELATING TO MUNICIPAL COURT AUDITS, SO AS TO MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Finance.

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1085 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY "JAMES M. JORDAN, SR. ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1086 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW FOR PROPERLY CREDENTIALED INDIVIDUALS TO CONDUCT SOIL EVALUATIONS AND PREPARE ONSITE WASTEWATER SYSTEMS LAYOUTS, AND TO PROVIDE FOR A SUNSET OF THE PROVISIONS IN THIS JOINT RESOLUTION NO LATER THAN JULY 1, 2023.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION

12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.
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Senator PEELER spoke on the Bill.

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

H. 3247 -- Reps. G. M. Smith, B. Cox, V. S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

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

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

THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

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

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

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

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

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

REPORT OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs polled out S. 1059 favorable:

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

Poll of the Medical Affairs Committee
Polled 17; Ayes 16; Nays 1

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	K. Johnson	Corbin

Kimpson	Gambrell	Senn
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Matthews

Total--1

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611 *VICE* Mr. Gary C. Lemel

Received as information.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 14, 2018, and to expire March 14, 2022

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802 *VICE* Louise Haynes

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 14, 2022, and to expire March 14, 2026

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802

Received as information.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

Nadine Hanner, 1797 Central Ave., Summerville, SC 29483-9323 *VICE* Hima N. Dalal

Received as information.

HOUSE CONCURRENCES

S. 1026 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-8, 2022, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1075 -- Senator Williams: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF FORMER FLORENCE COUNTY CHIEF DEPUTY JOHNNIE ABRAHAM, SR., AND TO HONOR HIS DEVOTION TO PUBLIC SAFETY, LAW ENFORCEMENT, AND FLORENCE COUNTY IN A CAREER SPANNING NEARLY FOUR DECADES.

Returned with concurrence.

Received as information.

Message from the House

Columbia, S.C., February 16, 2022

Mr. President and Senators:

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

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE

DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., February 16, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

asks for a Committee of Conference, and has appointed Reps. Felder, Brittain and Alexander to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HEMBREE, BENNETT and MATTHEWS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

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

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator HEMBREE objected to consideration of the Bill.

CARRIED OVER

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

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

BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY", TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

Senator CROMER objected to consideration of the Bill.

CARRIED OVER

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

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

POINT OF ORDER

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

AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE

GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL

REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MOTION ADOPTED

At 11:33 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ryan Fischer of Columbia, S.C. Ryan earned his bachelor and masters degrees in Sports Management from U.S.C. Ryan was the S.C. Sales Manager for US Brick and the past Director and Assistant Director of Equipment and Apparel Operations for the University of South Carolina baseball and football teams. Ryan was a loving husband and father who will be dearly missed.

ADJOURNMENT

At 11:42 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 18, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD.

CO-SPONSORS ADDED

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

S. 32 Sen. Verdin
S. 33 Sen. Verdin
S. 141 Sen. Verdin
S. 363 Sen. Verdin
S. 1006 Sen. Verdin
S. 1077 Sen. McLeod
S. 1087 Sens. Grooms and McElveen

ADJOURNMENT

At 11:04 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, February 22, 2022, at 12:00 Noon.

* * *

Tuesday, February 22, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Ecclesiastes 3:4

We read in Ecclesiastes that there is: ". . .a time to weep, and a time to laugh; a time to mourn, and a time to dance . . ."

Bow in prayer with me, if you will: Glorious and ever-loving Lord, we fully realize that life presents us with all sorts of twists and turns as we make our way along day by day, week by week, and year by year. The variety of our life experiences are so richly varied. We quickly shift from reminiscing about presidents to reflecting upon how elusive world peace seems to be, from wringing our hands over Covid issues to worrying about Ukraine. Still, in spite of the demands upon all of us, O God, one constant continues: that being our need to remain faithful to You, whether it is indeed a time to weep or laugh or mourn or dance. Therefore, we ask You today to bless these Senators and their aides as they together work for the betterment and safety of every one of our citizens. Bless and lead these leaders, dear Lord. So we pray in Your loving name. Amen.

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

Point of Quorum

At 12:03 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Garrett	Goldfinch	Gustafson

Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
Peeler	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator SCOTT introduced Dr. Patricia Seal of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:08 P.M., Senator HARPOOTLIAN was granted a leave of absence for February 22, 2022, through February 28, 2022.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

Russian President Vladimir Putin ordered combat forces into Eastern Ukraine. For weeks, the United States intelligence services have been informing our nation's leaders that the Kremlin would likely began false-flag operations to justify a conflict in the newly democratic Ukraine. To the point, this Russian war machine is invading pro-Russian separatist regions of Ukraine this very moment. Lest we forget the Russian invasion of Crimea -- didn't we learn anything? Again, Russia's war mongering tendencies are on full display to the world, fueling their sickening propaganda machine.

We now stand on the precipice of what could be the largest, costliest European military action since World War II. What we, as American leaders say and do today, can make its mark on history for decades, maybe even centuries. With deep conviction, I must implore that we must move forward boldly, and without further hesitation, for the protection of democracy. The Ukrainan people have endured this crisis like so many others before it. History will favor those that are brave enough to call this terrible situation what it is: a battle between good and

evil. I want to also express the sheer and unabashed gravity of the situation.

There are elementary schools in Russian occupied regions, with holes blown in the walls from Russian-backed artillery fire. Citizens face the imminent threat of being once again transformed into a stifled population under the boot of Putin's violent and authoritative rule. Dr. Tim Mousseau has experienced the Russian military firsthand. Dr. Mousseau has been conducting research over the last 15 years at the site of the Chernobyl nuclear disaster. He has been unable to return and finish his research because coincidentally, this location is in the most direct path from the Russian border to Kyiv. In one instance, Dr. Mousseau and his team were detained for three days after being falsely accused of being CIA operatives.

Ladies and gentlemen, we are dealing with a de facto dictator with delusions of grandeur. For the good of our Nation, all allied countries, and especially the Ukrainian people, I'm calling on our leaders and our assembly to put our foot down, lead boldly, as a signal to Russia and Vladimir Putin himself, that we will not stand idly by and allow democracy in Eastern Europe to dissolve before our eyes. We owe that, not only to ourselves, but to our Nation.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GUSTAFSON, were ordered printed in the Journal.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

Remarks by Senator STEPHENS

Thank you Mr. PRESIDENT. If you ask ten people on the street or in our communities, what justice means to them, you might get ten different answers. Then if you ask ten victims of crimes, what justice means to them it is likely a common theme will be articulated. To victims and survivors of crime, justice simply means being treated with respect. They are listened too and actually heard, and they will have a voice in vital decisions that are made related to their cases, as well as to their lives.

In America today, we often speak of "criminal justice", and "juvenile justice" and even "community justice." Yet, we seldom hear about "victim justice" which is the very heart and soul of "justice" in our Nation. If victims never report crimes, we would not be able to identify and arrest violent offenders. If victims did not cooperate as witnesses in criminal cases and juvenile adjudication, the guilty would remain free to

harm again. If victims did not bravely speak out about the devastating impact of crime on them, and those they love, few of us would fully realize the domino effect of crime. Crime affects every one of us, those injured, assaulted or murdered are our mothers and fathers, sons and daughters, sisters and brothers, neighbors and friends. I say to you, my colleagues, one crime can have many victims. I repeat, one crime can have many victims. When we join to honor victims and survivors of hideous crimes, we should be sending a message. We as a society will not tolerate these acts of violence inflicted upon the citizens of this State and Nation.

There have been hundreds of millions of people in our Nation victimized by crime -- woman battered, children abused and traumatized, men and women assaulted, countless people murdered and an entire Nation devastated by senseless acts of domestic and international terrorism against our people. I say our people because these acts are not simply about a particular race of people. In the aftermath of crime, there is shock and devastation and pain and trauma, as well as fear.

I can attest to that personally when hearing of acts of violence inflicted upon the parishioners of Mother Emmanuel Church. There is confusion about what is happening now, and what will happen in the future. Yet, there is also a path of help, of hope and healing that is paved every time someone reaches out to help a victim of crime.

My colleagues of this esteemed Body are our hands being extended to comfort the many victims and to introduce and pass legislation that will sufficiently punish individuals or groups who commit such criminal acts against our citizens here in South Carolina. There is a path of justice that results from the simple act of service to victims and survivors of crime. These victims and their families deserve to have their most important needs identified and addressed to help with the healing process.

Justice isn't served until crime victims are treated with dignity and compassion by our criminal and juvenile justice system. Justice isn't served until crime victims' most basic needs are identified whether that be safety measures to protect all citizens or legislation to deal with those offenders of crimes against person, because of race, gender or religious preference.

Justice isn't served until crime victims are informed of all their rights throughout the justice process. Rights that empower them give them important choices and offer them opportunities to have a voice in their cases and in their future -- rights that include information, notifications, protection and participation in the legal problem solving process.

Justice isn't served until we realize, as a community and as a Nation founded on the principles of equal rights for all, that violence and hate crimes affect us all, and that victims' rights represent the very foundation upon which our Nation was created.

Justice isn't served until all crime victims and communities can be assured that their offenders will be held accountable for their crimes and that our collective efforts focus on preventing future victimization and promoting individual and community safety.

We can make justice truly meaningful and truly effective by recognizing the rights and needs of victims and their families, our community, and our State by deliberating and passing Hate Crime Legislation for South Carolina.

I believe, as many before me and now, we will not be satisfied until justice rolls down like waters and righteousness like a mighty scream. Injustice anywhere is a threat to justice everywhere. Everything that is done in the world is done by hope. Thank you Mr. PRESIDENT, and thank you my colleagues here in this Body of great men and women. God bless us all.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator STEPHENS, were ordered printed in the Journal.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 1077 Sens. M. Johnson, Kimpson and Hutto

RECALLED AND COMMITTED

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

On motion of Senator HEMBREE, with unanimous consent, the Bill was recalled from the Committee on Labor, Commerce and Industry and committed to the Committee on Education.

TUESDAY, FEBRUARY 22, 2022

RECALLED AND COMMITTED

H. 3623 -- Reps. Murphy, Stavrinakis, Kimmons, Hart, Rutherford, Lucas, Dillard, Erickson, Hyde, W. Newton, Thigpen, Wheeler, R. Williams, Murray, Gilliard, Rivers, Brawley, Anderson, S. Williams, King, Alexander, McDaniel, Henderson-Myers and Govan: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EARLY RELEASE OF AN INMATE, SO AS TO REDUCE THE PERCENTAGE OF TIME AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FROM EIGHTY-FIVE PERCENT TO SIXTY-FIVE PERCENT FOR CERTAIN DRUG OFFENSES, AND TO PROVIDE THIS REDUCTION APPLIES TO INMATES CURRENTLY INCARCERATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; AND TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES.

On motion of Senator MARTIN, with unanimous consent, the Bill was recalled from the Committee on Corrections and Penology and committed to the Committee on Judiciary.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1088 -- Senator Campsen: A SENATE RESOLUTION TO CONGRATULATE THE WANDO HIGH SCHOOL MARCHING BAND, DIRECTORS, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING

THE BAND'S THIRTEENTH SOUTH CAROLINA 5A STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1089 -- Senator Bennett: A SENATE RESOLUTION TO HONOR AND CONGRATULATE THE ROTARY CLUB OF SUMMERVILLE UPON THE COMMEMORATION OF THE CLUB'S SEVENTY-FIFTH ANNIVERSARY OF SERVICE TO THE SUMMERVILLE COMMUNITY AND BEYOND.
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The Senate Resolution was adopted.

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1091 -- Senators Martin and Fanning: A BILL TO AMEND SECTION 41-31-60(A) OF THE 1976 CODE, RELATING TO THE UNEMPLOYMENT TAX RATE WHEN A DELINQUENT REPORT IS RECEIVED, TO PROVIDE THAT THE TAX CLASS TWENTY RATE MUST BE ASSIGNED TO THE EMPLOYER UNTIL THE NEXT COMPUTATION DATE OR UNTIL ALL OUTSTANDING TAX REPORTS HAVE BEEN FILED.
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Senator MARTIN spoke on the Bill.
Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.
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Senator MARTIN spoke on the Bill.

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

S. 1093 -- Senator Cash: A SENATE RESOLUTION TO CONGRATULATE COLONEL JAMES RONALD FINLEY UPON THE OCCASION OF HIS RETIREMENT AS NATIONAL GUARD BUREAU UNITED STATES PROPERTY AND FISCAL OFFICER, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE UNITED STATES ARMY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1094 -- Senators Scott and Kimpson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BISHOP SAMUEL GREEN, SR. AND REVEREND SAMUEL GREEN, JR. FOR THEIR ADVOCACY ON BEHALF OF THE 'WE ARE SHARING HOPE SC' ORGANIZATION AND FOR THEIR MANY CONTRIBUTIONS TO EDUCATING THE CHARLESTON COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA ON THE MISSION OF ORGAN, EYE, AND TISSUE DONATION.
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The Senate Resolution was adopted.

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY,

INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3348 -- Reps. Daning, Robinson, Pope, J. L. Johnson, Jefferson, M. M. Smith, Dillard, Hill, Erickson, Bradley, R. Williams, Gilliard, Murray, Weeks, Brawley, W. Newton and Kirby: A BILL TO AMEND THE CODE OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 12-6-3710 AND 12-6-3720 SO AS TO ALLOW A TAX CREDIT TO ANY TAXPAYER THAT EMPLOYS A FORMERLY INCARCERATED INDIVIDUAL IN AN APPRENTICESHIP PROGRAM, OR A VETERAN OF THE ARMED FORCES IN AN APPRENTICESHIP PROGRAM, TO SPECIFY THE TAXES FOR WHICH THE CREDIT MAY BE APPLIED, AND SPECIFY ELIGIBILITY REQUIREMENTS.

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

Message from the House

Columbia, S.C., February 22, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the following appointment:

MASTER-IN-EQUITY

Local appointment, Horry County Master-In-Equity, with term to commence July 31, 2021 and to expire July 31, 2027:

The Honorable Alan Clemmons, 1411 SC Hwy 15, Myrtle Beach, SC 29577 *VICE* Cynthia Graham Howe (resigned)

Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 915 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 916 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB AVENUE IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 917 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE US 701 BRIDGE OVER THE GREAT PEE DEE RIVER THE "CHARLES A. HINSON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 950 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED

STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY FROM ITS PREVIOUS DESIGNATION OF "THE MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" TO "THE HONORABLE MARVIN STEVENSON HIGHWAY" AND AMEND APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION TO CONTAIN THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 955 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION OF ROSS CANNON STREET AND EAST MADISON STREET IN THE CITY OF YORK IN YORK COUNTY "JOHN HENRY HARDIN, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1001 -- Senators Scott, Harpootlian, Jackson, McElveen and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 (MONTICELLO ROAD) IN RICHLAND COUNTY FROM ITS INTERSECTION WITH ELLIOTT AVENUE TO ITS INTERSECTION WITH COLUMBIA COLLEGE DRIVE "GEORGE E. GLYMPH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

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

SECOND READING BILL

H. 4800 -- Reps. McGarry and Crawford: A BILL TO AMEND ACT 777 OF 1988, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE LANCASTER COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE ELECTION OF SCHOOL TRUSTEES IN PARTISAN INSTEAD OF NONPARTISAN

ELECTIONS BEGINNING IN 2024 AND FOR THE NOMINATION, TERMS, AND ELECTION PROCEDURES OF CANDIDATES FOR THESE OFFICES.

On motion of Senator M. JOHNSON.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator HEMBREE objected to consideration of the Bill.

OBJECTION

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Senator GAMBRELL objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 248 -- Senators Young, Hembree, Turner, McElveen and Bennett: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE

ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (248R002.KMM.LKG), which was adopted:

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

/ SECTION 1. This act may be referred to and cited as the "South Carolina Hands-Free and Distracted Driving Act".

SECTION 2. Section 56-5-3890 of the 1976 Code is amended to read:

"Section 56-5-3890. (A) For purposes of this section~~:~~,

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

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

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

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

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

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

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

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

(1) lawfully parked or stopped;

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

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

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

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

(6) ~~using a global positioning system device or an internal global positioning system feature or function of a wireless electronic communication device for the purpose of navigation or obtaining related traffic and road condition information.~~ viewing information related to the navigation of the vehicle, provided that the device is not held by the operator;

(7) using a mobile electronic device in a voice-activated or hands-free mode to initiate or participate in a cellular call, provided that the device is not held by the operator; or

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

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

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

(b) for a second or subsequent offense, must be fined not more than three hundred dollars, no part of which may be suspended, and must have two points assessed against his motor vehicle operating record.

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

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

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

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

(E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has ~~probable cause~~ reasonable suspicion that a violation has occurred ~~based on the officer's clear and unobstructed view of a person who is using a wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this State~~;

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

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

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

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

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

SECTION 3. Section 56-1-720 of the 1976 Code is amended to read:

"Section 56-1-720. There is established a point system for the evaluation of the operating record of persons to whom a license to operate motor vehicles has been granted and for the determination of the continuing qualifications of these persons for the privileges granted by the license to operate motor vehicles. The system shall have as its basic element a graduated scale of points assigning relative values to the various violations in accordance with the following schedule:

VIOLATION	POINTS
Reckless driving	6
Passing stopped school bus	6
Hit and run, property damages only	6
Driving too fast for conditions, or speeding:	
(1) No more than 10 m.p.h. above the posted limits	2
(2) More than 10 m.p.h. but less than 25 m.p.h. above the posted limits	4
(3) 25 m.p.h. or above the posted limits	6
Disobedience of any official traffic control device	4
Disobedience to officer directing traffic	4
Failing to yield right of way	4
Driving on wrong side of road	4
Passing unlawfully	4
Turning unlawfully	4
Driving through or within safety zone	4
Shifting lanes without safety precaution	2
Improper dangerous parking	2
Following too closely	4
Failing to dim lights	2
Operating with improper lights	2
Operating with improper brakes	4
Distracted driving (second or subsequent offense)	2

Operating a vehicle in unsafe condition	2
Driving in improper lane	2
Improper backing	2
Endangerment of a highway worker, no injury	2
Endangerment of a highway worker, injury results	4”

SECTION 4. At every interstate highway ingress, the Department of Transportation shall erect a sign advising motorists of this act.

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

SECTION 6. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 7. This act takes effect ninety days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

Senator MALLOY spoke on the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE’S FRONT FENDER

BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

The Senate proceeded to a consideration of the Bill.

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

CARRIED OVER

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY", TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

The Senate proceeded to a consideration of the Bill.

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (DG\934C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 27 - 30 and inserting:

/ "(A) Each member of the council must be appointed by the Governor for a term of four years and until a successor is appointed and qualifies. Each member of the council must be a resident of this State. The council consists of sixteen members composed of: /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

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

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976

CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (CM\460C004.GT.CM22), which was adopted:

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

/SECTION 2. Section 23-9-20 of the 1976 Code is amended to read:

"Section 23-9-20. (A) The State Fire Marshal shall have jurisdiction and authority statewide, on behalf of the State, in matters including, but not limited to, the following functions and activities provided the aforementioned jurisdiction and authority does not, and is not intended to supersede the authority granted to the State Board of Pyrotechnic Safety relating to the manufacture, sale and storage of fireworks described in Sections 40-56-1 et seq.:

(1) ~~supervise enforcement of the laws and regulations of the Liquefied Petroleum Gas Board and the South Carolina Hydrogen Permitting Program~~ the enforcement of all laws and ordinances of the State with reference to the following:

(a) the prevention of fires; ~~and~~

(b) the storage, sale, and use of combustibles and explosives;

(c) the installation and maintenance of fire alarm systems and fire extinguishing systems and equipment;

(d) the means of egress from all buildings, except for one-family and two-family dwellings, unless otherwise required or permitted through law or regulation;

(e) the investigation of the cause, origin, and circumstances of a fire;

(f) conformance with fire prevention and protection codes and standards, based upon nationally recognized codes and standards, as may be prescribed by law or regulation for the prevention of fires and the protection of life and property;

(g) the facilitation of the reporting of fires through the National Fire Incident Reporting System;

(h) the collection of information concerning the causes, prevention, and reduction of damage from fire and other forms of community loss. The Office of the State Fire Marshal, from time to time, may disseminate this information in an appropriate manner as needed to aid in public protection or the training of firefighters; and

(i) other fire-related activities not inconsistent with the mission of State Fire or otherwise prescribed by law; and

(2) ~~shall employ and supervise personnel necessary to carry out the duties of his office~~ the enforcement of the laws and regulations of the Liquefied Petroleum Gas Board and the South Carolina Hydrogen Permitting Program;

(3) the employment and supervision of personnel necessary to carry out the duties of his office;

(4) the implementation of licensing, permitting, and certification programs, based upon nationally recognized codes and standards, and the promulgation of regulations, not to include the manufacture, sale, or storage of fireworks as regulated by the State Board of Pyrotechnic Safety, for:

(a) explosives in accordance with Chapter 36, Title 23;

(b) pyrotechnic displays and shooters;

(c) fire protection systems and all classes of equipment; and

(d) persons performing fire inspections under the authority of Section 23-9-30;

(5) the promulgation of fire prevention and protection regulations, based upon nationally recognized codes and standards, for the protection of the life and property of the residents of this State from fire; and

(6) the administrative and operational responsibilities for all program areas of State Fire, including the Office of the State Fire Marshal, the State Fire Academy, and the Emergency Response Task Force.

(B) The Office of the State Fire Marshal may issue an administrative citation for any violation of this chapter or the fire code. Service of the citation may be in person or by certified mail. Except that, the Office of

the State Fire Marshall shall not issue a separate administrative citation, under the authority of this chapter, for violations of the licensing requirements and regulations promulgated by the State Board of Pyrotechnic Safety regarding the manufacture, sale, and storage of fireworks.

(C) The Office of the State Fire Marshal may issue separate citations for each violation. However, no more than one thousand dollars in administrative penalties may be assessed for each violation. For a first offense, a written order specifying the code violations that need to be corrected and specifying a time frame for the corrections must be issued. The time frame to complete the corrections is thirty days, unless a finding is made that the violation impacts the health, safety, or welfare of the public and that an imminent threat of harm exists if the violation is not immediately abated. If the violations are not corrected within the time allotted, then an administrative penalty may be assessed.

(D) An entity or individual assessed an administrative penalty by the Office of the State Fire Marshal may appeal the penalty to the State Fire Marshal, or his designee, within ten days of the receipt of the citation. If no appeal is filed, then the citation is deemed a final order, and the penalties must be paid within thirty days of the receipt of the citation. The State Fire Marshal may enforce any order by filing a civil action through the administrative law court, in the name of the State, for injunctive relief against a person who violates this article, a regulation promulgated under this article, or a final order.

(E) All fines collected under this section by the Office of the State Fire Marshal must be remitted by the Office of the State Fire Marshal and deposited in a special fund established for State Fire to defray the administrative costs associated with this article.

(F) Nothing in this section prohibits the State Fire Marshal from exercising the statutory authority outlined in Section 23-9-70." /

Amend the bill further by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Article 1, Chapter 9, Title 23 of the 1976 Code is amended by adding:

"Section 23-9-125. This chapter does not repeal, amend, or otherwise affect the authority of the State Board of Pyrotechnic Safety or the regulation of fireworks, pursuant to Chapter 56, Title 40." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (980R001.GEC), which was adopted:

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

/SECTION 1. Section 50-5-2730 of the 1976 Code is amended to read:

"(A) Unless otherwise provided by law, any regulations promulgated by the federal government under the Fishery Conservation and Management Act (PL 94-265) or the Atlantic Tuna Conservation Act (PL 94-70) which establishes seasons, fishing periods, gear restrictions, sales restrictions, or bag, catch, size, or possession limits on fish are declared to be the law of this State and apply statewide including in state waters.

(B) This provision does not apply to:

(1) black sea bass (Centropristis striata) whose lawful catch limit is five fish per person per day or the same as the federal limit for black sea bass, whichever is higher. The lawful minimum size for black sea bass is thirteen inches total length~~. Additionally,~~ and there is no closed season ~~on the catching of black sea bass (Centropristis striata).~~; or

(2) red snapper (Lutjanus campechanus) whose lawful catch limit is two fish per person per day. The lawful minimum size for red snapper is twenty inches total length and there is no closed season."

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

Renumber sections to conform.
Amend title to conform.
Senator CAMPSEN explained the amendment.

The amendment was adopted.

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

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

OBJECTION

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE

THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO

PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Senator SETZLER objected to consideration of the Bill.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MADE SPECIAL ORDER

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

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

Senator MALLOY spoke against the motion.

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

Ayes 32; Nays 9

AYES

Adams	Alexander	Allen

Bennett	Climer	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Massey
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Campsen	Corbin	Goldfinch
Gustafson	Kimpson	Loftis
Martin	Rice	Senn

Total--9

The Bill was made a Special Order.

MOTION ADOPTED

At 1:20 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE

DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

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

Senator HEMBREE explained the amendments.

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John L. Breeden III of Little River, S.C. John was the Vice President of Commercial Banking at First Palmetto Bank in Myrtle Beach, S.C. He was a member of the North Myrtle Beach Rotary Club and Chamber of Commerce, North Strand Ducks Unlimited and Surf Club. John was an avid outdoorsman who enjoyed spending time with his family. John was a loving son, devoted husband and doting father who will be dearly missed.

ADJOURNMENT

At 2:04 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 23, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Hosea 14:9c

The prophet Hosea reminds us that: "The ways of the Lord are right; the righteous walk in them, but the rebellious stumble in them."

Let us pray: Holy God, how very, very challenging it is to walk in the way You want us to proceed. It seems that no matter how hard we try to move along steadily, we nonetheless find ourselves slipping and stumbling now and then. How difficult it really is for us to move forward to be the women and men You want us to be. Because of this, Lord, we renew our plea for You to embrace all of us in Your care and Your love. And especially lead these Senators as they strive to serve and honor You in their work on behalf of the people of our State, so that these servants truly bring about the good You desire for us all. Moreover, O God, keep each of our women and men in uniform safe during these exceedingly challenging days around the globe. In Your name we pray, O Savior. Amen.

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

Doctor of the Day

Senator SETZLER introduced Dr. Gary Squires of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SHEALY, at 3:04 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GAMBRELL, at 3:08 P.M., a leave of absence was granted for Thursday, February 24, 2022.

WEDNESDAY, FEBRUARY 23, 2022

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

Remarks by Senator KIMBRELL

Good afternoon. I wanted to briefly talk about something I would normally discuss when I introduce legislation but given it is the second year of a two-year session, I will work with people between now and next year to figure out how to address this issue. It came up in numerous conversations I had at the Capital City Club with the Economic Development Association and that is something called economic, social and governance or ESG scores. This is something many of us are starting to learn about. I have recently become familiar with the concept. Apparently 82% of companies are adopting some form to determine credit worthiness, access to capital, how people may be promoted or employed in businesses and banks across the United States. Essentially this is going to be a way we determine whether someone is credit or employment worthy beyond a background check. Essentially it will have a rating. Many companies will also wave your score on certain environmental issues. For example, if you support or have given investment capital to Exxon Mobil, you get a deduction. If you have invested in a company that does solar panels or green energy, you get a credit. If you support certain positions considered to be favorable to certain law enforcement agencies, you get a deduction for that. If you oppose certain law enforcement agencies and certain practices they adopt, you get a credit. In other words, you are being rated on your ideological belief not on your ability to pay back a loan or do a job.

I feel this is a dangerous precedent. Many are taking action against implementation of ESG scores. Kansas recently passed legislation to this effect. I think about Jefferson's quote, "I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man." I truly believe that an ESG score becomes a form of tyranny over people's beliefs, deeply held religious convictions -- over beliefs even on oil and gas exploration. I do not believe in this State we want to go down the road of making it a precondition of economic development that you have the right kind of ESG score versus a good credit score or good business plan. Currently one of the first countries in the world to implement an ESG and call it that was China under the Chinese communist party. I certainly don't believe we want to be following that precedent so I would love to discuss this with members during the off-season and we can hopefully address this in the new session next year. Thank you, Mr. PRESIDENT.

On motion of Senator GARRETT, with unanimous consent, the remarks of Senator KIMBRELL, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 458 Sen. Alexander
S. 923 Sen. Loftis
S. 992 Sens. Gambrell and Garrett
S. 1077 Sens. Grooms and Climer
S. 1090 Sen. McLeod

RECALLED

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

Senator VERDIN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Medical Affairs.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1096 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE AND COMMEND THE COMRADES OF GRAY-CORKERELL VETERANS OF FOREIGN WARS POST 3746 IN ROCK HILL UPON THE OPENING OF THEIR NEW POST HOME AND WISH THEM GODSPEED AS THEY CONTINUE TO CARE FOR THE NEEDS OF THEIR FELLOW COMRADES AND THEIR COMMUNITY.

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The Senate Resolution was adopted.

S. 1097 -- Senators Senn and Goldfinch: A SENATE RESOLUTION TO CONGRATULATE I. BRAXTON KYZER ON THE OCCASION OF HIS EIGHTY-SECOND BIRTHDAY AND TO WISH HIM A

JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

H. 3538 -- Reps. Bradley and Erickson: A BILL TO AMEND SECTION 50-15-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLIGATOR MANAGEMENT PROGRAM, SO AS TO ESTABLISH THAT THE DEPARTMENT OF NATURAL RESOURCES MUST SET CONDITIONS FOR THE HUMANE TAKING AND DISPOSITION OF ALLIGATORS; TO PROHIBIT THE TAKING OF ALLIGATORS FROM A SANCTUARY UNLESS THE ALLIGATOR HAS BEEN DETERMINED TO BE A NUISANCE; TO REQUIRE THE DEPARTMENT TO ESTABLISH SPECIFIC METHODS OF HUMANE CAPTURE, REMOVAL, AND DISPOSAL OF ALLIGATOR PARTS; AND TO EXPAND THE SCOPE OF ACTIONS VIOLATING THE PROVISIONS OF THIS SECTION TO INCLUDE THE INHUMANE TAKING, REMOVING, AND DISPOSITION OF AN ALLIGATOR OR ALLIGATOR PARTS, AND TO PROVIDE THAT THE OFFICIAL CITATION ISSUED BY ENFORCEMENT OFFICERS MAY BE USED TO CITE VIOLATIONS OF THIS SECTION.

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

H. 3598 -- Reps. McGarry, B. Newton, May, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Carter, Yow, W. Newton, Jones, Matthews, Blackwell, Oremus, Taylor, Hixon, Forrest, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-85 SO AS TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4143 -- Reps. R. Williams, Jefferson and Matthews: A BILL TO AMEND SECTION 56-5-4710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF MOUNTED OSCILLATING, ROTATING, OR FLASHING RED LIGHTS BY WRECKERS, SO AS TO PROVIDE WRECKERS MUST USE THEIR NONRED FLASHING WARNING LIGHTS WHEN PICKING UP ANOTHER VEHICLE.

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

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

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

H. 4778 -- Reps. W. Cox, West, Collins, Carter, Gagnon, Parks, Sandifer, White, Thayer, Hyde, Whitmire and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

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

H. 4905 -- Rep. Hixon: A BILL TO AMEND SECTION 50-13-230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

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

H. 4939 -- Reps. Haddon, Hiott, Yow, Ligon, Forrest, Garvin, Magnuson, Burns, Chumley, Long, Ott, Gilliam, May, Pope, S. Williams, J. Moore, Pendarvis, Atkinson, Hayes, Hixon, V. S. Moss, White and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-3-290 SO AS TO DIRECT THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A "CERTIFIED S.C. RAISED BEEF" DESIGNATION AND TO PROVIDE LABELS FOR ANY APPLICANT WHO MEETS THE CRITERIA; AND BY ADDING SECTION 47-17-160 SO AS TO ALLOW BEEF PRODUCERS IN THIS STATE TO CARRY A "CERTIFIED S.C. RAISED BEEF" DESIGNATION.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 5007 -- Reps. Ballentine, Alexander, Allison, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE MAJOR GENERAL STEPHEN B. "BRAD" OWENS, ASSISTANT ADJUTANT GENERAL FOR THE SOUTH CAROLINA NATIONAL GUARD,

UPON THE OCCASION OF HIS RETIREMENT, TO SALUTE HIM FOR MORE THAN THIRTY-SEVEN YEARS OF EXCEPTIONALLY MERITORIOUS SERVICE IN THE UNITED STATES ARMY AND THE GUARD, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

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

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

S. 429 -- Senators Alexander and Senn: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-80, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

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

THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 23, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR

HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

asks for a Committee of Conference, and has appointed Reps. Allison, Felder and Henderson-Myers to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HEMBREE, TURNER and STEPHENS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

CARRIED OVER

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

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

OBJECTION

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

The Senate proceeded to a consideration of the Bill.

Senator RICE explained the Bill.

Senator KIMPSON objected to further consideration of the Bill.

CARRIED OVER

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY", TO PROVIDE

THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*

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

Total--43

NAYS

Total--0

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

CARRIED OVER

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

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

CARRIED OVER

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

CARRIED OVER

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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

MOTION ADOPTED

At 1:32 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

S. 248 -- Senators Young, Hembree, Turner, McElveen and Bennett: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Amendment No. 1

Senator MALLOY proposed the following amendment (248R004.KMM.GM), which was adopted:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 56-5-3890 to read:

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

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 2B

Senator YOUNG proposed the following amendment (248R007.SP.TRY), which was withdrawn:

Amend the bill, as and if amended, by striking Section 59-5-3890(C) and inserting:

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

(1) lawfully parked or stopped;

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

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

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

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

(6) using a ~~global positioning system device or an internal global positioning system feature or function of a wireless electronic communication~~ mobile electronic device for the purpose of navigation, listening to audio-based content, or obtaining ~~related~~ traffic and road condition information in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator;

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

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

Amend the bill further, as and if amended, by striking Section 59-5-3890(D)(1) and inserting:

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

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

(b) for a second or subsequent offense, must be fined two hundred dollars, no part of which may be suspended, and must have two points assessed against his motor vehicle operating record. /

Amend the bill further, as and if amended, by striking SECTION 5 and inserting:

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

Amend the bill further, as and if amended, after SECTION 5, by adding an appropriately numbered new SECTION to read:

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

Renumber sections to conform.

Amend title to conform.

Senator YOUNG spoke on the amendment.

On motion of Senator YOUNG, with unanimous consent, the amendment was withdrawn.

Amendment No. 3

Senator YOUNG proposed the following amendment (248R008.SP.TRY), which was adopted:

Amend the bill, as and if amended, by striking Section 59-5-3890(C) and inserting:

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

(1) lawfully parked or stopped;

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

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

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

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

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

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

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

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

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

Amend the bill further, as and if amended, by striking Section 59-5-3890(D)(1) and inserting:

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

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

(b) for a second or subsequent offense, must be fined two hundred dollars, no part of which may be suspended, and must have two points assessed against his motor vehicle operating record. /

Amend the bill further, as and if amended, by striking SECTION 5 and inserting:

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

Amend the bill further, as and if amended, after SECTION 5, by adding an appropriately numbered new SECTION to read:

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

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 4

Senators MALLOY, SENN, MARTIN and RICE proposed the following amendment (248R009.SP.GM), which was tabled:

Amend the bill, as and if amended, in Section 56-5-3890(C), by adding an appropriately numbered new item to read:

/( ) operating a motor vehicle that is not equipped with manufacturer-installed, hands-free technology. /

Renumber sections to conform.
Amend title to conform.

Senator MARTIN explained the amendment.

Senator YOUNG moved to lay the amendment on the table.

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

Ayes 26; Nays 16

AYES

Adams	Bennett	Campsen
Cash	Climer	Cromer
Gambrell	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimpson
Massey	McElveen	McLeod
Peeler	Rankin	Sabb
Setzler	Shealy	Talley
Turner	Young	

Total--26

NAYS

Alexander	Allen	Corbin
Davis	Fanning	Garrett
Goldfinch	Kimbrell	Loftis
Malloy	Martin	Rice
Scott	Senn	Stephens
Williams		

Total--16

The amendment was laid on the table.

Amendment No. 5

Senators SENN and MALLOY proposed the following amendment (248R010.SP.SS), which was tabled:

Amend the bill, as and if amended, by striking Section 56-5-3890(B)(1) and inserting:

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

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator YOUNG moved to lay the amendment on the table.

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

Ayes 28; Nays 14

AYES

Adams	Alexander	Bennett
Cash	Climer	Cromer
Davis	Gambrell	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Massey	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Corbin	Fanning
Garrett	Goldfinch	Kimbrell
Loftis	Malloy	Martin
Rice	Scott	Senn
Stephens	Williams	

Total--14

The amendment was laid on the table.

Senator MALLOY spoke on the Bill.

The question then was second reading of the Bill.

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

Ayes 37; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Corbin	Goldfinch	Gustafson

Total--3

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

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

WEDNESDAY, FEBRUARY 23, 2022

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Corrections and Penology Committee, the following appointments were confirmed in open session:

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Malinda W. Terry, 9515 One Notch Road, Ladson, SC 29456-4963 *VICE* Robert J. Reid

On motion of Senator MARTIN, the question was confirmation of Malinda W. Terry.

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

Ayes 38; Nays 0; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Allen	McElveen	Young

Total--3

The appointment of Malinda W. Terry was confirmed.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Kathleen Love, 105 Tryon Drive, Summerville, SC 29485-8430 *VICE* Ms. Lesa T. Chandler

On motion of Senator MARTIN, the question was confirmation of Kathleen Love.

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

Ayes 38; Nays 0; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Allen	McElveen	Young

Total--3

The appointment of Kathleen Love was confirmed.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Patrick A. Dicks, 1830 Blacks Drive, Williston, SC 29853-3508 *VICE* Carla J. Smalls

On motion of Senator MARTIN, the question was confirmation of Patrick A. Dicks.

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

Ayes 38; Nays 0; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Allen	McElveen	Young

Total--3

The appointment of Patrick A. Dicks was confirmed.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Tony A. Foster, 105 Creekside Court, Greenwood, SC 29649 *VICE* Mr. Oscar L. Douglas

On motion of Senator MARTIN, the question was confirmation of Tony A. Foster.

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

Ayes 38; Nays 0; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Allen	McElveen	Young

Total--3

The appointment of Tony A. Foster was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointments were confirmed in open session:

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Brenda Lopez Stewart, 110 Devon Road, Clinton, SC 29325-5208 *VICE* James R. Lorraine

On motion of Senator SHEALY, the question was confirmation of Brenda Lopez Stewart.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Brenda Lopez Stewart was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina,

At-Large:

Nick A. Mesenburg, 60 Grand Oaks Way, Beaufort, SC 29907-1183
VICE Calvin Lewis

On motion of Senator SHEALY, the question was confirmation of Nick A. Mesenburg.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Nick A. Mesenburg was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Ada D. Stewart, 1313 Ashland Drive, Columbia, SC 29229-8414 *VICE* John Stedman

On motion of Senator SHEALY, the question was confirmation of Ada D. Stewart.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Ada D. Stewart was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina,

Veterans Service Organizations:

Melvin Poole, 1634 Crestdale Road, Rock Hill, SC 29732-1498 *VICE* vacant

On motion of Senator SHEALY, the question was confirmation of Melvin Poole.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Melvin Poole was confirmed.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2018, and to expire June 30, 2022

4th Congressional District:

Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650 *VICE* Monica G. Hill

On motion of Senator SHEALY, the question was confirmation of Jane W. Daniel.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Jane W. Daniel was confirmed.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026

4th Congressional District:

Jane W. Daniel, 107 East Shallowstone Road, Greer, SC 29650

On motion of Senator SHEALY, the question was confirmation of Jane W. Daniel.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Jane W. Daniel was confirmed.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

5th Congressional District:

Mary D. Long, 508 Indigo Court, Camden, SC 29020 *VICE* Ms. Martha W. Brock

On motion of Senator SHEALY, the question was confirmation of Mary D. Long.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*

Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Mary D. Long was confirmed.

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

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 14, 2018, and to expire March 14, 2022
6th Congressional District:
Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802 *VICE* Louise Haynes

On motion of Senator VERDIN, the question was confirmation of Carl Edison Jones.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen

McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Carl Edison Jones was confirmed.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 14, 2022, and to expire March 14, 2026
6th Congressional District:
Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802 *VICE* vacant

On motion of Senator VERDIN, the question was confirmation of Carl Edison Jones.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Carl Edison Jones was confirmed.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

Nadine Hanner, 1797 Central Ave., Summerville, SC 29483-9323 *VICE* Hima N. Dalal

On motion of Senator VERDIN, the question was confirmation of Nadine Hanner.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Nadine Hanner was confirmed.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611 *VICE* Mr. Gary C. Lemel

On motion of Senator VERDIN, the question was confirmation of Michelle M. Woodhead.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Michelle M. Woodhead was confirmed.

Motion Adopted

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

ADJOURNMENT

At 3:28 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 24, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Isaiah 61:10a

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

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

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

Point of Quorum

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

Call of the Senate

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

Alexander	Allen	Bennett
Cash	Cromer	Davis
Garrett	Gustafson	Hembree

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Martin	McElveen
Peeler	Rice	Sabb
Senn	Setzler	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE HOUSE

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

Statewide Appointment

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

House - Majority:

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

Referred to the Committee on Judiciary.

Doctor of the Day

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

Leave of Absence

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

Leave of Absence

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

Leave of Absence

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

THURSDAY, FEBRUARY 24, 2022

Leave of Absence

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

Leave of Absence

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

Leave of Absence

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

CO-SPONSORS ADDED

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

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

RECALLED

H. 3435 -- Reps. King and Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CRAWFORD ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HAMPTON ROAD TO ITS INTERSECTION WITH HECKLE BOULEVARD IN YORK COUNTY "BROTHER DAVID BOONE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

THURSDAY, FEBRUARY 24, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1098 -- Senators Alexander, Peeler, Grooms, Massey, Martin, Corbin, Turner, Gambrell, Harpootlian, Verdin and Talley: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CLEMSON UNIVERSITY MEN'S SOCCER TEAM MEMBERS AND COACHES FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 MEN'S NATIONAL CHAMPIONSHIP TITLE.
l:\council\bills\gm\24651cm22.docx

The Senate Resolution was adopted.

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

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

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

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

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

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

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

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

PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

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

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

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

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

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

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

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

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

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

REPORTS OF STANDING COMMITTEES

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

ORDERED ENROLLED FOR RATIFICATION

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

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

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

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator HEMBREE objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

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

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

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

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

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

Ayes 33; Nays 1

AYES

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

Total--33

NAYS

Gustafson

Total--1

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

S. 908--Ordered to a Third Reading

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

CARRIED OVER

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

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

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis,

Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF

CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

Point of Order

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

The PRESIDENT sustained the Point of Order.

CARRIED OVER

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

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

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

MADE SPECIAL ORDER

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

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

Senator MALLOY spoke in favor of the motion.

The Bill was made a Special Order.

MOTION ADOPTED

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Recorded Vote

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

THURSDAY, FEBRUARY 24, 2022

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned on Thursday, February 24, 2022, that it will adjourn to meet Friday, February 25, 2022, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up. The Senate would meet again in regular statewide session Tuesday, March 1, at 12:00 Noon.

Motion Adopted

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

MOTION ADOPTED

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

ADJOURNMENT

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

* * *

Friday, February 25, 2022

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 1101 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, PAUL E. DILLARD, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 9, 2022.
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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

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

On motion of Senator RICE.

FRIDAY, FEBRUARY 25, 2022

ADJOURNMENT

At 11:06 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, March 1, 2022, at 12:00 Noon.

***

Tuesday, March 1, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 46:1-3

The Psalmist reminds us that: "God is our refuge and strength, a very present help in trouble. Therefore, we will not fear, though the earth should change, though the mountains shake in the heart of the sea; though its waters roar and foam, though the mountains tremble with its tumult."

Friends, join me as we bow in prayer: Most gracious and ever-loving God, we come before You today with hearts that remain uneasy and unsettled, for war yet again continues in Europe. A country that sought to be free and sovereign is being devastated, women and men are dying on both sides of the conflict, and positive resolution to the actions in Ukraine seems distant, if not presently unattainable. And so we pray for all who are caught up in the chaos. Indeed, the entire world is impacted by the events, dear Lord. And knowing as we do that You are "our refuge and strength, a very present help in trouble", we pray fervently that You will restore global peace even as You lead and direct Your servants here in the Senate of South Carolina as they themselves steadily labor on behalf of the people they are called to serve. We humbly pray all of this in Your blessed name, dear Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Alexander	Bennett	Cash
Climer	Cromer	Davis
Fanning	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	Peeler	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5065
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-69-330
SUBJECT: Suitability in Annuity Transactions
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Banking and Insurance
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted February 24, 2022

Document No. 5066
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Section 50-11-2200
SUBJECT: Term and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources
Received by President of the Senate January 11, 2022
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted February 24, 2022

Document No. 5074
Agency: Department of Labor, Licensing and Regulation-Building Codes Council

Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40, 6-9-50, and 6-9-55
SUBJECT: International Residential Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted February 24, 2022

Document No. 5085
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: International Fire Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted February 24, 2022

Document No. 5088
Agency: Department of Labor, Licensing and Regulation-Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-9-40 and 40-1-70
SUBJECT: National Electrical Code
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted February 24, 2022

Leave of Absence

On motion of Senator RICE, at 1:14 P.M., Senator ADAMS was granted a leave of absence for Tuesday, March 1, 2022, through Thursday, March 3, 2022.

Leave of Absence

On motion of Senator VERDIN, at 1:15 P.M., Senator PEELER was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator HUTTO, at 1:15 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator VERDIN, at 1:55 P.M., a leave of absence was granted until 4:00 P.M.

Leave of Absence

On motion of Senator KIMPSON, at 2:45 P.M., Senator SABB was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GAMBRELL, at 5:14 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 5:14 P.M., Senator LOFTIS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SENN, at 5:14 P.M., Senator VERDIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SCOTT, at 5:14 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 5:14 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HUTTO, at 5:14 P.M., Senators SETZLER and HARPOOTLIAN were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 5:14 P.M., Senator RANKIN was granted a leave of absence for the balance of the day.

TUESDAY, MARCH 1, 2022

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Remarks by Senator HARPOOTLIAN

As many of you know, I spent the last two weeks a few hundred miles from Ukraine. My wife was presenting her credentials at a very impressive ceremony with military guards and all the bells and whistles. I was merely her arm candy. I just feel it important to share with you what I saw in this small country -- former communist country part of Yugoslavia. The free market system is flourishing. The people are friendly and kind. These same people lived under the oppression of communism. This democracy is what you see in Hungary and many countries where they lived under an authoritarian figure like Stalin, Tito, or now Putin. Over the last week and a half as I watched television, I had an interesting experience in Slovenia. On some channels you could see CNN, BBC and Sky News where you were getting, I thought, a pretty accurate picture of what was occurring and that is an invasion of brutality like we haven't seen in Europe since 1945. I changed the channel to RT (Russian Television) and was shocked to learn the reasons the Russians gave for invading Ukraine and wanting to conquer it. According to Russian Television, massive numbers of Russians that live in the Ukraine were being massacred in a huge genocide and buried in mass graves. Not only were they being massacred, they were being molested, raped, and children were being buried in mass graves. This is not seen on CNN, Sky News or BBC. I am sure the propaganda that Russian Television was putting out inspired some Russians to support Putin, but the people I ran into from former communist countries know what Putin is about and they are ready to resist. They are ready to fight and they are ready to do whatever is necessary to stop this dictator. As we sit here, we are very comfortable; there is no threat to us physically. People over there realize that threat -- they feel that threat, as we all should. I want to commend Senator HUTTO for his comments a few moments ago, but we have to do more than that. We have to understand that those people look to us. They look to this country as the example of how democracy should work and how freedom should work. I think all of us need to understand that

these are not just storm clouds on the horizon. These storm clouds could be here if we do not do something. What we have done, what President Biden has done is a beginning, but we are going to have to take much more aggressive action if we are to stop what I think is a psychopathic thug who happens to be running Russia now. It is good to be back.

On motion of Senator SCOTT, with unanimous consent, the remarks of Senator HARPOOTLIAN, were ordered printed in the Journal.

CO-SPONSORS ADDED

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

S. 5 Sens. Malloy, Kimpson, McLeod, Sabb, Campsen, Stephens, Davis and McElveen
S. 262 Sen. McLeod
S. 429 Sen. Loftis
S. 458 Sen. Loftis
S. 961 Sens. Loftis and Kimbrell
S. 983 Sen. Young
S. 1103 Sen. Jackson

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 1090 Sen. McLeod

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1102 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WEST-OAK HIGH SCHOOL BOYS WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1103 -- Senators Shealy and Jackson: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING

SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.
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Read the first time and referred to the Committee on Education.

S. 1104 -- Senator Shealy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 14, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO CITIZENS DEEMED SUI JURIS AND RESTRICTIONS REGARDING THE SALE OF ALCOHOLIC BEVERAGES, TO ALLOW THE GENERAL ASSEMBLY ALSO TO RESTRICT THE SALE, PURCHASE, OR POSSESSION OF TOBACCO PRODUCTS, CIGARETTES, AND ALTERNATIVE NICOTINE PRODUCTS BY PERSONS UNTIL AGE TWENTY-ONE.
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Read the first time and referred to the Committee on Judiciary.

S. 1105 -- Senator Shealy: A BILL TO AMEND SECTION 16-17-500 OF THE 1976 CODE, AS AMENDED, RELATING TO THE SALE, PURCHASE, AND DISTRIBUTION OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS, SO AS TO PROHIBIT THE SALE, FURNISHING, OR PROVISION OF CIGARETTES OR ALTERNATIVE NICOTINE PRODUCTS TO A PERSON UNDER TWENTY-ONE YEARS OF AGE, AND TO PROHIBIT A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE FROM PURCHASING, POSSESSING, ATTEMPTING TO POSSESS, OR PRESENTING A FALSE OR FRAUDULENT PROOF OF AGE FOR PURPOSES OF PURCHASING OR POSSESSING TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS; TO AMEND SECTION 16-17-502 OF THE 1976 CODE, RELATING TO THE DISTRIBUTION OF TOBACCO PRODUCT OR ALTERNATIVE NICOTINE PRODUCT SAMPLES, SO AS TO PROHIBIT THE DISTRIBUTION OF TOBACCO PRODUCT OR ALTERNATIVE NICOTINE PRODUCT SAMPLES TO A PERSON UNDER TWENTY-ONE YEARS OF AGE; AND TO AMEND SECTION 16-17-503 OF THE 1976 CODE, RELATING TO ENFORCEMENT OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS PROVISIONS, SO AS TO FURTHER

PROVIDE FOR THE ENFORCEMENT OF THESE PROVISIONS AND THE FURNISHING OF RELATED REPORTS.
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Read the first time and referred to the Committee on Judiciary.

S. 1106 -- Senators Peeler and Alexander: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.
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Read the first time and referred to the Committee on Finance.

S. 1107 -- Senators Shealy and Senn: A SENATE RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 17, 2022.
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The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 1108 -- Senators Peeler, Fanning, Climer and M. Johnson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JOE LEE GORDON OF YORK COUNTY AND

TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1109 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE ABBEY FABICK AND NELS RUDE ON THE OCCASION OF THEIR WEDDING AND TO WISH THEM MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1110 -- Senators Young, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE ADATH YESHURUN SYNAGOGUE UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND IT FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE GREATER AIKEN COMMUNITY, THE CENTRAL SAVANNAH AREA, AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1111 -- Senators Hutto, Kimbrell, Climer, Senn, Cromer, Shealy and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-16-57 SO AS TO PROVIDE THAT THE RETIREMENT INVESTMENT COMMISSION MAY NOT INVEST PUBLIC EMPLOYEE RETIREMENT FUNDS IN CERTAIN COMPANIES OWNED, IN WHOLE OR IN PART, BY RUSSIA; AND TO AMEND SECTION 11-9-660, RELATING TO THE INVESTMENT OF STATE FUNDS, SO AS TO PROHIBIT THE STATE TREASURER FROM INVESTING

IN CERTAIN COMPANIES OWNED OR CONTROLLED BY RUSSIA OR WHOSE PRINCIPAL PLACE OF BUSINESS IS LOCATED WITHIN RUSSIA.
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Read the first time and referred to the Committee on Finance.

S. 1112 -- Senators Hutto, Kimbrell, Climer, Senn, Cromer, Malloy, Kimpson and Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE STRONG BELIEF OF THE SOUTH CAROLINA GENERAL ASSEMBLY THAT THE RUSSIAN INVASION OF UKRAINE MUST END, AND TO EXPRESS SUPPORT FOR THE PEOPLE AND GOVERNMENT OF UKRAINE IN FIGHTING THE RUSSIAN INVASION AND MAINTAINING ITS INDEPENDENCE.
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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 1113 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE THE DIALYSIS ACCESS INSTITUTE UPON THE OCCASION OF ITS TENTH ANNIVERSARY AND COMMEND THE INSTITUTE FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE ORANGEBURG AND CALHOUN COMMUNITIES AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1114 -- Senators Martin and Talley: A SENATE RESOLUTION TO CONGRATULATE CHIEF BRIAN HARVEY UPON THE OCCASION OF HIS RETIREMENT AS FIRE CHIEF, TO COMMEND HIM FOR HIS FORTY-FIVE YEARS OF DEDICATED SERVICE TO THE ROEBUCK FIRE DISTRICT AND TO SPARTANBURG COUNTY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

H. 5022 -- Reps. Wheeler, Hyde, Bernstein and K. O. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-51-180 SO AS TO PROVIDE THAT IF AN OWNER OF HEIRS' PROPERTY IS THE SUCCESSFUL

BIDDER AT A DELINQUENT TAX SALE OF THAT PROPERTY IN WHICH HE OWNS AN INTEREST AS HEIR SUCH PURCHASE DOES NOT INURE TO THE BENEFIT OF OTHER COTENANTS.

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

H. 5034 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. ELLEN BURKHARDT BABB, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL STATE COORDINATOR FOR IMPROVING BREAST FEEDING, UPON THE OCCASION OF HER RETIREMENT AFTER MANY YEARS OF OUTSTANDING SERVICE TO THE STATE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

H. 5044 -- Rep. Forrest: A CONCURRENT RESOLUTION TO CELEBRATE THE THIRTY-SIXTH ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 12 THROUGH 14, 2022, IN BATESBURG-LEESVILLE AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.

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

H. 5045 -- Rep. Forrest: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LANDIS D. PRICE FOR FIFTY YEARS OF SERVICE TO BARR-PRICE FUNERAL HOME AND TO THE COMMUNITY AND TO CONGRATULATE HIM UPON BEING NAMED THE 2022 POULTRY FESTIVAL DISTINGUISHED CITIZEN.

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

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Operations and Management polled out S. 1101 favorable:

S. 1101 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, PAUL E. DILLARD, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 9, 2022.

Poll of the Operation and Management Committee
Polled 9; Ayes 9; Nays 0

AYES

Alexander	Peeler	Rankin
Malloy	Massey	Shealy
Turner	Hutto	Setzler

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

ADOPTED

Senator McELVEEN asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator McELVEEN, the Concurrent Resolution was adopted and ordered sent to the House.

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

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, March 1, 2022 - 5:30 pm - 7:30 pm
Members Only, Reception, Pastides Alumni Center, USC, by the **SOUTH CAROLINA BANKERS ASSOCIATION**

Tuesday, March 1, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, The Hall at Senate's End, by **CLEMSON UNIVERSITY AND THE CLEMSON UNIVERSITY FOUNDATION**

Wednesday, March 2, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **COALITION FOR ACCESS TO HEALTHCARE**

Wednesday, March 2, 2022 - 12:00pm - 1:30pm
Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA AVIATION ASSOCIATION**

Wednesday, March 2, 2022 - 5:30pm - 8:00pm
Members and Staff, Reception, Capitol Center 1201 Main St., by the **CITY OF COLUMBIA**

Thursday, March 3, 2022 - 8:00am - 10:00am
Members Only, Breakfast, 112 Blatt Building, by the **SC LAND TRUST NETWORK**

Tuesday, March 8, 2022 - 5:00pm - 7:00pm
Members and Staff, Reception, 1114 College Street, by the **SOUTH CAROLINA BEER WHOLESALERS ASSOCIATION**

Wednesday, March 9, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

Wednesday, March 9, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION**

Thursday, March 10, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **SOUTH CAROLINA'S COALITION FOR MATHEMATICS & SCIENCE**

Wednesday, March 16, 2022 - 7:00 am - 9:00am
Members and Staff, Breakfast, Columbia Convention Center, by **SOUTH CAROLINA PRAYER FELLOWSHIP BREAKFAST**

Tuesday, March 22, 2022 - 5:30pm - 7:30pm
Members and Staff, Reception, 701 Whaley Street, by **SOUTH CAROLINA CONSERVATION COALITION OYSTER ROAST**

Wednesday, March 23, 2022 - 7:30am - 9:30am
Members and Staff, Breakfast, 112 Blatt Building, by **SOUTH CAROLINA ASSOCIATION OF CONSERVATION DISTRICTS**

Wednesday, March 23, 2022 - 5:30pm - 7:30pm
Members and Staff, Reception, The Palmetto Club, by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

Thursday, March 24, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **LEADERSHIP SOUTH CAROLINA**

Tuesday, March 29, 2022 - 5:00pm - 7:00pm
Members and Staff, Reception, Burr Forman, 1221 Main Street, Suite 1800, by the **NATIONAL GUARD ASSOCIATION OF SOUTH CAROLINA**

Tuesday, March 29, 2022 - 6:00pm - 8:00pm
Members Only, Reception, Columbia Museum of Art, by the **HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA**

Wednesday, March 30, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **STATE FARM INSURANCE**

Wednesday, March 30, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, State House Grounds, by **JASPER COUNTY CHAMBER OF COMMERCE**

Thursday, March 31, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA BROADCASTERS ASSOCIATION**

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

CARRIED OVER

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

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

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED AND CARRIED OVER

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\3590C001.JN.WAB22), which was adopted:

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

/ SECTION 1. (A) The Department of Education is directed to establish a pilot program by May 1, 2023, that will permit a school that has received an overall rating of "Excellent" on its annual report card for at least two consecutive years, or is located in a critical geographic area as defined in Section 59-26-20(j), to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. In order to effect the establishment of the pilot program, the State Board of Education, through the Department of Education, shall approve guidelines that at a minimum shall include the following:

(1) a noncertified teacher must possess a baccalaureate or graduate degree in the subject he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures are provided for noncertified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5); and

(3) training is required to ensure that noncertified teachers are prepared to enter the classroom.

(B) Participation in the pilot program is optional, and the decision to participate rests solely with the Department of Education and the school

principal, upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot program and to assist the Department of Education with establishing best practices.

(C) The Department of Education shall establish a separate code in the professional coding system to capture noncertified teachers and shall continue to report this information on school report cards.

(D) Beginning November 1, 2024, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. At the end of the five-year pilot program, the annual status report shall include a recommendation regarding continuance of the program.

(E)(1) The Department of Education shall establish procedures for the registration and clearance of all noncertified educators working in any public school pursuant to this section. Educators shall submit the required documentation and fees to the Department of Education, which shall include, but are not limited to:

(a) a completed registration form;

(b) any associated fee;

(c) transcripts, which shall be subject to review; and

(d) FBI, South Carolina Law Enforcement Division, and National Association of State Directors of Teacher Education and Certification Clearinghouse checks.

(2) An educator whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher. If a noncertified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education, then the State Board of Education is authorized to revoke the educator's registration.

SECTION 2. Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senators HUTTO and HEMBREE proposed the following amendment (DG\3590C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, subsection (A), by adding an appropriately numbered item at the end to read:

/ ( ) a noncertified teacher teaching a core subject must demonstrate enrollment in a certification program within three years of employment, including any state-approved alternative or traditional route program. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (3590R001.KMM.SRM):

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

/ SECTION 1. (A) The Department of Education is directed to establish a pilot program by May 1, 2023 that will permit a school that has received an overall rating of "Below Average" or "Unsatisfactory" on its annual report card for at least two consecutive years, or is located in a critical geographic area as defined in Section 59-26-20(j), to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. In order to effect the establishment of the pilot program, the State Board of Education, through the Department of Education, shall approve guidelines that at a minimum shall include the following:

(1) a noncertified teacher must possess a baccalaureate or graduate degree in the subject he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures must be provided for noncertified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5); and

(3) training must be required to ensure that noncertified teachers are prepared to enter the classroom. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

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

AMENDED, READ THE SECOND TIME

S. 961 -- Senators Senn, Campsen, Loftis, Bennett, Alexander, Fanning and Kimbrell: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (961R001.SP.JK), which was adopted:

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

/ SECTION 1. Section 39-25-20(t) of the 1976 Code is amended to read:

"(t) The term 'honey' means the raw food product produced by honeybees for human consumption. Honey and honey products are subject to all labeling requirements of this chapter. Honey sold wholesale to other retail outlets for resale must be processed and packaged in an inspected and registered food processing facility in accordance with the act regardless of the amount of overall honey produced by the beekeeper.

Beekeepers producing no more than four hundred gallons (4,800 pounds) of honey annually and ~~who only~~ may sell directly to the end consumer and are exempt from inspections and regulations requiring honey to be processed, extracted, and packaged in an inspected food processing establishment, or from being required to obtain a registration verification certificate (RVC) from the Department of Agriculture. However, labels are required on all containers of honey that are sold in South Carolina. Beekeepers must file for the exemption on forms to be provided by the Department of Agriculture. Beekeepers who file for, and

obtain, the exemption certificate from the Department of Agriculture may sell directly to inspected food processing establishments that maintain an RVC for subsequent wholesale or resale sales. Any end user or retailer who buys honey produced pursuant to this subsection must keep a record of all honey purchases that will be resold or used in products that will be sold." /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the Bill and the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (5R002.KMM.KLJ), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 31 and inserting:

/ December in each year are legal holidays. Employees may select, prior to the first day of January, in writing on a form provided by their employer, one of the following holiday leave: Confederate Memorial Day, Juneteenth or, in the alternative, select a day of their choice. /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON explained the amendment.

The amendment was adopted.

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

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

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis

Malloy	Martin	Massey
McElveen	McLeod	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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

CARRIED OVER

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

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

OBJECTION

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

Senator HUTTO objected to consideration of the Resolution.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 429 -- Senators Alexander, Senn and Loftis: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-80, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0429.004), which was adopted:

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

/ SECTION 1. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance, commits the felony offense of fentanyl-induced homicide.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person."

SECTION 2. Section 16-1-10(D) of the 1976 Code is amended by adding a new offense to read:

"16-3-80 Fentanyl-induced homicide"

SECTION 3. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

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

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

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

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

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

e. replacement of the N-propionyl group by another acyl group.

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

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

the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (JUD0429.005), which was adopted:

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

/ SECTION 1. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance, commits the felony offense of fentanyl-induced homicide.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person."

SECTION 2. Section 16-1-10(D) of the 1976 Code is amended by adding a new offense to read:

"16-3-80 Fentanyl-induced homicide"

SECTION 3. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

"__. Fentanyl-related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers,

esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

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

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

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

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

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

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

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

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

Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND

44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0458.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 28 through 35, and inserting therein:

/ granted, and a fine of fifty thousand dollars; or

(b) for a second or subsequent offense, a term of imprisonment of not more than thirty years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

The Senate proceeded to a consideration of the Resolution.

The Committee on Judiciary proposed the following amendment (JUD0560.001), which was adopted:

Amend the joint resolution, as and if amended, page 2, by striking lines 34 through 41, and inserting therein the following:

/ (C) The members of the study committee shall seek assistance from governmental agencies and members of the private sector including, but not limited to, the South Carolina State Housing Finance and Development Authority, the Homebuilders Association of South Carolina, the Landowners Association of South Carolina, the South Carolina Association of Habitat for Humanity, the Affordable Housing Coalition of South Carolina, the Realtors Association of South Carolina, the Center for Heirs' Property Preservation, the Municipal Association of South Carolina, and the South Carolina Association of Counties. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator SCOTT spoke on the Bill.

The amendment was adopted.

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

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

S. 637 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR

MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".

The Senate proceeded to a consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question then being second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

OBJECTION

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

Senator SABB objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (968R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 11-12 and inserting:

/ disbursement from the fund, not exceeding the per funeral cap established annually by the secretary, for the purposes described in this section. Pursuant to his /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

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

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question then being second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question then being second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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

OBJECTION

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

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

Senator SABB objected to consideration of the Resolution.

CARRIED OVER

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

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

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\233C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 12-37-220(B)(1) of the 1976 Code is amended to read:

"(1)(a) the house owned by an eligible owner in fee or jointly with a spouse;

(b) the house owned by a qualified surviving spouse ~~acquired from the deceased spouse~~ and a house subsequently acquired by an eligible surviving spouse. The qualified surviving spouse shall inform the Department of Revenue of the address of a subsequent house;

(c) when a trustee holds legal title to a dwelling for a beneficiary and the beneficiary is a person who qualifies otherwise for the exemptions provided in subitems (a) and (b) and the beneficiary uses the dwelling as the beneficiary's domicile, the dwelling is exempt from property taxation in the same amount and manner as dwellings are exempt pursuant to subitems (a) and (b);

(d) The Department of Revenue may require documentation it determines necessary to determine eligibility for the exemption allowed by this item.

(e) A person who owns an interest in a house and meets all other requirements of this item and is otherwise an eligible owner but for the ownership requirement is deemed to be an eligible owner and is eligible for the exemption allowed by this item so long as the county assessor certifies to the Department of Revenue that the house is located on heirs' property and the person is the owner-occupied resident of the house. A person eligible pursuant to this subitem must not claim the special assessment rate allowed pursuant to Section 12-43-220(c) on any other property. For purposes of this item, heirs' property has the same meaning as provided in Section 15-61-320.

(f) As used in this item:

(i) 'eligible owner' means:

(A) a veteran of the armed forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability;

(B) a former law enforcement officer as further defined in Section 23-23-10, who is permanently and totally disabled as a result of a law enforcement service-connected disability;

(C) a former firefighter, including a volunteer firefighter as further defined in Chapter 80, Title 40, who is permanently and totally disabled as a result of a firefighting service-connected disability;

(ii) 'permanently and totally disabled' means the inability to perform substantial gainful employment by reason of a medically determinable impairment, either physical or mental, that has lasted or is

expected to last for a continuous period of twelve months or more or result in death;

(iii) 'qualified surviving spouse' means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the armed forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-23-10 and Chapter 80, Title 40 ~~who at the time of death owned the house in fee or jointly with the now surviving spouse,~~ if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;

(iv) 'house' means a dwelling and the lot on which it is situated classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c). <u>However, for an eligible owner that qualifies pursuant to item (1)(e), 'house' means a dwelling that is eligible to be classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c) except for the ownership requirement.</u>" /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Senator FANNING proposed the following amendment (DG\ 233C002.NBD.DG22):

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Section 12-37-220(B)(11) of the 1976 Code is amended by adding an appropriately lettered subitem to read:

"( ) all real property owned by a non-profit educational foundation of a public school district and which is devoted to providing housing for classroom teachers in the school district" /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

On motion of Senator FANNING, the Bill was carried over.

CARRIED OVER

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

On motion of Senator YOUNG, the Bill was carried over.

OBJECTION

S. 141 -- Senators Massey, Rice, Hembree, Bennett, Young, Senn, Kimbrell, Cash, Gustafson and Verdin: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Senator HUTTO objected to consideration of the Resolution.

ADOPTED

H. 3435 -- Reps. King and Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CRAWFORD ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HAMPTON ROAD TO ITS INTERSECTION WITH HECKLE BOULEVARD IN YORK COUNTY “BROTHER DAVID BOONE MEMORIAL ROAD” AND ERECT APPROPRIATE MARKERS OR

SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:52 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator BENNETT explained the Bill.

Amendment No. P1

Senators HUTTO and McLEOD proposed the following amendment (1090CBH.P1), which was ruled out of order:

Amend the committee report, as and if amended, page [1090-1], by striking line 25 and inserting the following:

/ weekly benefit amount as /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the perfecting amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The Committee on Labor, Commerce and Industry proposed the following amendment (1090R001.KMM.TD), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 35 - 40 and inserting:

/ "(B) The department must annually adjust the maximum weekly benefit amount set pursuant to the department's authority as provided in subsection (A) by an amount at least equal to the rate of inflation as measured by the national consumer price index published by the Bureau of Labor Statistics for the most recently completed calendar year prior to the date that the maximum weekly benefit amount goes into effect." /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Amendment No. 1

Senator KIMPSON proposed the following amendment (1090MK3), which was tabled:

Amend the bill, as and if amended, page 1, by striking lines 39-41 and inserting the following:

/ Whereas, Section 41-35-40 sets the weekly benefit amounts that an employee may receive; and /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 2

Senator MARTIN proposed the following amendment (1090R002.SP.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION after SECTION 2 to read:

/ SECTION __. Section 41-31-60(A) of the 1976 Code is amended to read:

"Section 41-31-60. (A) If on the computation date upon which an employer's tax rate is to be computed as provided in Section 41-31-40 there is a delinquent report, the tax class twenty rate must be assigned to the employer ~~for the period to which the computation applies~~ until the next computation date or until all outstanding tax reports have been filed." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senators HUTTO and McLEOD proposed the following amendment (1090CBH3), which was tabled:

Amend the bill, as and if amended, page 1, by striking lines 39-41 and inserting the following:

/ Whereas, Section 41-35-40 sets the weekly benefit amounts that an employee may receive; and /

Amend the bill further, as and if amended, page 2, by striking lines 16-27.

Amend the bill further, as and if amended by striking Section 41-35-40 (B) and inserting the following:

/ "(B) The department must annually adjust the maximum weekly benefit amount as provided in subsection (A) by an amount at least equal to the rate of inflation as measured by the national consumer price index published by the Bureau of Labor Statistics for the most recently completed calendar year prior to the date that the maximum weekly benefit amount goes into effect." /

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator SCOTT spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 4

Senator HUTTO proposed the following amendment (1090MM2), which was tabled:

Amend the bill, as and if amended, page 3, by striking lines 1-9.
Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO spoke on the Bill.
Senator KIMPSON spoke on the Bill.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 9

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Peeler	Rice	Senn
Shealy	Turner	Williams
Young		

Total--25

NAYS

Allen	Fanning	Goldfinch
Hutto	*Johnson, Kevin*	Kimpson
McElveen	McLeod	Scott

Total--9

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Ann Knox Loftis of Columbia, S.C. Mary was a founding member of Saluda River Baptist Church and active member of First Baptist Church. She enjoyed meeting and talking to people. She had a great sense of humor, an affectionate spirit and lit up every room she entered. Mary was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators SETZLER, HUTTO and STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. David Keener Summers, Jr. of Cameron, S.C. David was a graduate of the University of South Carolina. He was a co-owner of Golden Kernel Pecan Company. David served in the United States Army Reserve. He was elected in 1979 to the Calhoun County Council where he served as chairman for 41 years. He served as chairman of the Workers Comp Fund and Three Rivers Solid Waste Authority Board. David was a member of the Dantzler Masonic Lodge, Orangeburg Elks Club, Commander of St. Matthews American Legion Post 12, served on the St. Matthews Rotary Club and Calhoun Chamber of Commerce to mention a few. David was a loving husband, devoted father and doting grandfather who will be dearly missed.

TUESDAY, MARCH 1, 2022

ADJOURNMENT

At 5:19 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 2, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joel 2:12

We read in the Book of Joel: " 'Even now,' declares the Lord, 'Return to me with all your heart, with fasting and weeping and mourning.' "

Please join me on this Ash Wednesday as we pray: There is not a single one of us, O Lord, who dares to think that we are so perfect that we do not need to bow before You and to confess our many, many sins. After all, Almighty God, You alone truly know our hearts and are aware how far short we fall in terms of the life we ought to be living. And in spite of that knowledge You possess, You still offer to cleanse our hearts and to embrace us afresh in Your unfailing love. We do thank You for Your merciful forgiveness, and we urge You to continue to give every woman and man serving You here in the Senate of South Carolina full awareness of Your constant faithfulness and Your redemptive love. In Your name we humbly pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Director of Department of Juvenile Justice, with term coterminous with Governor

Director:

Laurel Eden Harvey Hendrick, 6331 Westshore Road, Columbia, SC 29206-2122 *VICE* Freddie B. Pough

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2022, and to expire August 1, 2025

At-Large, Governor:

Randall S. Page, Chief of Staff, Bob Jones University, 1700 Wade Hampton Boulevard, Greenville, SC 29614-0001

Referred to the Committee on Education.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

Referred to the Committee on Judiciary.

Leave of Absence

On motion of Senator SENN, at 1:23 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator MARTIN, at 1:47 P.M., a leave of absence was granted for tomorrow, Thursday, March 3, 2022.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 429	Sen. Climer
S. 458	Sen. Climer
S. 961	Sen. Climer
S. 1103	Sens. Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell and McElveen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1115 -- Senator Talley: A BILL TO AMEND CHAPTER 152, TITLE 59 OF THE 1976 CODE, RELATING TO FIRST STEPS TO SCHOOL READINESS, BY ADDING SECTION 59-152-22, TO PROVIDE FOR A DIRECTOR TO SERVE AS CHIEF EXECUTIVE OFFICER AND ADMINISTRATIVE HEAD OF FIRST STEPS TO

SCHOOL READINESS AND TO PROVIDE REQUIREMENTS FOR THE DIRECTOR; TO AMEND CHAPTER 152, TITLE 59 OF THE 1976 CODE, RELATING TO FIRST STEPS TO SCHOOL READINESS, BY ADDING SECTION 59-152-55, TO PROVIDE THAT THE DIRECTOR MAY FORM AND CONTRACT WITH A PRIVATE NONPROFIT FOUNDATION TO FINANCIALLY SUPPORT THE EFFORTS OF FIRST STEPS, AMONG OTHER THINGS; TO AMEND SECTION 59-152-10 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF FIRST STEPS, TO DESIGNATE IT AS AN AGENCY INSTEAD OF AN INITIATIVE, TO ELIMINATE LOCAL PARTNERSHIPS, AND TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE AGENCY AND ITS DIRECTOR; TO AMEND SECTION 59-152-20 OF THE 1976 CODE, RELATING TO THE PURPOSE OF FIRST STEPS, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-152-25 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING FIRST STEPS, TO REVISE NECESSARY DEFINITIONS; TO AMEND SECTION 59-152-30 OF THE 1976 CODE, RELATING TO THE GOALS FOR FIRST STEPS, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-152-32 OF THE 1976 CODE, RELATING TO THE LONG-RANGE INITIATIVE OF FIRST STEPS, TO MAKE CONFORMING CHANGES AND REMOVE OBSOLETE LANGUAGE; TO AMEND SECTION 59-152-33 OF THE 1976 CODE, RELATING TO THE ROLE OF THE DEPARTMENT IN THE SCHOOL READINESS ASSESSMENT, TO MAKE CONFORMING CHANGES AND REMOVE OBSOLETE LANGUAGE; TO AMEND SECTION 59-152-40 OF THE 1976 CODE, RELATING TO OVERSIGHT OF FIRST STEPS BY A BOARD OF TRUSTEES, TO ELIMINATE THIS OVERSIGHT AND TO PROVIDE THAT THE EARLY CHILDHOOD ADVISORY COUNCIL SHALL SERVE AS AN ADVISORY BOARD TO THE DEPARTMENT AND TO PROVIDE RELATED DUTIES OF THE COUNCIL; TO AMEND SECTION 59-152-50 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE OFFICE OF SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS AND RELATED DUTIES, TO ELIMINATE THE EXISTING PROVISIONS AND PROVIDE DUTIES OF THE DEPARTMENT; TO AMEND SECTION 59-152-60 OF THE 1976 CODE, RELATING TO THE CREATION, FUNCTION, AND DUTIES OF LOCAL FIRST STEPS PARTNERSHIP BOARDS, TO ELIMINATE THE EXISTING PROVISIONS AND ESTABLISH REGIONAL FIRST STEPS OFFICES, TO SPECIFY THE

MEMBERSHIP OF EACH REGION, AND TO PROVIDE RELATED DUTIES OF THE DIRECTOR; TO AMEND SECTION 59-152-70 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF LOCAL FIRST STEPS PARTNERSHIPS, TO PROVIDE FOR THE CREATION OF ADVISORY BOARDS FOR EACH REGIONAL OFFICE, TO PROVIDE REQUIREMENTS CONCERNING THE COMPOSITION OF THE ADVISORY BOARDS, AND TO PROVIDE ADVISORY BOARD MEMBERS ARE NOT ENTITLED TO PER DIEM OR COMPENSATION; TO REPEAL ARTICLE 17 OF CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO THE FIRST STEPS TO SCHOOL READINESS BOARD OF TRUSTEES; TO REPEAL SECTION 59-152-90 OF THE 1976 CODE, RELATING TO LOCAL PARTNERSHIP GRANT FUNDING PROCEDURES; TO REPEAL SECTION 59-152-100 OF THE 1976 CODE, RELATING TO LOCAL PARTNERSHIP GRANT USE REQUIREMENTS; TO REPEAL SECTION 59-152-120 OF THE 1976 CODE, RELATING TO LOCAL PARTNERSHIP GRANT FUNDING USE RESTRICTIONS; TO REPEAL SECTION 59-152-130 OF THE 1976 CODE, RELATING TO LOCAL PARTNERSHIP MATCHING FUNDS; TO REPEAL SECTION 59-152-140 OF THE 1976 CODE, RELATING TO CARRY FORWARD FUNDS; TO REPEAL SECTION 59-152-150 OF THE 1976 CODE, RELATING TO FISCAL ACCOUNTABILITY MEASURES FOR LOCAL PARTNERSHIPS; AND TO REPEAL SECTION 59-152-160 OF THE 1976 CODE, RELATING TO INTERNAL EVALUATION POLICIES AND PROCEDURES.

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Read the first time and referred to the Committee on Education.

S. 1116 -- Senator Bennett: A BILL TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILITARY PERSONNEL AND THEIR DEPENDENTS WHO ARE ENTITLED TO PAY IN-STATE TUITION AND FEES WITHOUT REGARD TO THE LENGTH OF TIME THEY HAVE RESIDED IN THIS STATE, SO AS TO EXPAND THE CATEGORIES OF INDIVIDUALS COVERED BY THESE PROVISIONS TO CONFORM WITH CERTAIN CHANGES IN FEDERAL LAW.

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Read the first time and referred to the Committee on Education.

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3242 -- Reps. Collins, Felder, McGarry and Dabney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-65-480 SO AS TO PROVIDE SCHOOL DISTRICTS SHALL SOLICIT WRITTEN PARENTAL CONSENT TO PROVIDE SUCH INFORMATION TO THE SOUTH CAROLINA NATIONAL GUARD YOUTH CHALLENGE ACADEMY FOR THE LIMITED PURPOSE OF ENABLING THE ACADEMY TO INFORM THE STUDENTS OF ITS PROGRAMS, TO PROVIDE DISTRICTS ONLY MAY PROVIDE SUCH INFORMATION UPON RECEIPT OF PARENTAL CONSENT, TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH INFORMATION WITHIN A CERTAIN TIMEFRAME FOLLOWING RECEIPT OF PARENTAL CONSENT, TO PROVIDE PARENTS MAY REVOKE THEIR CONSENT, AND TO PROVIDE MEANS FOR REDRESSING NONCOMPLIANCE BY SCHOOL DISTRICTS; AND TO AMEND SECTION 59-65-470, RELATING TO THE AUTHORITY OF THE WIL LOU GRAY OPPORTUNITY SCHOOL TO OBTAIN FROM SCHOOL DISTRICTS THE CONTACT INFORMATION OF STUDENTS WHO HAVE LEFT OR INTEND TO LEAVE SCHOOL BEFORE GRADUATION, SO AS TO PROVIDE SCHOOL DISTRICTS SHALL

SOLICIT WRITTEN PARENTAL CONSENT TO PROVIDE SUCH INFORMATION TO THE SCHOOL FOR THE LIMITED PURPOSE OF ENABLING IT TO INFORM THE STUDENTS OF ITS ACADEMIC AND VOCATIONAL TRAINING PROGRAMS, TO PROVIDE DISTRICTS ONLY MAY PROVIDE SUCH INFORMATION UPON RECEIPT OF PARENTAL CONSENT, TO PROVIDE SCHOOL DISTRICTS SHALL PROVIDE SUCH INFORMATION WITHIN A CERTAIN TIMEFRAME FOLLOWING RECEIPT OF PARENTAL CONSENT, TO PROVIDE PARENTS MAY REVOKE THEIR CONSENT, AND TO PROVIDE MEANS FOR REDRESSING NONCOMPLIANCE BY SCHOOL DISTRICTS.

Read the first time and referred to the Committee on Education.

H. 3337 -- Reps. G. M. Smith, Pope, Forrest, B. Cox, Yow, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Bustos, B. Newton, Carter, W. Newton, Erickson, Blackwell, Oremus, Taylor, Hixon, Davis and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT" BY ADDING SECTION 59-63-33 SO AS TO PROVIDE PUBLIC SCHOOL PUPILS COMPLY WITH SCHOOL ENROLLMENT REQUIREMENTS IF THEIR PARENTS ARE TRANSFERRED TO OR ARE PENDING TRANSFER TO MILITARY INSTALLATIONS IN THIS STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO OFFICIAL MILITARY ORDERS, TO PROVIDE SCHOOL DISTRICTS SHALL ACCEPT APPLICATIONS FOR ENROLLMENT AND COURSE REGISTRATION FROM SUCH PUPILS BY ELECTRONIC MEANS, TO PROVIDE PARENTS OF SUCH STUDENTS SHALL PROVIDE CERTAIN PROOF OF RESIDENCE WITHIN TEN DAYS AFTER THE ARRIVAL DATE, TO PROVIDE THE PROVISIONS OF THIS ACT APPLY NOTWITHSTANDING ANOTHER PROVISION OF LAW, TO PROVIDE AMBIGUITIES IN CONSTRUING THE PROVISIONS OF THIS ACT MUST BE RESOLVED IN FAVOR OF ENROLLMENT, AND TO DEFINE NECESSARY TERMINOLOGY.

Read the first time and referred to the Committee on Education.

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Read the first time and referred to the Committee on Transportation.

H. 3788 -- Reps. G. M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Read the first time and referred to the Committee on Judiciary.

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE

DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

Read the first time and referred to the Committee on Transportation.

H. 4828 -- Reps. Jefferson, Gilliard, McDaniel, Weeks and Murray: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY FROM ITS INTERSECTION WITH THE ENTRANCE TO THE RIDGEVILLE INDUSTRIAL CAMPUS TO TIMOTHY CREEK "VICTORIA W. DELEE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4839 -- Reps. Jefferson, S. Williams, Rivers, Govan, R. Williams, Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 41-1-140 SO AS TO REQUIRE EMPLOYERS TO EXTEND BENEFITS OF THE FAMILY MEDICAL LEAVE ACT OF 1993 TO INDIVIDUALS UNDERGOING SURGERY RELATED TO ORGAN DONATION.

Read the first time and referred to the Committee on Banking and Insurance.

REPORT OF STANDING COMMITTEE

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 961 -- Senators Senn, Campsen, Bennett, Alexander, Fanning, Kimbrell, Loftis and Climer: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

S. 5 -- Senators Jackson, Fanning, Scott, Malloy, Kimpson, McLeod, Sabb, Campsen, Davis, McElveen and Stephens: A BILL TO AMEND SECTION 53-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LEGAL HOLIDAYS, SO AS TO PROVIDE THE NINETEENTH DAY OF JUNE - JUNETEENTH SHALL BE A STATE LEGAL HOLIDAY.

S. 429 -- Senators Alexander, Senn, Loftis and Climer: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-80, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

AMENDED, CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander, Loftis and Climer: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD0458.003), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-2 and inserting therein:

/ e. replacement of the N-propionyl group by another acyl group or hydrogen. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills and Resolutions were read the third time and ordered sent to the House of Representatives:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

S. 637 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

S. 973 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2022.

S. 1086 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW FOR PROPERLY CREDENTIALED INDIVIDUALS TO CONDUCT SOIL EVALUATIONS AND PREPARE ONSITE WASTEWATER SYSTEMS LAYOUTS, AND TO PROVIDE FOR A SUNSET OF THE PROVISIONS IN THIS JOINT RESOLUTION NO LATER THAN JULY 1, 2023.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

AMENDED, CARRIED OVER

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (3590R002.SP.SRM), which was adopted:

Amend the bill, as and if amended, by striking the first sentence of SECTION 1(A) and inserting:

/ The Department of Education is directed to establish a pilot program by May 1, 2023, that will permit a school that has received an overall rating of "Excellent", "Below Average", or "Unsatisfactory" on its annual report card for at least two consecutive years, or is located in a critical geographic area as defined in Section 59-26-20(j), to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then being second reading of the Bill, as amended.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

The Senate proceeded to a consideration of the Resolution.

The Committee on Judiciary proposed the following amendment (JUD0017.003), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking lines 35 and 36, and inserting therein the following:

/ SECTION 1. This joint resolution must be known and may be cited as the "Permit Extension Joint Resolution of 2022". /

Amend the joint resolution further, as and if amended, page 2, by striking lines 6 and 7, as contained in SECTION 2, and inserting therein the following:

/ State, an agency or subdivision of the State, regardless of the form of the approval, that is for the /

Amend the joint resolution further, as and if amended, page 2, by striking line 25 through line 43, as contained in SECTION 2, and inserting therein the following:

/ (f) a critical area permit issued by the department's Office of Ocean and Coastal Resource Management; and

(g) an air quality permit issued by the department. /

Amend the joint resolution further, as and if amended, page 3, by striking line 2 through line 7, as contained in SECTION 3, and inserting therein the following:

/ SECTION 3. This joint resolution is intended to apply retroactively. For development approval that is current and valid at any point during the period beginning January 1, 2020, and ending December 31, 2023, the running of the period of the development approval and any associated vested right is suspended during the period beginning January 1, 2020, and ending December 31, 2023. /

Amend the joint resolution further, as and if amended, page 3, by striking lines 23 and 24, as contained in SECTION 4, and inserting therein the following:

/ (6) affect the ability of a governmental entity to revoke or modify a development approval pursuant to law or the issued permit; /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Resolution, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

Total--40

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN

UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

Senator JACKSON objected to consideration of the Bill.

ADOPTED

S. 1112 -- Senators Hutto, Kimbrell, Climer, Senn, Cromer, Malloy, Kimpson, Shealy, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Corbin, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Jackson, K. Johnson, M. Johnson, Loftis, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Setzler, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO EXPRESS THE STRONG BELIEF OF THE SOUTH CAROLINA GENERAL ASSEMBLY THAT THE RUSSIAN INVASION OF UKRAINE MUST END, AND TO EXPRESS SUPPORT FOR THE PEOPLE AND GOVERNMENT OF UKRAINE IN FIGHTING THE RUSSIAN INVASION AND MAINTAINING ITS INDEPENDENCE.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:32 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator KIMPSON spoke on the Bill.
Senator HUTTO spoke on the Bill.

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Recorded Vote

Senator SABB desired to be recorded as abstaining on the vote for third reading of the Bill.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 3, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Daniel 3:26

Daniel tells us that: "Nebuchadnezzar then approached the opening of the blazing furnace and shouted, 'Shadrach, Meshach, and Abednego, servants of the Most High God, come out! Come here!' So Shadrach, Meshach, and Abednego came out of the fire."

Let us pray: Holy God, here in this Senate Chamber today we give You our heartfelt praise and honor. And we know that it is by and large very meaningful for these servants of Yours -- these Senators and their aides -- to labor together on behalf of the people of South Carolina, wanting to do their best for everyone. Yet there surely are those moments when each servant in this place feels like Shadrach, Meshach, and Abednego had to feel: lost in the heat of the moment, vulnerable, and overwhelmed. But just as You brought the promise of a new day to those servants of old, Lord, so also grant to each of these leaders clear evidence of Your mercy and Your strength, bestowing on them power to do what is right and just. May it ever be so, O Lord. And as always, to You be the glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2022, and to expire June 30, 2026

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368 *VICE* James William Phillips III

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

Alisa Gale Mosley, 2120 Redland Road, Campobello, SC 29322-9216 *VICE* Sue Ann Shannon

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator GARRETT introduced Dr. Bryan Green of Greenwood, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 11:17 A.M., Senator MATTHEWS was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 471 Sen. Sabb
S. 712 Sens. Kimbrell and Hutto
S. 1077 Sen. Williams
S. 1103 Sen. Williams
S. 1116 Sen. Young

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 458 Sen. Climer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1118 -- Senator Kimpson: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ELIZABETH "LIZ" ALSTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.
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Read the first time and referred to the Committee on Finance.

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF A STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.
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Read the first time and referred to the Committee on Finance.

S. 1121 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG WATEREE ROAD IN FAIRFIELD COUNTY WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY

BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1122 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE MAY 2022 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

H. 3888 -- Reps. King, Bryant, Cobb-Hunter, Brawley, Gilliard, Murray, Henderson-Myers, R. Williams and Anderson: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO EXAMINE THE STATE OF MENTAL HEALTH OF SOUTH CAROLINA RESIDENTS, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO MAKE CERTAIN FINDINGS AND PREPARE A REPORT FOR THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2023, AFTER WHICH THE STUDY COMMITTEE IS DISSOLVED.

Read the first time and referred to the Committee on Medical Affairs.

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER

LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

Read the first time and referred to the Committee on Transportation.

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J. E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V. S. Moss, Murphy, Nutt, Sandifer, G. R. Smith, M. M. Smith, G. M. Smith, West, White, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY

VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

Read the first time and referred to the Committee on Judiciary.

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND

SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

Read the first time and referred to the Committee on Banking and Insurance.

H. 5062 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J.

Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE THIRTY-NINE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2022 ALL-STATE ACADEMIC TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5063 -- Reps. Allison, McGinnis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM ON "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY" ON MARCH 23, 2022, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING AND TRAINING SOUTH CAROLINA'S WORKFORCE FOR COMPETITIVE, HIGH-DEMAND JOBS IN OUR STATE.

The Concurrent Resolution was introduced and referred to the Committee on Education.

H. 5070 -- Reps. Lucas, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR STEPHEN T. "STEVE" DRAFFIN OF THE SOUTH CAROLINA LEGISLATIVE COUNCIL ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS FIFTY YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO RECOGNIZE A CAREER WELL SPENT.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5071 -- Reps. J. Moore, Gilliard, R. Williams, Pendarvis, Tedder, Wetmore, Stavrinakis, Cogswell, Matthews, Bennett, Bustos, Hewitt, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith,

Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO REMEMBER THE LIFE OF MRS. ELIZABETH ALSTON FOR HER SUPPORT IN IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF AFRICAN AMERICANS IN THIS GREAT STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO

MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY

AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30 AND 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS HOMES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 838 -- Senators Adams, Garrett, M. Johnson, Kimbrell, Rice, Cash and Corbin: A BILL TO AMEND SECTION 63-5-350 OF THE 1976

CODE, RELATING TO PROVIDING HEALTH SERVICES TO MINORS WITHOUT PARENTAL CONSENT, TO PROHIBIT THE ADMINISTRATION OF THE COVID-19 VACCINE WITHOUT PARENTAL CONSENT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 1011 -- Senators Senn and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORDKEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Civic Organization:

Abbi Mason, 1126 Ambling Way, Mt. Pleasant, SC 29464-9052

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

General Public:

Lindsey K. Mitcham, 332 Clay Road, Camden, SC 29020-1622

Received as information.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2022, and to expire June 30, 2026

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611

Received as information.

HOUSE CONCURRENCE

S. 1101 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, PAUL E. DILLARD, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 9, 2022.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

RECOMMITTED

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer, Turner and Scott: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO

ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

On motion of Senator RANKIN, the Bill was recommitted to the Committee on Judiciary.

RECOMMITTED

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

On motion of Senator CROMER, the Bill was recommitted to the Committee on Judiciary.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills and Resolution were read the third time and ordered sent to the House of Representatives:

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE

THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

RECOMMITTED

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews, Gambrell and Gustafson: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator RANKIN, the Resolution was recommitted to the Committee on Judiciary.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 712 -- Senators Davis, Kimbrell and Hutto: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the amendment and the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

The question then being second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator MALLOY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

CARRIED OVER

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

On motion of Senator MASSEY, the Bill was carried over.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

On behalf of the Rules Committee, Senator MASSEY, as Chairman of the Committee on Rules, moved to make H. 3205 a Special Order pursuant to Rule 33B.

MADE SPECIAL ORDER

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE

FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The motion to make the Resolution a Special Order was polled out of the Committee on Rules as follows:

Poll of the Rules Committee
Polled 14; Ayes 9; Nays 5; Not Voting 3

AYES

Massey	Cromer	Campsen
Young	Grooms	Hembree
Shealy	Goldfinch	M. Johnson

Total--9

NAYS

Malloy	Allen	Sabb
McLeod	Harpootlian	

Total--5

NOT VOTING

Martin	Corbin	Kimpson

Total--3

The Resolution was made a Special Order.

MOTION ADOPTED

At 11:52 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

THURSDAY, MARCH 3, 2022

Message from the House

Columbia, S.C., February 3, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Very respectfully,

Speaker of the House

Received as information.

H. 3308--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

On motion of Senator CAMPSEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3308--Conference Report

The General Assembly, Columbia, S.C., February 24, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Beg leave to report that they have duly and carefully considered the same and recommend:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) 'Wake surf' means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person."

SECTION 2. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

"(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of Lake Greenwood, Lake Hartwell, Lake Jocassee, Lake Keowee, Lake Marion, Lake Monticello, Lake Murray, Lake Robinson, Lake Russell, Lake Secession, Lake Thurmond, Lake Wateree, Fishing Creek Reservoir, Parr Reservoir, or the portion of the Savannah River from the Interstate 20 Savannah River Bridge to the New Savannah River Bluff Lock and Dam in excess of idle speed within one hundred feet of a wharf, dock, bulkhead, or pier or fifty feet of a moored or anchored vessel or person in the water;

(b) operate a personal watercraft, specialty propcraft, or vessel while upon ~~the~~ all other waters of this State in excess of idle speed within 50 feet of a moored or ~~an~~ anchored vessel, wharf, dock, bulkhead, pier, or ~~a~~ person in the water, or within 100 yards of the Atlantic Ocean coast line. The prohibitions contained in this item ~~(6)~~ do not apply to an unoccupied, moored vessel or watercraft or to a person behind a vessel or watercraft who is on water skis or a floating device with the permission of the operator of the vessel or watercraft;

(c) The provisions of this item do not apply to Lake Moultrie."

SECTION 3. Section 50-21-870(B) of the 1976 Code is amended by adding an appropriately numbered new item to read:

"( ) wake surf in excess of idle speed within two hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water."

SECTION 4. This act takes effect upon approval by the Governor. /

Amend the bill further, as and if amended, by striking the title and inserting:

/ TO AMEND SECTION 50-21-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO DEFINE "WAKE SURF"; TO AMEND SECTION 50-21-870, RELATING TO PERSONAL WATERCRAFT SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN

WATERS OF THIS STATE AND A WHARF, DOCK, BULKHEAD, OR PIER. /

/s/Sen. George E. "Chip" Campsen III /s/Rep. Chip Huggins
/s/Sen. Stephen L. Goldfinch, Jr. Rep. Chris Murphy
/s/Sen. Kent M. Williams /s/Rep. Shedron D. Williams
On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, March 8, 2022 at 2:00 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator HUTTO with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William David Bilton of Columbia, S.C. William was a graduate of the University of South Carolina and earned his doctorate at USC as well. He served as Assistant Solicitor with the 16th Judicial Circuit where he established the South Carolina Commission on Prosecution Coordination as well as many diversional and treatment court programs. William was a 2011 recipient of the Order of the Palmetto and was active with the Democratic Party Executive Committee. He enjoyed history, politics, Gamecock football and spending time with his family. William was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:04 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 4, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

ADJOURNMENT

At 11:03 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, March 8, 2022, at 2:00 P.M.

* * *

Tuesday, March 8, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Samuel 3:4-5

We read in I Samuel: "Then the Lord called, 'Samuel! Samuel!' and he said, 'Here I am!' and ran to Eli, and he said, 'Here I am, for you called me.' But he said, 'I did not call; lie down again.' So he went and lay down."

Bow with me in prayer, if you will: Glorious Lord, in many different ways everyone here in this Chamber, here in this State House, has been called -- called to serve the people of South Carolina. And yes, for some, as it was with Samuel, the response was not always a clear, "Here I am!" But indeed these servants did finally answer the call. And since these women and men are here, dear God, we pray this afternoon that You will bless and guide each individual, so that he or she actively carries out his or her duties with diligence, faithfulness, and honor. We also pray, O God, that You continue to embrace in Your care the people of Ukraine; may that unsettling war in their Nation soon come to a peaceful resolution. We pray all this in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Massey	Peeler	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2022, and to expire April 1, 2026

Piedmont - organ and tissue recipient, family of tissue recipient, and family of donor:

Jason R. Chesney, 115 Summerville Place, Simpsonville, SC 29681-4649

Referred to the Committee on Medical Affairs.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5105
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Section 56-23-100
SUBJECT: Driver Training Schools
Received by President of the Senate March 3, 2022
Referred to Committee on Transportation

REGULATION WITHDRAWN

The following was received:

Document No. 5047
Agency: State Board of Education
Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60(1), 59-18-110, 59-18-710, 59-18-1110, 59-20-60, 59-25-110, and 59-26-10 et seq.
SUBJECT: Accreditation Criteria
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education
Legislative Review Expiration: Permanently Withdrawn
Withdrawn and Resubmitted March 7, 2022

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5044
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: General Regulations on South Carolina Forestry Commission Lands
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 7, 2022

Document No. 5045
Agency: Commission of Forestry
Chapter: 55
Statutory Authority: 1976 Code Section 48-23-200
SUBJECT: Hunting and Fishing Regulations on State Forest Lands Established as Wildlife Management Areas
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 7, 2022

Document No. 5058
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-56-10 et seq.
SUBJECT: Hazardous Waste Management Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 8, 2022

Document No. 5072
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210
SUBJECT: Wildlife Management Area Regulations
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 7, 2022

Leave of Absence

On motion of Senator SETZLER, at 2:05 P.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 2:06 P.M., Senator McELVEEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 2:08 P.M., Senator MARTIN was granted a leave of absence for March 8, 2022, through March 10, 2022.

Leave of Absence

On motion of Senator KIMPSON, at 2:09 P.M., Senator MATTHEWS was granted a leave of absence for March 8, 2022, through March 10, 2022.

Leave of Absence

On motion of Senator WILLIAMS, at 2:12 P.M., Senator MALLOY was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 2:12 P.M., Senator GAMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Remarks by Senator HARPOOTLIAN

Thank you, Mr. PRESIDENT. As you may hear from time to time, I am going to bring you greetings from my wife who is not far from the combat zone in Eastern Europe. She is in Slovenia as the United States Ambassador. She is a rule follower and does not share any classified information with me. I am extremely disappointed by that, and as I try to whittle it out of her, she refuses to tell me anything. However, in a conversation I had with her today she indicated she was having lunch with an Iranian Ambassador this week. There is beginning to be a refugee crisis in Hungary as they come south into Yugoslavia and into Slovenia. Slovenia is an EU and NATO country; they are a democracy and extremely prowestern. As a former communist country created in 1991 when Yugoslavia broke into separate pieces, they are literally fighting for their lives as you see every night on television. They are concerned, as many of the Eastern and Western European countries are that we, the United States, will not stand up. We have and we are, but they are wondering how long we will be willing to stand up to Putin who is a thug and a dictator. The main reason for that is they view us Westerners -- Americans especially -- as not extraordinarily disciplined or committed. They wonder when gasoline is hitting $5 a gallon, when the stock market is dropping off by 10%, 700 points last week, whether we will have the will and the resolve to continue to support the fight for freedom. I have indicated, she has indicated, and everybody in the process has indicated that we do have that resolve and we will stick with it. Extremely high gas prices and that drop off in your 401k are literally the price of freedom. Many of you my age have parents. I had a dad who was a bomber pilot in World War II, and while he was over there fighting Hitler, we had gas rationing. You could not buy a new car; you could not buy but so many gallons of gas. Women could not even get silk stockings because all the silk was for the production of parachutes. That is shared sacrifice, and this is one of those times. We need to remember that, and we need to share the sacrifices being made by men and women all over if you do not want to turn on the TV at night and see children being blown up. I think Senator KIMBRELL has relatives in Ukraine; he can tell you the horrors of what is going on over there. We have to stop it. We have to step up out of our comfort zones -- the price of gas, your 401k or whatever -- and make that commitment. I remind you that freedom is not free. It is not free, and the price of freedom you are going to see throughout this process is inflation; the price of gas goes up, inflation goes up and our stock values go down. Thank you.

On motion of Senator SABB, with unanimous consent, the remarks of Senator HARPOOTLIAN, were ordered printed in the Journal.

RECALLED

S. 1122 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE MAY 2022 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1085 -- Senator Williams Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, Kevin Johnson, Michael Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Young: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY "JAMES M. JORDAN, SR. ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS

COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 1005 -- Senators Verdin and Kimbrell: A SENATE RESOLUTION TO RECOGNIZE MARCH 9, 2022, AS "SOUTH CAROLINA OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN asked unanimous consent to make a motion to take the Senate Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Senate Resolution. The question then was the adoption of the Senate Resolution.

On motion of Senator VERDIN, the Senate Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1123 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE IDELLA COULTER ON THE OCCASION OF HER ONE HUNDRED THIRD BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1124 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE DUTCH FORK HIGH SCHOOL VARSITY DAZZLERS DANCE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR BEING NAMED STATE CHAMPIONS IN VARSITY HIP HOP AT THE SOUTH CAROLINA DANCE ASSOCIATION 2022 STATE DANCE TEAM CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1125 -- Senators Cromer and Grooms: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT COLONEL GEOFFREY R. "GEOFF" PENLAND OF LEXINGTON UPON HIS PROMOTION TO THE RANK OF COLONEL IN THE SOUTH CAROLINA ARMY NATIONAL GUARD, TO COMMEND HIM FOR HIS TWENTY-TWO YEARS OF DISTINGUISHED MILITARY SERVICE, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1126 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE THE GAFFNEY HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON, TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAAAA FOOTBALL STATE CHAMPIONSHIP, AND TO CONGRATULATE COACH DON

JONES FOR BEING NAMED COACH OF THE YEAR BY THE SOUTH CAROLINA FOOTBALL COACHES ASSOCIATION.
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The Senate Resolution was adopted.

S. 1127 -- Senators Cash, Rice, Verdin, Grooms and Adams: A BILL TO ENACT THE EQUAL PROTECTION FOR UNBORN BABIES ACT; TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROHIBIT THE PERFORMANCE OR INDUCTION OF ABORTIONS IN THIS STATE, TO PROVIDE PENALTIES FOR VIOLATING THE PROHIBITION, TO DEFINE NECESSARY TERMS; AND TO PROVIDE THAT THE PROVISIONS CONTAINED IN THIS ACT ARE EFFECTIVE UPON AN ACTION TAKEN BY THE FEDERAL GOVERNMENT THAT HAS THE EFFECT OF ACKNOWLEDGING THAT THE STATE OF SOUTH CAROLINA HAS THE AUTHORITY TO REGULATE ABORTION TO THE EXTENT SET FORTH IN THIS ACT.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1128 -- Senator Shealy: A BILL TO AMEND CHAPTER 5, TITLE 52 OF THE 1976 CODE, RELATING TO HORSE RACING, TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE FOR PARI-MUTUEL WAGERING ON APPLICATIONS OPERATED BY A LICENSED ADVANCED DEPOSIT WAGERING ENTITY, TO ESTABLISH SOUTH CAROLINA EQUINE COMMISSION TO REGULATE THE INDUSTRY, TO PROVIDE FOR MEMBERSHIP ON THE COMMISSION, TO PROVIDE FOR THE POWERS, DUTIES, AND OBLIGATIONS OF THE COMMISSION, TO PROVIDE FOR LICENSE FEES, AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 1129 -- Senator Shealy: A BILL TO AMEND SECTION 16-17-501 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR OFFENSES AGAINST PUBLIC POLICY, TO PROVIDE DEFINITIONS FOR NICOTINE PRODUCTS; AND TO AMEND ARTICLE 1, CHAPTER 17, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST PUBLIC POLICY, TO ADD SECTION 16-17-507 TO PROVIDE FOR THE FORMATION OF A VAPOR PRODUCT DISPENSARY AND TO ADD SECTION 16-17-508 TO PROHIBIT THE SALE OF FLAVORED VAPOR PRODUCTS.
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Read the first time and referred to the Committee on Judiciary.

S. 1130 -- Senator Kimbrell: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROVIDE THAT LOCAL LAWS AND ORDINANCES RELATED TO THE REGULATION AND ENFORCEMENT OF THE RIGHT OF MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS TO EXERCISE THEIR CONSCIENCE, WHETHER SUCH CONSCIENCE IS INFORMED BY RELIGION, MORAL, ETHICAL, OR PHILOSOPHIC BELIEFS, ARE PREEMPTED AND SUPERSEDED BY LAWS ENACTED BY THE GENERAL ASSEMBLY AND REGULATIONS PROMULGATED BY STATE AGENCIES PURSUANT TO THOSE LAWS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1131 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO EMERGENCY MEDICAL SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5055, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1132 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ONSITE WASTEWATER SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5103, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1133 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING HOME HEALTH AGENCIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5057, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1134 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE MARCH 8, 2022, AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND THE 4-H MEMBERS, ALUMNI, AND LEADERSHIP FOR THEIR ACCOMPLISHMENTS AND THEIR SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1135 -- Senator Campsen: A BILL TO AMEND SECTION 12-36-2110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.
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Read the first time and referred to the Committee on Finance.

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE

PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1137 -- Senator Hembree: A SENATE RESOLUTION TO COMMEND THE ROTARY CLUB OF LITTLE RIVER FOR ITS EXEMPLARY EFFORTS TO EDUCATE CHILDREN AND THEIR PARENTS ABOUT WATER SAFETY, TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO BECOME BETTER INFORMED ABOUT PREVENTION OF CHILD DROWNINGS AND THE PRACTICE OF WATER SAFETY, AND TO DECLARE SATURDAY, APRIL 2, 2022, AS "JOSH THE OTTER WATER SAFETY DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 3679 -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES

FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5081 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 6, 2022, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Education.

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “COMPREHENSIVE TAX CUT ACT OF 2022”; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 8, 2022

Mr. President and Senators:

TUESDAY, MARCH 8, 2022

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO DEFINE "WAKE SURF"; TO AMEND SECTION 50-21-870, RELATING TO PERSONAL WATERCRAFT SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A WHARF, DOCK, BULKHEAD, OR PIER.

Very respectfully,
Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3821.003), which was adopted:

Amend the bill, as and if amended, page 29, line 34, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Section 62-1-201(49) is amended to read:

"(49) 'Trust' includes any express trust, private or charitable, with additions thereto, wherever and however created. It also includes a trust created or determined by judgment or decree under which the trust is to be administered in the manner of an express trust. 'Trust' excludes other constructive trusts, and it excludes resulting trusts, conservatorships, personal representatives, trust accounts as defined in Article 6 (Sections 62-6-101 et seq.), custodial arrangements pursuant to the ~~South Carolina Uniform Gifts to Minors Act, Article 5, Chapter 5, Title 63,~~ South Carolina Uniform Transfer to Minors Act, Article 6, Chapter 5, Title 63, business trusts providing for certificates to be issued to beneficiaries, common trust funds, voting trusts, security arrangements, liquidation trusts, and trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions, or employee benefits of any kind, and any arrangement under which a person is nominee or escrowee for another."

SECTION __. Section 62-1-302(a)(2)(ii) is amended to read:

"(a)(2)(ii) gifts made pursuant to the ~~South Carolina Uniform Gifts to Minors Act under Article 5, Chapter 5, Title 63~~ South Carolina Uniform Transfer to Minors Act under Article 6, Chapter 5, Title 63;"

SECTION __. Section 62-5-103(A)(3) is amended to read:

"(A)(3) a financial institution incident to a deposit in a federally insured savings account in the sole name of the minor or for the minor under the ~~Uniform Gifts to Minors Act~~ Uniform Transfer to Minors Act and giving notice of the deposit to the minor."

SECTION __. References to the "Uniform Gift to Minors Act" mean the "Uniform Transfer to Minors Act", except as provided in Section 59-4-40. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Massey
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

TUESDAY, MARCH 8, 2022

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 712 -- Senators Davis, Kimbrell and Hutto: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

On motion of Senator HEMBREE, the Bill was carried over.

RECOMMITTED

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO

THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL

RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

OBJECTION

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE

DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS. (Abbreviated Title)

Senator HUTTO objected to consideration of the Bill.

OBJECTION

S. 838 -- Senators Adams, Garrett, M. Johnson, Kimbrell, Rice, Cash and Corbin: A BILL TO AMEND SECTION 63-5-350 OF THE 1976 CODE, RELATING TO PROVIDING HEALTH SERVICES TO MINORS WITHOUT PARENTAL CONSENT, TO PROHIBIT THE ADMINISTRATION OF THE COVID-19 VACCINE WITHOUT ARENTAL CONSENT.

Senators HUTTO and KIMPSON objected to consideration of the Bill.

POINT OF ORDER

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1011 -- Senators Senn and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORDKEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:32 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

TUESDAY, MARCH 8, 2022

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

The Committee on Judiciary proposed the following amendment (JUD3205.004), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the title and inserting therein the following:

/ Whereas, the founders of our Constitution empowered state Legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people—particularly for the generations to come—by proposing amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power. Now, therefore,

Be it therefore resolved by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

SECTION 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

SECTION 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 4. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the committee amendment.

Point of Quorum

At 5:18 P.M., Senator HARPOOTLIAN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator HARPOOTLIAN spoke on the committee amendment.

The amendment was adopted.

Amendment No. 1

Senators HUTTO and SABB proposed the following amendment (3205AMEND10):

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress, and impose a penalty for specific crimes committed against a victim who was intentionally selected by an offender because of the offender's belief or perception regarding the victim's race, color, sex, gender, national origin, sexual orientation, or physical or mental disability, regardless of whether the offender's belief or perception is correct. /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

Debate was interrupted by adjournment.

Motion to Ratify Adopted

At 6:17 P.M., Senator MASSEY asked unanimous consent, with Senator HARPOOTLIAN retaining the floor, to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 12:15 P.M. tomorrow for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate would reconvene at 2:00 P.M.

TUESDAY, MARCH 8, 2022

Motion Adopted

On motion of Senator MASSEY, with Senator HARPOOTLIAN retaining the floor on H. 3205, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SCOTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jeffrey B. Smoak of Columbia, S.C. Jeffrey was the father of our beloved Tucker Smoak, a Legislative Aide with the South Carolina Senate, and Miller Smoak, a page with the Senate Finance Committee. Jeffrey attended the University of South Carolina and worked as a Geodetic Surveyor with the Office of Revenue and Fiscal Affairs for 28 years. He was a lifelong learner who enjoyed reading, surfing, fishing, sailing and was a proud Sandlapper. Jeffrey was a loving husband, devoted father and loyal friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Naomi Mickens of Sumter, S.C. Naomi was the mother of Chris Sumpter II, a former beloved page in the South Carolina Senate. She attended Anointed Word Christian Ministries where she enjoyed southern gospel music and fellowship. Naomi enjoyed spending time with her family, gardening, baking and tailgating. Naomi was a loving mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 6:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:15 P.M.

* * *

Wednesday, March 9, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:15 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jeremiah 32:9

We read that Jeremiah said: "And I bought a field at Anathoth from my cousin Hanamel, and weighed out the money to him, seventeen shekels of silver."

Pray with me, please: In a world that once seemed hopeless, by Your grace, O God, Jeremiah was led to make an investment in the future. We pray that, in a similar manner, Lord, each Senator and every staff member in this place will also hold fast to hope here during these challenging days we are living through. With the unsettled political scene worldwide, the wildly shifting financial markets, the current divisiveness that plagues our land, we pray fervently, Lord, that by Your mercy and Your care, each of these servants will also remain hopeful. And as these leaders trust in Your guidance, may they bring ever greater blessings and hope to the people of South Carolina. So we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator CAMPSEN introduced Dr. John Corless of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator K. JOHNSON, at 5:43 P.M., Senator ALLEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MASSEY, at 5:46 P.M., Senator MALLOY was granted a leave of absence for the balance of the day.

WEDNESDAY, MARCH 9. 2022

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 712 Sen. Garrett
S. 1077 Sen. Loftis
S. 1103 Sens. Cromer, Grooms, Alexander and Gambrell

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 712 Sen. Kimbrell

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 9, 2022, at 12:20 and the following Acts were ratified:

(R125, S. 430) -- Senator Alexander: AN ACT TO AMEND SECTION 43-25-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION FOR THE BLIND, SO AS TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A YEAR.
L:\COUNCIL\ACTS\430VR22.DOCX

(R126, S. 508) -- Senators Shealy, Hutto and Gustafson: AN ACT TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45, 44-78-50, AND 44-78-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO DO NOT RESUSCITATE ORDERS FOR EMERGENCY MEDICAL SERVICES, SO AS TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, WITH EXCEPTIONS, TO DEFINE CERTAIN TERMS, AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\508VR22.DOCX

(R127, S. 862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.
L:\COUNCIL\ACTS\862DG22.DOCX

(R128, S. 912) -- Senator Stephens: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.
L:\COUNCIL\ACTS\912ZW22.DOCX

(R129, H. 3211) -- Reps. Bernstein, Collins and Kimmons: AN ACT TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO ADD ADDITIONAL EX OFFICIO COMMITTEE MEMBERS, AND TO REPEAL THE COMMITTEE'S SUNSET PROVISION.
L:\COUNCIL\ACTS\3211VR22.DOCX

(R130, H. 3308) -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: AN ACT TO AMEND SECTION 50-21-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO DEFINE "WAKE SURF"; TO AMEND SECTION 50-21-870, RELATING TO PERSONAL WATERCRAFT SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A WHARF, DOCK, BULKHEAD, OR PIER.
L:\COUNCIL\ACTS\3308PH22.DOCX

(R131, H. 4495) -- Reps. B. Newton, McGarry and Yow: AN ACT TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF SIX PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\4495ZW22.DOCX

(R132, H. 4800) -- Reps. McGarry and Crawford: AN ACT TO AMEND ACT 777 OF 1988, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE LANCASTER COUNTY SCHOOL

DISTRICT, SO AS TO PROVIDE FOR THE ELECTION OF SCHOOL TRUSTEES IN PARTISAN INSTEAD OF NONPARTISAN ELECTIONS BEGINNING IN 2024 AND FOR THE NOMINATION, TERMS, AND ELECTION PROCEDURES OF CANDIDATES FOR THESE OFFICES.
L:\COUNCIL\ACTS\4800ZW22.DOCX

Committee to Escort

The PRESIDENT appointed Senators McELVEEN, DAVIS, K. JOHNSON, GUSTAFSON and CORBIN and Representatives R. Williams, T. Moore, B. Cox and Hosey to escort the Honorable Paul Dillard, National Commander of The American Legion, and members of his party to the House of Representatives for the Joint Assembly.

RECESS

At 12:25 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

Address by the National Commander of The American Legion

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 1101.

S. 1101 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, PAUL E. DILLARD, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 9, 2022.

The Honorable Paul Dillard and members of his party were escorted to the rostrum by Senators McELVEEN, DAVIS, K. JOHNSON, GUSTAFSON and CORBIN and Representatives R. Williams, T. Moore, B. Cox and Hosey. The PRESIDENT of the Senate introduced the Honorable Paul Dillard, National Commander of The American Legion.

Commander Dillard addressed the Joint Assembly.

Ladies, gentlemen, distinguished members of this great Body. It's truly an honor to speak to such an esteemed audience in this historic State House. Before I begin, please allow me a moment to introduce members of The American Legion Family who are with me today. We have with

us the Commander of the South Carolina American Legion, Ron Price of Monetta, National Executive Committeeman, Michael D. Strauss of North Augusta, Joe Lysaught, Alternate NEC from Charleston, The Department Adjutant, Nick Diener of Columbia, The American Legion Auxiliary Department of South Carolina President, Pearl Mills of Camden, and the Sons of the American Legion South Carolina Detachment Commander, Dan Rollins of Fort Mill.

I come before you during a time of great peril. The Russian invasion of Ukraine has wreaked havoc on the peace and stability that the European continent has largely experienced since the end of the Cold War.

South Carolina is home to approximately 400,000 military veterans. Many of these men and women trained for possible combat against the old Soviet Union. I, myself, went to war against a Soviet-aligned Communist regime in Vietnam. The current Russian leader has strongly signaled his desire to resurrect the old Soviet Union. Without understating the seriousness of this threat, The American Legion agrees with the President's decision to not send U.S. troops into Ukraine. We do believe, however, that the international community must use every diplomatic and economic tool at its disposal to convince Russia to reverse course. If the Russians were to invade Poland or any other NATO country, we would be obligated to militarily defend our allies. None of us would like to see another World War.

I'm going to share with you another crisis, and it's no less serious to us. More than 118,000 men and women who have served in our armed forces have taken their own lives since 2001. That's double the number of KIA's that we lost during the entire Vietnam War. I'm not here to give you statistics. One is too many! But stopping these needless deaths is a top priority for The American Legion. We have put an emphasis on "peer support" through a program that we call Buddy Checks. Veterans understand each other. We are diverse, represent all age groups and may have served in different wars. But we understand the challenges of military life and the trauma that sometimes goes with it. We all served under the same flag and share many common experiences.

Our Buddy Checks have captured the attention of Congress, the VA, and the entire veterans' community. We'd love to have every veteran join the Legion, but you don't have to be a Legionnaire to ask a fellow vet whether or not he or she is ok.

This Legislature is to be commended for a couple of Bills that have passed in the House and are supported by The American Legion Department of South Carolina. House Bill 3598 establishes a burial

compensation fund for veterans' organizations to provide honor guards. Legionnaires consider it a true honor to bring dignity to a veteran's funeral. Though it's a labor of love, most honor guard members dig into their pockets to perform these services. The cost to the taxpayers is relatively small but it does make a difference to these veterans who take time off from their jobs and other obligations in order to give their brothers - and sisters-in-arms a proper farewell. The other Bill is H. 3247, the Workforce and Military Recognition Act, which would eventually exempt all military pensions from state income tax. South Carolina is already what we call "veteran-friendly" but the exemption would provide yet another powerful incentive for military retirees to choose the Palmetto State as their new home once they hang up their uniforms. Most military retirees do seek second careers, which would generate additional revenue for this State.

Last year my predecessor, Bill Oxford, was unable to address this Legislature due to pandemic restrictions, though he was able to be here in 2020. Since that time, you have confirmed retired Major General Will Grimsley to serve as the first Secretary of the South Carolina Department of Veterans Affairs. Secretary Grimsley has a distinguished Army record, which includes a Distinguished Service Medal, Silver Star, multiple Bronze Stars and the Purple Heart. We are proud to have him as a Legionnaire and are grateful for his continued service to veterans in this State.

There is someone else that I would like to acknowledge, though we all wish he were here in person. Sergeant First Class Christopher Celiz was born and raised in Summerville, South Carolina. He attended The Citadel and eventually became an Army Ranger. In 2018, during his fifth deployment to Afghanistan, he exposed himself to enemy machine gun fire as a larger force attacked his team. He retrieved and employed a heavy weapon system and used his body as a shield while a wounded team partner was medically evacuated by helicopter. Understanding the danger faced by the helicopter, he signaled the crew to leave. Sergeant First Class Celiz died so others could live. We must not only remember this hero, but also Sergeant Celiz's wife, Katie, and their young daughter.

Three months ago, on December 16th, President Biden presented a well deserved Medal of Honor, our Nation's highest award, posthumously to Sergeant First Class Celiz. South Carolina -- and the entire United States -- should be proud to produce heroes of this caliber. It is our duty to always remember them.

Now, if you would allow me for one moment to call to the dais two members of this distinguished Body who have proven that they are not

only great lawmakers, but they are advocates for those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2022. They are true friends of veterans and The American Legion. Senator J. THOMAS McELVEEN and Representative G. Murrell Smith, would you please join me? We appreciate all that you do on behalf of veterans. Thank you so much, South Carolina Legislature. God bless you and God bless America.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 12:40 P.M., by prior motion of Senator MASSEY, the Senate receded until 2:00 P.M.

AFTERNOON SESSION

The Senate reassembled at 2:00 P.M. and was called to order by the PRESIDENT.

RECALLED AND COMMITTED

S. 1017 -- Senators Adams and Senn: A BILL TO AMEND TITLE 20 OF THE 1976 CODE, RELATING TO DOMESTIC RELATIONS, TO ENACT THE "MULTIFAMILY DWELLING SAFETY ACT" BY ADDING CHAPTER 21 TO PROVIDE NECESSARY DEFINITIONS, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT TO PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, AND TO PROVIDE REMEDIES FOR VIOLATIONS, AMONG OTHER THINGS

On motion of Senator DAVIS, with unanimous consent, the Bill was recalled from the Committee on Labor, Commerce and Industry and committed to the Committee on Judiciary.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1138 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE JOHN DANIEL HARMON, SR., OF SALUDA COUNTY ON THE OCCASION OF HIS ONE HUNDRED SECOND BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1139 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WESTMINSTER WARRIORS BASKETBALL TEAM, COACHES, AND THE WESTMINSTER RECREATION DEPARTMENT ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA 2022 TEN AND UNDER BOYS BASKETBALL STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1140 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARY WHITE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1141 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 30 OF TITLE 8 RELATING TO RECORDING AND REPORTING IMMIGRATION LAW VIOLATIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 1142 -- Senators Hutto, Williams and K. Johnson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SOUTH CAROLINA STATE UNIVERSITY FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE MARCH 23, 2022, AS "SOUTH

CAROLINA STATE UNIVERSITY DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 1143 -- Senator K. Johnson: A SENATE RESOLUTION TO RECOGNIZE MARCH 2022 AS "RARE KIDNEY DISEASE AWARENESS MONTH" IN SOUTH CAROLINA.
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On motion of Senator K. JOHNSON, with unanimous consent, the Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1144 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 12 SO AS TO ENACT THE "SOUTH CAROLINA AGRIBUSINESS, RURAL, AND OPPORTUNITY ZONE JOBS ACT", TO PROVIDE DEFINITIONS, TO PROVIDE THE DEPARTMENT OF REVENUE SHALL ACCEPT APPLICATIONS FOR APPROVAL AS A GROWTH FUND, TO PROVIDE FOR CRITERIA FOR THE DEPARTMENT TO EITHER GRANT OR DENY AN APPLICATION, TO PROVIDE FOR CERTAIN INCOME TAX CREDITS, TO PROVIDE FOR CRITERIA FOR THE DEPARTMENT TO REVOKE A TAX CREDIT CERTIFICATE, TO PROVIDE THAT A GROWTH FUND MAY REQUEST FROM THE DEPARTMENT CERTAIN WRITTEN OPINIONS, TO PROVIDE FOR THE SUBMITTAL OF REPORTS, TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE RULES AND ISSUE FORMS AND NOTICES, AND TO PROVIDE THAT THE DEPARTMENT SHALL NOTIFY THE DEPARTMENT OF INSURANCE OF THE NAME OF ANY INSURANCE COMPANY ALLOCATED CERTAIN TAX CREDITS.
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Read the first time and referred to the Committee on Finance.

S. 1145 -- Senators Climer, Adams, Alexander, Allen, Bennett, Campsen, Cash, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb,

Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, MARCH 9, 2022, AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA AND TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES.
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The Senate Resolution was adopted.

H. 5038 -- Reps. Bryant, Pope, B. Newton, McGarry, Felder, Long, Oremus, Blackwell, Caskey, Rutherford, Hixon, D. C. Moss, V. S. Moss, Sandifer and Whitmire: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF OFFICERS, SO AS TO EXEMPT DEPUTY SHERIFFS FROM THE REQUIREMENT THAT THEY POSSESS THE QUALIFICATIONS OF AN ELECTOR, AND TO REMOVE ARCHAIC REFERENCES.

Read the first time and referred to the Committee on Judiciary.

H. 5090 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY AS "LUPUS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA AND TO RECOGNIZE THE IMPACT OF LUPUS ON MILLIONS OF INDIVIDUALS AFFECTED BY LUPUS WORLDWIDE AND IN THE STATE OF SOUTH

CAROLINA, AS WELL AS THE IMPORTANCE OF EFFORTS FOR FINDING THE CAUSES OF AND A CURE FOR THE DISEASE.

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

H. 5101 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2022, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1106 -- Senators Peeler and Alexander: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL

RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976,

RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

Ordered for consideration tomorrow.

Appointment Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointment

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Yvonne C. Knight Carter, 1349 Old Cherry Hill Road, Monks Corner, SC 29461-4571 *VICE* Melissa A. Tilden

Received as information.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nancy B. Dunn, 116 Wizard Way, Inman, SC 29349-7098 *VICE* John D. Wilcox, Jr.

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nikki Wooten, 465 Endenhall Dr., Columbia, SC 29229 *VICE* Bevin G. Studstill

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

David E. Finley, 419 Woodfield Dr., Piedmont, SC 29673-8373

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Stephen L. Jones, DHA, 6815 Back Bay Drive, Isle of Palms, SC 29451-2837

Received as information.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Shawn T. Pinkston, 184 Scott Street, Charleston, SC 29492-7539 *VICE* Valerie A. Brunson

Received as information.

Message from the House

Columbia, S.C., March 9, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

Amendment No. 1

Senators HUTTO and SABB proposed the following amendment (3205AMEND10), which was carried over:

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal

government, and limit the terms of office for its officials and for members of Congress, and impose a penalty for specific crimes committed against a victim who was intentionally selected by an offender because of the offender's belief or perception regarding the victim's race, color, sex, gender, national origin, sexual orientation, or physical or mental disability, regardless of whether the offender's belief or perception is correct. /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

Senator HUTTO spoke on the amendment.

RECESS

At 4:55 P.M., on motion of Senator SETZLER, with Senator HUTTO retaining the floor, the Senate receded from business not to exceed 5 minutes.

At 5:11 P.M., the Senate resumed.

Senator HUTTO asked unanimous consent to carry over Amendment No. 1 and proceed to Amendment No. 7.

Amendment No. 7

Senator CAMPSEN proposed the following amendment (JUD3205.005), which was adopted:

Amend the joint resolution, as and if amended, page 2, by striking lines 5 and 6 and inserting therein the following:

/ Be it enacted by the General Assembly of the State of South Carolina: /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senator HUTTO asked unanimous consent to return to Amendment No. 1

Amendment No. 1

Senators HUTTO and SABB proposed the following amendment (3205AMEND10), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress, and impose a penalty for specific crimes committed against a victim who was intentionally selected by an offender because of the offender's belief or perception regarding the victim's race, color, sex, gender, national origin, sexual orientation, or physical or mental disability, regardless of whether the offender's belief or perception is correct. /

Renumber sections to conform.

Amend title to conform.

Senator SABB spoke on the amendment.

Remarks by Senator SABB

Thank you, I really was looking forward to having a serious debate on this issue. I believe it is an issue of importance. I think that a close examination of the legislation suggests it is a bridge too far and to not feel free to have that intellectual exchange is a classic example of how we should not do things but I have agreed not to address all matters of concern in the interest of time.

Years ago, when I served in the House of Representatives, I did not have a practice of watching the Senate debate but for whatever reason I found myself watching the debate where a young senator had a concern -- so that young senator took to the well or the podium. As I examined those comments, because it came back to me as part of this debate when we were talking about the American Experiment of Democracy and how it was an experiment and then we likened it to the Constitution of States; and how it would in effect be an experiment -- I thought about the comments of the young senator who felt the Senate was engaging in an experiment because for the first time in its history one individual would have what the senator classified as being too much power; and too much

power concentrated in one place could have an adverse impact on this institution. Therefore, when I looked back on those remarks I said to myself, I likened it to an experiment because it could have had significant impact. I say that because much of what we have talked about has been a discussion about power, authority, and where it belongs, and how it ought to be used and what kind of controls are there on it.

Here we are talking about the Constitution of the United States of America. The Constitution of the United States of America, the document that when I was in law school, Professor Winston Nagan and Professor Fletcher Baldwin traveled to various countries counting our Constitution as a basis upon which they ought build their own. That sacred document is what we are talking about ultimately. The document that allows us as Americans to declare our place in the world as members of the greatest Nation on the planet when we consider altering it a very limited time. I submit there is something fundamentally wrong with that thought process y'all. I do not know of a matter in my mind of greater importance. I know some of us suggest that it will not happen. That we are doing it as a threat and so something is going to happen in the not too distant future, where what we do today will never come into its -- well that the convention let me say it that way -- that the convention would not take place.

I want to mention a couple factual things and mention a couple philosophical things and then I will sit down. What is curious to me is that when you look at the states that this attempt is really being made in. Those states, 34 of them, of what I am looking at suggest would have 31.28% of the population. Thirty-four states agreeing to a constitutional convention could have less than a third of the people in the United States of America deciding that is what they want to do -- less than a third. Than half of that, less than a third can decide about the convention of states. You got 16% of Americans deciding what our Constitution ought to look like. If it does not happen then it does not happen, but if it does happen mathematically in my mind does not make sense. I am indebted to Senator Campsen who suffered, I mean that in a kind way, suffered my questions in order that at least some of what I wanted to talk about could be aired in these chambers because as far as I am concerned time no longer permits. I would be remiss if I did not talk about feelings that are invoked with this process. In my church, we sing a song about bearing our burdens in the heat of the day but know that the Lord will make a way. For a person like RONNIE SABB, when we start talking constitutionally that is where it takes me, you all. It takes me back to the beginning when every man wasn't considered a man constitutionally and

from whence we've come; yet realizing we've got a long way to go. I stand here in these hallowed chambers I am more convinced than ever that we are but a few laws away from going back to where we were. You think about it, what is happening in America right now with voting rights being stripped, and voting is becoming more difficult. There is a movement in America to go backwards, now whether we all want to admit it or not it is happening under our noses. When you think about timing and the time to do this in my humble opinion, it could not be worse. I think about voting and the signal that South Carolina sends to the rest of the United States of America when we refuse to even debate the Hate Crime Bill. We won't even allow it to come to the floor and have a conversation about it and forty-eight other states have it in place, why? What does the world think? That we do not care if hate crime happens in South Carolina, that is the natural conclusion folks would reach. South Carolina is a significant State for many reasons not just because it is my home State it is a significant State. The impact we can have on the United States of America -- I submit it is a profound one. Our history gives us unique opportunities to show everybody who we are and whose we are. I think every time we miss on those opportunities we fall short of that which we have been powered to do.

Two points on the convention of states, and then I am going to leave it alone. So much to talk about and so many real issues that I would hope that some would take under consideration. My understanding is that there is an unwillingness to do that. I accept that from reliable sources whom I trust. The conclusion would be that it would be futile to engage, and so I will again, I simply accept that. As I listen to scholarly conversation rounding enforcement of what a delegate would be required to do, three things come to mind and a couple were brought out in the scholarly conversation. One was the question as to whether or not, because persons are preforming a federal duty, whether the State is allowed to criminalize their conduct. I wish I knew the answer to that question. This is a significant legal question if the desire of the Body is to have some teeth in the directives given to individuals. It is significant.

The other question I wonder about and I do not know the answer to is do the other states have similar enforcement laws? If they do not then they do not even have the opportunity to control that individual. I just wonder that from an academic standpoint. I leave you with this -- there is nothing profound about it. I believe that the Senate that I know and have come to respect is worth preserving. If we are to become a non-deliberative Body, I think that this moment requires us to search ourselves. To ask ourselves the question why did we come here, knowing

it is a deliberative Body. Why did we come without the patience necessary to give those of us, who have legitimate points, that want to share with this Body, an opportunity to do that.

I'm appreciative for the dinner conversations that I had last night with some of my colleagues. I know the deep love I think that many of us have for each other as individuals, each as Senators. I firmly believe if we allow the roots of the Senate to take hold, we can preserve this Body. I read somewhere that power corrupts absolutely. When I say corrupt, I don't mean corrupt in an evil sense. I mean corrupt from the standpoint of a disregard for minority party, which I likened to a disregard for those less fortunate. When folks are in the minority party, I think they are less fortunate. I would urge serious consideration to what I believe is a significant moment in time. I leave with this point, if we can't debate the Constitution of the United States of America, what can we debate? Thank you, Mr. PRESIDENT.

On motion of Senator K. JOHNSON, with unanimous consent, the remarks of Senator SABB, were ordered printed in the Journal.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, Amendment No. 1 was withdrawn.

Amendment No. 6

Senator KIMPSON proposed the following amendment (3205AMEND1), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress, and provide for reparations to account for racial discrimination rooted in colonialism and slavery to remedy entrenched economic, social, and political inequalities along racial lines. /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 13

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Corbin	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Loftis	McElveen	McLeod
Sabb	Scott	Stephens
Williams		

Total--13

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

WEDNESDAY, MARCH 9. 2022

READ THE SECOND TIME

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

H. 4269--Ordered to a Third Reading

On motion of Senator PEELER, H. 4269 was ordered to receive a third reading on Thursday, March 10, 2022.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SENN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Kelsie Hix of Greenville, S.C. Kelsie was a beautiful young lady who was interested in astrology, numerology and crystals. She adored her dogs Lilah and Gypsy. Kelsie was a member of Mauldin United Methodist Church. Kelsie was a loving daughter and devoted sister who will be dearly missed.

ADJOURNMENT

At 5:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

***

Thursday, March 10, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 19:16

We read in Exodus that: "On the morning of the third day there was thunder and lightning, as well as a thick cloud on the mountain, and a blast of a trumpet so loud that all the people who were in the camp trembled."

Let us pray: O Lord, Your world today remains an unsettled place. Our prayers continue on behalf of those living in war-torn regions, for anyone anywhere who can't begin to imagine the blessings we typically call "normal" and "everyday." The abundance, the sense of promise, the relative comfort of life for most of us is simply one of those things we just take for granted. But recent events remind us how fragile all of that really is. And so we plead, dear God, that You fill the hearts of these Senators and their aides with a desire to continue doing all they can to keep our State and her people hopeful and safe. Further, we pray more than ever for our women and men in uniform already performing heroic tasks as they help maintain global peace. May none of us ever ignore Your clear call to follow You and to serve You wisely and well. So we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer

Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	McElveen
Peeler	Rankin	Rice
Sabb	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board for Technical and Comprehensive Education, with the term to commence June 1, 2019, and to expire June 1, 2025

1st Congressional District:

Terry A. Hardesty, 325 West Main Street, Moncks Corner, SC 29461-3805 *VICE* Warren L. Helm

Referred to the Committee on Education.

Doctor of the Day

Senator TALLEY introduced Dr. David Mitchell of Spartanburg, S.C., Doctor of the Day.

THURSDAY, MARCH 10, 2022

Leave of Absence

On motion of Senator SABB, at 11:54 A.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DAVIS, at 11:57 A.M., Senator SHEALY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator WILLIAMS, at 11:57 A.M., Senator MALLOY was granted a leave of absence for the balance of the day.

Leave of Absence

At 2:17 P.M., Senator VERDIN requested a leave of absence for Tuesday, March 15, 2022.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 295 Sen. Allen
S. 923 Sen. Alexander
S. 1011 Sen. Stephens
S. 1087 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1146 -- Senator Gambrell: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1147 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-190 SO AS TO PROVIDE THAT THE COUNTY LEGISLATIVE DELEGATION MAY, BY THE ADOPTION OF A RESOLUTION, APPOINT THE MEMBERS OF A COUNTY RECREATION COMMISSION THAT WAS ESTABLISHED AS A SPECIAL PURPOSE DISTRICT PRIOR TO THE ADOPTION OF HOME

RULE, AND TO PROVIDE THAT THE MEMBERS OF A COUNTY RECREATION COMMISSION WHO THE COUNTY DELEGATION APPOINTS PURSUANT TO THE PROVISIONS OF THIS ACT SERVE AT THE PLEASURE OF THE COUNTY LEGISLATIVE DELEGATION AND MAY BE REMOVED AT ANY TIME BY THE COUNTY LEGISLATIVE DELEGATION.
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Read the first time and referred to the Committee on Judiciary.

S. 1148 -- Senators Gambrell and Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-35-5350 SO AS TO PROVIDE THAT WHEN CONSIDERING CERTAIN BIDS AND PROPOSALS AN AGENCY SHALL GIVE PREFERENCE TO A VENDOR WHO MEETS OR EXCEEDS CERTAIN REQUIREMENTS.
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Read the first time and referred to the Committee on Finance.

S. 1149 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE RESIDENTS OF THIS STATE WHO OWN OR POSSESS FIREARMS SHALL OBTAIN AND CARRY LIABILITY INSURANCE THAT COVERS LOSSES OR DAMAGES RESULTING FROM ANY NEGLIGENT OR ACCIDENTAL USE OF THE FIREARM, TO PROVIDE PROOF OF INSURANCE MUST BE DISPLAYED UPON DEMAND BY LAW ENFORCEMENT OFFICERS, AND PROVIDE PENALTIES FOR VIOLATIONS.
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Read the first time and referred to the Committee on Judiciary.

S. 1150 -- Senators Kimbrell, Hembree, Young, Shealy, Loftis, M. Johnson, Verdin, Turner, Rice, Cash, Davis, Corbin, Alexander, Adams, Garrett, Bennett, Talley, Peeler, Climer, Cromer, Gustafson and Campsen: A SENATE RESOLUTION TO DENOUNCE INTERNATIONAL RELATIONS WITH AUTHORITARIAN DICTATORSHIPS THROUGH THE IMPORTATION OF FOREIGN PETROLEUM AND NATURAL GAS, AND TO ENCOURAGE THE

DOMESTIC PRODUCTION OF PETROLEUM AND NATURAL GAS IN THE UNITED STATES.
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The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 1151 -- Senator Climer: A JOINT RESOLUTION TO SUNSET ANY AND ALL REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT WERE PROMULGATED UNDER THE AUTHORITY OF THE BEACHFRONT MANAGEMENT ACT BEFORE MAY 3, 2018, AND TO REQUIRE AN AFFIRMATIVE VOTE OF THE GENERAL ASSEMBLY FOR ANY REGULATION PROMULGATED PURSUANT TO THE BEACHFRONT MANAGEMENT ACT AND BEACHFRONT MANAGEMENT REFORM ACT AFTER THE EFFECTIVE DATE OF THIS ACT.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V. S. Moss, Pope, Forrest, J. L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3600 -- Reps. Ott, Taylor, Forrest, Gagnon, Caskey, McCabe, Atkinson, Rivers, S. Williams, Jefferson, R. Williams, Kirby, Yow, Gilliam, Hardee, Sandifer, W. Newton, B. Newton, Ballentine, Bradley and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-2-140 SO AS TO DEFINE THE TERM "UTILITY TERRAIN VEHICLE" AND PROVIDE FOR THE REGISTRATION AND OPERATION OF THEM ON THE HIGHWAYS AND STREETS OF THE STATE.

Read the first time and referred to the Committee on Transportation.

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Read the first time and referred to the Committee on Judiciary.

H. 4866 -- Reps. Chumley, Burns, Magnuson, Long, Kirby, Henegan, Rivers, W. Newton, Cobb-Hunter, Govan, Pendarvis, Forrest, Jones, Trantham, Oremus, Ligon, Haddon, Allison, Nutt, B. Cox, S. Williams, Atkinson, M. M. Smith, McGinnis, Bryant, Gilliam, Henderson-Myers, Ballentine, Herbkersman, Hill, Hiott, Hixon, D. C. Moss, Sandifer, Thayer, Wooten, Whitmire and Garvin: A JOINT RESOLUTION TO PROVIDE A THREE-YEAR PILOT PROGRAM ESTABLISHING RURAL PUBLIC SCHOOL-BASED COMMUNITY CANNERIES WHERE MEMBERS OF THE GENERAL PUBLIC MAY BRING LOCALLY-GROWN PRODUCE TO BE CANNED FOR THEIR PERSONAL USE, TO PROVIDE RELATED RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION AND CLEMSON EXTENSION AGENCY.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 907 favorable:

S. 907 -- Senators Grooms and Verdin: A BILL TO AMEND ARTICLE 1, CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-90 TO REQUIRE THE DISCLOSURE OF MEDICAL INFORMATION TO PERSONS WHO MAY RECEIVE A CHEMICALLY INDUCED ABORTION, WITH EXCEPTIONS.

Poll of the Medical Affairs Committee
Polled 17; Ayes 10; Nays 7; Not Voting 1

AYES

Verdin	Peeler	Alexander
Davis	Corbin	Gambrell

Senn	Cash	Loftis
Garrett		

Total--10

NAYS

Hutto	Scott	K. Johnson
Kimpson	Matthews	Senn
McLeod		

Total--7

NOT VOTING

Martin

Total--1

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 1130 favorable:

S. 1130 -- Senator Kimbrell: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROVIDE THAT LOCAL LAWS AND ORDINANCES RELATED TO THE REGULATION AND ENFORCEMENT OF THE RIGHT OF MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS TO EXERCISE THEIR CONSCIENCE, WHETHER SUCH CONSCIENCE IS INFORMED BY RELIGION, MORAL, ETHICAL, OR PHILOSOPHIC BELIEFS, ARE PREEMPTED AND SUPERSEDED BY LAWS ENACTED BY THE GENERAL ASSEMBLY AND REGULATIONS PROMULGATED BY STATE AGENCIES PURSUANT TO THOSE LAWS.

Poll of the Medical Affairs Committee
Polled 17; Ayes 9; Nays 5; Not Voting 2; Abstained 1

AYES

Verdin	Peeler	Alexander
Davis	Corbin	Gambrell
Cash	Loftis	Garrett

Total--9

NAYS

Hutto	Scott	K. Johnson
Kimpson	Matthews	

Total--5

NOT VOTING

Martin	McLeod

Total--2

ABSTAINED

Senn

Total--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 947 -- Senators Grooms, Climer and Garrett: A BILL TO AMEND SECTION 56-23-20 OF THE 1976 CODE, RELATING TO DRIVER TRAINING SCHOOLS, TO PROVIDE THAT ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES PURSUANT TO SECTION 33-49-160 ARE PERMITTED TO PROVIDE DRIVER EDUCATION TRAINING.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 3679 -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

H. 3679--Ordered to a Third Reading

On motion of Senator YOUNG, H. 3679 was ordered to receive a third reading on Friday, March 11, 2022.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator PEELER.

READ THE SECOND TIME

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE

DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (230R001.SP.GH), which was tabled:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Sections 16-3-2020(F) and (G) of the 1976 Code are amended to read:

"(F) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of~~, or incidental or related to,~~ being a victim of trafficking. A victim of trafficking in persons convicted of a violation of this article, ~~or~~ prostitution, or any other nonviolent offense may motion the court to vacate the conviction and expunge the record of the conviction for an offense committed as a direct result of being a victim of trafficking. The court may grant the motion on a finding that the ~~person's~~ person proved by a preponderance of evidence that his participation in the offense was a direct result of being a victim of trafficking. For the purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60.

(G) If the victim was a minor at the time of the offense, then the victim of trafficking in persons may not be prosecuted in court pursuant to this article ~~or~~ for a prostitution offense~~,~~ or for any other nonviolent offense if ~~it is determined after investigation that the victim~~ he proves to a court by a preponderance of evidence at a pre-trial hearing that he committed the offense as a direct result of~~, or incidental or related to,~~ being a victim of trafficking. For the purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60. A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of being a victim of trafficking." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator MALLOY proposed the following amendment (230GM2), which was withdrawn:

/ Amend the bill, as and if amended, by striking page 2, lines 16 - 35 and adding the following:

(F) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of , or incidental or related to, being a victim of trafficking. A victim of trafficking in persons convicted of a violation of this article, or prostitution, or any other nonviolent offense may motion the court to vacate the conviction and expunge the record of the conviction for an offense committed as a direct result of being a victim of trafficking. The court may grant the motion on a finding that the person's person proved by a preponderance of evidence that his participation in the offense was a direct result of being a victim of trafficking. For the purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60.

Amend the bill further, as and if amended, by striking page 2, lines 38 - 41 and adding the following:

/ pursuant to this article, for a prostitution offense, or for any other nonviolent offense if it is determined after investigation that the victim committed the offense as a direct result of, or incidental or related to, trafficking. For purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60 or in Section 16-3-1510 (3). A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of, or incidental or related to, trafficking. /

Renumber sections to conform.

Amend title to conform.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 712 -- Senators Davis, Hutto and Garrett: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

On motion of Senator LOFTIS, the Bill was carried over.

READ THE SECOND TIME

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION

AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER

REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

On motion of Senator KIMBRELL, the Bill was carried over.

CARRIED OVER

S. 1011 -- Senators Senn, Shealy and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORDKEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

On motion of Senator SENN, the Bill was carried over.

CARRIED OVER

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

On motion of Senator CASH, the Bill was carried over.

CARRIED OVER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

On motion of Senator CASH, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms McElveen and Gustafson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION

12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\1087C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 5 and inserting:

/ SECTION 5. (A) From the Contingency Reserve Fund, there is appropriated one billion dollars to the Taxpayer Rebate Fund which is created in the State Treasury. The fund is separate and distinct from the general fund and all other funds of the State.

(B) The fund must be used by the Department of Revenue to provide a one-time rebate for taxpayers that filed a return for tax year 2021. Each return filed for 2021 shall receive a rebate equal to the amount of tax liability on the return, except that if a return has one hundred dollars or less of liability, the rebate shall equal one hundred dollars, and if a return has seven hundred dollars or more of liability, the rebate shall equal seven hundred dollars. However, if the department determines that sufficient funds will exist to increase the maximum rebate of seven hundred dollars, the department shall increase the maximum so that all returns with a tax liability over the increased maximum receive the same rebate. The department must issue these refunds by December 31, 2022.

(C) The department may retain up to one percent of the fund, but not to exceed their actual costs, to administer the rebate.

(D) Any funds remaining in the fund after every rebate has been accounted for shall lapse to the Contingency Reserve Fund, at which time the fund is dissolved. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator MASSEY spoke on the Bill.
Senator BENNETT spoke on the Bill.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

READ THE SECOND TIME

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON

WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF

LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN proposed the following amendment (JUD1024.001), which was adopted:

Amend the bill, as and if amended, page 4, by striking line 41, and inserting therein the following:

/ SECTION 2. This act takes effect on July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley

Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1131 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO EMERGENCY MEDICAL SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5055, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator VERDIN, the Resolution was carried over.

READ THE SECOND TIME

S. 1132 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ONSITE WASTEWATER SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5103, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator GAMBRELL explained the Resolution.

The question then being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1133 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING HOME HEALTH AGENCIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5057, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator VERDIN, the Resolution was carried over.

POINT OF ORDER

S. 1106 -- Senators Peeler and Alexander: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED

FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1122 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE MAY 2022 AS "BETTER HEARING AND SPEECH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

The Resolution was adopted.

S. 1143 -- Senator K. Johnson: A SENATE RESOLUTION TO RECOGNIZE MARCH 2022 AS "RARE KIDNEY DISEASE AWARENESS MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

S. 1085 -- Senators Williams, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner,

Verdin and Young: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY "JAMES M. JORDAN, SR. ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer and Senn: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Senator MASSEY moved that the Resolution be made a Special Order.

The Resolution was made a Special Order.

MOTION ADOPTED

At 2:13 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THURSDAY, MARCH 10, 2022

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Joint Resolution.

There being no further amendments, the Joint Resolution was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, March 15, 2022, at 2:00 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Wade Abshire of Aiken, S.C. John was affectionately known as Coach. He graduated from Indiana University and joined the Army after graduation. John loved to laugh, learn and meet new people. John was a member of numerous organizations including the Rotary Club, Beta chapter of Phi Kappa Psi, the Elks Club, 32nd degree Mason, a member of the Scottish Rite and Aiken Senior Men's Club to mention a few. He was a member of St. John's United Methodist Church. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 11, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bills:

S. 907 Sen. Garrett
S. 1127 Sen. Garrett
S. 1130 Sen. Garrett

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3679 -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

On motion of Senator YOUNG.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, March 15, 2022, at 2:00 P.M.

* * *

Tuesday, March 15, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 1:18

In one of his visions Isaiah the prophet proclaims: " 'Come now, let us reason together,' says the Lord."

Bow with me, please: Here, O God, Isaiah clearly establishes how critical it is for those who are leaders to "reason together," to join hearts and minds honestly and pointedly as they further the proper course for those they serve. After all, as we know, frequently personal agendas come into play; sometimes endgames far beyond any original intent find their way to the negotiating tables. Rather, O Lord, may it be that each of these leaders in this Senate -- as well as all others in leadership roles throughout our State, across our Nation, and around the globe -- might truly pursue ways to honor You as they strive to do that which is best for Your people -- for all of our people, including of course the establishment of peace for all. May it ever be so, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:05 P.M., Senator SETZLER, made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Grooms
Harpootlian	Hembree	Hutto
Johnson, Kevin	Kimbrell	Malloy

Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

VETOES

(R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

The veto was ordered placed on the Calendar for consideration tomorrow.

(R128, S912) -- Senator Stephens: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

The veto was ordered placed on the Calendar for consideration tomorrow.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5104
Agency: Secretary of State
Chapter: 113
Statutory Authority: 1976 Code Sections 26-2-5 et seq.
SUBJECT: Promulgation of Regulations Pursuant to the South Carolina Electronic Notary Public Act
Received by President of the Senate March 10, 2022
Referred to Committee on Family and Veterans' Services

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5052
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Sections 59-149-10 et seq.
SUBJECT: LIFE Scholarship Program and LIFE Scholarship Enhancement
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 14, 2022

Document No. 5053
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-104-20
SUBJECT: Palmetto Fellows Scholarship Program
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 14, 2022

Document No. 5054
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-142-20
SUBJECT: South Carolina Need-based Grants Program
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Education
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted March 14, 2022

Doctor of the Day

Senator TALLEY introduced Dr. Thomas Phillips of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 2:09 P.M., Senator VERDIN was granted a leave of absence until 3:00 P.M.

TUESDAY, MARCH 15, 2022

Leave of Absence

On motion of Senator MASSEY, at 2:10 P.M., Senators GOLDFINCH and GUSTAFSON were granted a leave of absence for the day.

Leave of Absence

On motion of Senator McELVEEN, at 2:10 P.M., Senator KIMPSON was granted a leave of absence for the day.

Leave of Absence

On motion of Senator SABB, at 2:47 P.M., Senator McLEOD was granted a leave of absence until 3:20 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 133	Sen. Fanning
S. 923	Sen. Young
S. 935	Sen. Senn
S. 938	Sen. Malloy
S. 1011	Sen. Setzler
S. 1032	Sen. Kimbrell
S. 1077	Sen. Fanning
S. 1106	Sens. Campsen and Scott

RECALLED

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

The Bill was recalled from the Committee on Banking and Insurance and ordered placed on the Calendar for consideration tomorrow.

TUESDAY, MARCH 15, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1152 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF RUTHIE MAE FULTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1153 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE FRANK MCBEE, JR. ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1154 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE DUTCH FORK HIGH SCHOOL VARSITY DAZZLERS DANCE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR BEING NAMED STATE CHAMPIONS IN VARSITY HIP HOP AT THE SOUTH CAROLINA DANCE ASSOCIATION 2022 STATE DANCE TEAM CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1155 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE LAURA TAYLOR UPON THE OCCASION OF HER PROMOTION TO SENIOR VICE PRESIDENT OF AMERICAS AUTO/XLERATE AUCTION GROUP, TO COMMEND HER FOR HER EIGHTEEN YEARS OF DEDICATED SERVICE TO CHARLESTON AUTO AUCTION, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1156 -- Senator Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF COACH JOHN WADE ABSHIRE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1157 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1158 -- Senators Allen and Hembree: A BILL TO AMEND SECTION 34-11-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.
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Read the first time and referred to the Committee on Judiciary.

S. 1159 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5087, PURSUANT TO THE PROVISIONS

OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1160 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5088, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1161 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL PLUMBING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5098, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1162 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5086, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1163 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5085, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1164 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5084, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1165 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5074, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1166 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF COSMETOLOGY, RELATING TO EMERGENCY TEMPORARY WORK PERMITS, DESIGNATED AS REGULATION

DOCUMENT NUMBER 5034, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.
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Read the first time and referred to the Committee on Judiciary.

S. 1168 -- Senator Jackson: A SENATE RESOLUTION TO HONOR BISHOP JOHNIE JAMES JOHNSON, JURISDICTIONAL PRELATE OF THE CHURCH OF GOD IN CHRIST, SOUTH CAROLINA JURISDICTION, FOR HIS MANY YEARS OF GOSPEL MINISTRY, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.
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The Senate Resolution was adopted.

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G. M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

Read the first time and referred to the Committee on Judiciary.

H. 3537 -- Reps. Bailey, McGarry, Fry, Bryant, Burns, Felder, Long, Pope, Gilliam, Caskey and Yow: A BILL TO AMEND SECTION 27-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHTS OF HOMEOWNERS OR TENANTS TO FLY THE UNITED STATES FLAG AT THEIR PREMISES, NOTWITHSTANDING THE PROVISIONS OF ANY HOMEOWNERS' ASSOCIATION GOVERNING DOCUMENTS, CONTRACTUAL PROVISIONS, OR DEED COVENANTS TO THE CONTRARY, SO AS TO PROVIDE THAT THIS RIGHT INCLUDES THE RIGHT TO DISPLAY THE FLAG ON A FLAGPOLE INSTALLED AT THE PREMISES FOR THIS PURPOSE.

Read the first time and referred to the Committee on Judiciary.

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3950 -- Reps. Murphy, Bernstein and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING PART 4 TO ARTICLE 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; TO AMEND SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATES OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-70, AS AMENDED, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 50-23-130, RELATING TO TRANSFERS OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 56-19-290, RELATING TO THE CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; TO AMEND SECTION 56-19-420, RELATING TO FEES THE DEPARTMENT OF MOTOR VEHICLES MAY CHARGE TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND TO AMEND SECTION 62-6-101, RELATING TO DEFINITIONS APPLICABLE TO NONPROBATE TRANSFERS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

Read the first time and referred to the Committee on Judiciary.

H. 4534 -- Rep. Rutherford: A BILL TO AMEND SECTION 16-17-680, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO RESTRUCTURE THE

VARIOUS OFFENSES TO INCLUDE INTENT AND CLARIFY CERTAIN ASPECTS OF THE VIOLATIONS.

Read the first time and referred to the Committee on Judiciary.

H. 4601 -- Reps. W. Cox, G. R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M. M. Smith, V. S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

Read the first time and referred to the Committee on Judiciary.

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M. M. Smith, White, V. S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

Read the first time and referred to the Committee on Medical Affairs.

H. 5098 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE CONSOLIDATION OF BAMBERG EHRHARDT SCHOOL DISTRICT ONE AND DENMARK OLAR SCHOOL DISTRICT TWO (THE TWO PRESENT SCHOOL DISTRICTS) INTO ONE SCHOOL DISTRICT KNOWN AS THE BAMBERG COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE TWO PRESENT SCHOOL DISTRICTS' BOARDS OF TRUSTEES IF THE APPOINTMENTS TO THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES RESULT IN THE ABSENCE OF A QUORUM ON BOTH OF THE TWO PRESENT DISTRICTS' BOARDS OF TRUSTEES.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5106 -- Reps. Sandifer, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 30, 2022 AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

H. 5107 -- Rep. Sandifer: A CONCURRENT RESOLUTION TO COMMEND AND CONGRATULATE SOUTH CAROLINA GOVERNOR DAVID BEASLEY ON HIS DISTINGUISHED GLOBAL LEADERSHIP IN RECOGNITION OF THE NOBEL PEACE PRIZE AWARDED IN 2020 TO THE UNITED NATIONS WORLD FOOD PROGRAMME, AND THE INTERNATIONAL DISTINCTION BROUGHT TO THE STATE OF SOUTH CAROLINA AND THE NATION'S NUMBER ONE INTERNATIONAL BUSINESS PROGRAM AT THE UNIVERSITY OF SOUTH CAROLINA.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5109 -- Reps. Gagnon, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DR. JOHN THOMAS "TOM" HELLAMS, VICE PRESIDENT FOR ACADEMIC ADMINISTRATION FOR ERSKINE COLLEGE, UPON THE OCCASION OF HIS RETIREMENT, TO HONOR HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND EDUCATIONAL ADMINISTRATOR, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 5151 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED

FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR

CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell and Rankin: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2021, and to expire July 1, 2024

1st Congressional District:

Henry B. Fishburn, Jr., 105 Waterfront Plantation Drive, Charleston, SC 29412-2100 *VICE* William "Warner" Peacock

Received as information.

Reappointment, Board of Directors of the Jobs Economic Development Authority, with the term to commence July 27, 2019, and to expire July 27, 2022

At-Large/Chairman:

Michael W. Nix, 108 White Oak Lane, Greenwood, SC 29646-9087

Received as information.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2020, and to expire March 31, 2024

Cosmetologist:

Patricia C. Walters, 360 Canal Place Dr., Columbia, SC 29201

Received as information.

Message from the House

Columbia, S.C., March 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE

FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY,

TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms, McElveen and Gustafson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The Senate proceeded to a consideration of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

CARRIED OVER

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator SENN, the Bill was carried over.

CARRIED OVER

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE

DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

On motion of Senator SABB, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator MASSEY explained the Bill.

AMENDED, OBJECTION

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J.L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (3243R002.SP.JK), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 1, Chapter 1, Title 40 of the 1976 Code is amended by adding:

"Section 40-1-35. A person who:

(1) has a current and valid employment authorization approved by federal immigration authorities;

(2) came to the United States before reaching his sixteenth birthday;

(3) has continuously and presently resided in the United States since initially arriving in the country;

(4) was physically present within the United States at the time a request was made for consideration of deferred action with the U.S. Citizenship and Immigration Services;

(5) has not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors; and

(6) does not otherwise pose a threat to national security or public safety;

shall be eligible for occupational or professional licensure under the provisions of this title provided all other applicable occupational or professional requirements are met."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator MARTIN objected to further consideration of the Bill.

CARRIED OVER

S. 712 -- Senators Davis, Hutto and Garrett: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO

CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

On motion of Senator LOFTIS, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (812R001.KMM.TD), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 22 - 33 and inserting:

/ (F)(1) The director~~, with the advice and consent of the board,~~ shall designate for the use of the board one full-time administrator who is a certified public accountant licensed in this State. The administrator's primary responsibility is to administer the board~~; provided, however, that the director may assign to the administrator additional duties and responsibilities within the department so long as the additional duties and responsibilities do not unreasonably occupy the administrator's time so that he does not thoroughly fulfill his duties and responsibilities to the board~~.

(2) A person employed by the board under this section may be terminated by the director. /

Amend the bill further, as and if amended, on page 16, by striking lines 14 - 16 and inserting:

/ States;

(3) submitting Substantial Equivalency Evaluation report from the NASBA National Qualification Appraisal Service verification that his CPA qualifications are substantially equivalent to the CPA licensure requirements of the AICPA and NASBA Uniform Accountancy Act; or

(4) any combination of experience determined by the board to be substantially equivalent to the foregoing. /

Amend the bill further, as and if amended, on page 17 by striking lines 15 - 20 and inserting:

/ ~~(f)~~(iii) ~~Teaching experience~~ semester hours must not be granted for teaching subjects outside the scope of the Uniform CPA Examination ~~field of accounting. Subjects considered to be outside the~~

~~field of accounting include, but are not limited to, business law, finance, computer applications, personnel management, economics, and statistics~~. /

Amend the bill further, as and if amended, on page 20, by striking lines 6 - 12 and inserting:

/ (E) ~~An~~ Any firm applicant for initial issuance or renewal of a registration to practice pursuant to this chapter shall register each firm within this State with the board and shall demonstrate that all attest and compilation services rendered in this State are under the charge of a person holding a valid license issued pursuant to this section or the corresponding provision of prior law or of some other state. /

Amend the bill further, as and if amended, on page 22, by striking lines 1 - 5 and inserting:

/ (14) issue non-binding interpretations of statutes and regulations based on a written set of facts and a request from any member of the public, including licensees and the board.

(B) All public board orders, interpretations and policies of this chapter must be made available to the public in an electronic format organized by applicable law or regulation. /

Amend the bill further, as and if amended, on page 30, by striking lines 10-20 and inserting:

/ (2) ~~accounting or other records belonging to, or obtained from or on behalf of, the client that the licensee removed from the client's premises or received for the client's account; the licensee may make and retain copies of these documents of the client when based on work completed by the licensee~~ a copy of the licensee's CPA-prepared records or CPA work product, except that such information may be withheld if fees are due to the licensee for the CPA work product, if the work is incomplete, if providing the CPA work product violates professional standards, or if threatened litigation or outstanding litigation exists concerning the engagement or the work performed. /

Amend the bill further, as and if amended, starting on page 31, by striking lines 21 - 43, and on page 32, by striking lines 1 - 35 and inserting:

/ Section 40-2-240. (A) The board ~~may~~ shall issue a license to an applicant who holds ~~a holder of~~ a certificate, license, or permit issued under the laws of any state or territory of the United States or the District of Columbia or any authority outside the United States upon a showing that the applicant ~~of substantially equivalent education, examination, and experience upon the condition that the applicant~~:

(1)~~(a) received the designation, based on educational and examination standards substantially equivalent to those in effect in this State, at the time the designation was granted~~ holds a valid certified public accountant license from a substantially equivalent jurisdiction and may lawfully practice in the jurisdiction in which he is licensed; ~~and~~

~~(b) completed an experience requirement, substantially equivalent to the requirement provided for in Section 40-2-35(F), in the jurisdiction which granted the designation or has engaged in four years of professional practice, outside of this State, as a certified public accountant within the ten years immediately preceding the application; and~~

~~(c) passed a uniform qualifying examination in national standards and an examination on the laws, regulations, and code of ethical conduct in effect in this State acceptable to the board; and~~

~~(d) listed all jurisdictions, foreign and domestic, in which the applicant has applied for or holds a designation to practice public accountancy or in which any applications have been denied; and~~

~~(e) demonstrated completion of eighty hours of qualified CPE within the last two years; and~~

~~(f) filed an application and pays an annual fee sufficient to cover the cost of administering this section.~~

(2)~~(a) satisfies the requirements of item (1)(c), (d), (e), and (f);~~

~~(b) holds a valid license issued by any other state before January 1, 2012; and~~

~~(c) has engaged in four years of professional practice, outside of this State, as a certified public accountant within the ten years immediately preceding the application.~~ submits to the board a substantial equivalency evaluation report from the NASBA National Qualification Appraisal Service verification that his CPA qualifications are substantially equivalent to the CPA licensure requirements of the AICPA and NASBA Uniform Accountancy Act; or

(3) submits to the board evidence that he has passed the CPA Examination and, within the ten years prior to applying, has acquired four years of experience of the type described in Section 40-2-35(G) after passing the examination upon which the applicant's certificate, license, or permit was issued.

(B) ~~Each holder of a certificate issued under this section shall notify the board in writing within thirty days after its occurrence of any issuance, denial, revocation, or suspension of a designation or commencement of a disciplinary or enforcement action by any~~

~~jurisdiction.~~ To apply for a license pursuant to this section an applicant must:

(1) identify all jurisdictions, foreign and domestic, in which the applicant has applied for or holds a designation to practice public accountancy or in which any applications have been denied;

(2) demonstrate the completion of eighty hours of qualified continuing professional education within the last two years; and

(3) file an application with the board together with the application fee prescribed by the board.

(C) Each person issued a license pursuant to this section shall notify the board in writing within thirty days after any issuance, denial, revocation, or suspension of a designation or commencement of a disciplinary or enforcement action against the licensee by any jurisdiction. /

Amend the bill further, as and if amended, on page 35, by striking lines 8 - 15 and inserting:

/ (6) An annual ethics requirement must be met and included in the documented hours of continuing professional education. No less than two hours of the annual forty hours of continuing professional education must relate to ethics. /

Amend the bill further, as and if amended, on page 37, by striking lines 16 - 19 and inserting:

/ (B) A license in 'emeritus' status must be renewed annually with no fee required. A license in 'emeritus' status may ~~not~~ be reinstated as an active license, subject to fulfilling the requirements for the reinstatement of a lapsed license under Section 40-2-250. /

Amend the bill further, as and if amended, on page 40, by striking line 19 and inserting:

/ unless he or it plainly indicates on all signs, cards, letterheads, /

Amend the bill further, as and if amended, on page 42 by striking line 18 and inserting:

/ to be substantially equivalent to the foregoing standards. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (992R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking lines 32 through 35, and inserting:

/ (2) In instances where a child has a time-critical abnormal newborn screening result, the department shall notify the child's primary care provider, if known, and may provide information about those abnormal screening results to a qualified pediatric specialist for the timely provision of follow-up services, including further testing, treatment, counseling, and education as needed." /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

Senator SETZLER proposed the following amendment (1011NGS1), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 15 and inserting the following:

/ agreements as are necessary for the collection of the data /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (1011NGS2), which was adopted:

Amend the bill, as and if amended, page 4, by striking lines 16-17 and inserting the following:

/ subsection through a bulletin or similar instruction. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn

Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

On motion of Senator CORBIN, the Bill was carried over.

AMENDMENT PROPOSED, OBJECTION

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (1034R001.SP.RWC):

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to read:

/ ( ) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

Senator SENN objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 1106 -- Senators Peeler, Alexander, Campsen and Scott: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG\1106C001.NBD.DG22), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

"(A) The General Assembly shall provide for a General Reserve Fund of ~~five~~ seven percent of the general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent requirement applied until the percentage of revenue in the General Reserve Fund equals the ~~five~~ seven percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the ~~five~~ seven percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the ~~five~~ seven percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored." /

Amend the joint resolution further, by striking SECTIONS 3 and 4 and inserting:

/ SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

"(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve

Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ three percent of the general fund revenue of the latest completed fiscal year. The three percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-quarter of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the two percent requirement applied until the percentage of revenue in the Capital Reserve Fund equals the three percent requirement, which shall thereafter be maintained.

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction~~ The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations.

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced

based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund."

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(B), Article III of the Constitution of this State be amended so as to increase from two to three percent in increments of one-quarter of one percent over four years the amount of state general fund revenue in the latest completed fiscal year required to be held in the Capital Reserve Fund and to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL

FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3346C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 11-11-310 of the 1976 Code is amended to read:

"Section 11-11-310. (A) The State Fiscal Accountability Authority shall provide for a General Reserve Fund. Funds accumulating in excess of the annual operating expenditures must be transferred to the General Reserve Fund and the transfer must continue to be made in succeeding fiscal years until the accumulated total in this reserve reaches an amount equal to the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

(B) If there is a year-end operating deficit, so much of the General Reserve Fund as is necessary must be used to cover the deficit. The amount so applied must be restored to the General Reserve Fund out of future revenues as provided in Section 36, Article III of the Constitution of this State and out of funds accumulating in excess of annual operating expenditures as provided in this section until the applicable percentage amount is reached and actually maintained.

(C) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit, and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the applicable percentage amount required to be transferred to the General Reserve Fund, is reached and maintained. Provided, that a minimum of one percent of the general fund revenue of

the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

(D) For purposes of this section 'applicable percentage amount' means ~~five~~ seven percent of general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be reached by adding a cumulative one-half of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent limit applied until the percentage of such revenue equals ~~five~~ seven percent which then and thereafter shall apply."

SECTION 2. A.Section 11-11-320 of the 1976 Code is amended to read:

"Section 11-11-320. (A) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two percent~~ the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

(B) This appropriation must be contained in the Ways and Means Committee report on the general appropriations bill, the general appropriations bill at the time of third reading in the House of Representatives, the Senate Finance Committee report on the general appropriations bill, the general appropriations bill at the time of a third reading in the Senate, and in any conference report on the general appropriations bill.

(C) Revenues in the Capital Reserve Fund only may be used in the following manner:

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the percentage amount required by Section 11-11-310, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the requisite percentage amount in the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in Section 36(A), Article III of the Constitution of this State. After the General Reserve Fund is fully restored to the requisite percentage, the monies in the Capital Reserve Fund may be appropriated pursuant to item (2) of this subsection. The Capital Reserve Fund may not be used to offset a midyear budget reduction~~ If, before March first, the Board of Economic Advisors' revenue forecast for the current fiscal year projects that

revenues at the end of the fiscal year will be less than expenditures authorized by appropriations for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced by the Executive Budget Office to the extent necessary before mandating any reductions in operating appropriations.

(2) ~~Subsequent to appropriations required by item (1)~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(D)(1) Any appropriation of monies from the Capital Reserve Fund as provided in subsection (C) of this section must be ranked in priority of expenditure and is effective on September first of the following fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced by the State Budget and Control Board based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied by the board to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(2) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in subsection (C) of this section or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund.

(E) For purposes of this section, 'applicable percentage amount' means three percent of general fund revenue of the latest completed fiscal year. The three percent requirement shall be reached by adding a cumulative one-quarter of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the two percent limit applied until the percentage of such revenue equals three percent which then and thereafter shall apply."

B. Article 3, Chapter 11, Title 11 of the 1976 Code is amended by adding:

"Section 11-11-325. At any time during the current fiscal year, if the Board of Economic Advisors' revenue forecast projects that revenues for the current fiscal year will be less than appropriated expenditures for

this year, the Director of the Executive Budget Office in mandating necessary cuts during the current fiscal year to eliminate the projected deficit must first reduce to the extent necessary the appropriation to the Capital Reserve Fund, prior to mandating any cuts in operating appropriation."

C. Section 11-9-1140(B)(1) of the 1976 Code is amended to read:

"(B)(1) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by three percent or less below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, within three days of that determination, the Director of the Executive Budget Office, after reducing the appropriation to the Capital Reserve Fund pursuant to Section 11-11-325, must reduce general fund appropriations by the requisite amount in the manner prescribed by law. Upon making the reduction, the Director of the Executive Budget Office immediately must notify the State Treasurer and the Comptroller General of the reduction, and upon notification, the appropriations are considered reduced. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the Director of the Executive Budget Office. A reduction of rate of expenditure by the Director of the Executive Budget Office, under authority of this section, must be applied as uniformly as shall be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government."

SECTION 3. (A) The provisions of SECTION 1 of this act take effect upon the ratification of an amendment to Section 36(A), Article III of the Constitution of this State raising the general reserve fund from five percent of general fund revenue of the latest completed fiscal year to seven percent of such revenues in the manner provided in the section.

(B) The provisions of SECTION 2 of this act take effect upon the ratification of an amendment to Section 36(B), Article III of the Constitution of this State raising the capital reserve fund from two percent of the general fund revenue of the latest completed fiscal year to three percent of such revenues and to allow the Capital Reserve Fund to be used first to offset midyear budget reductions. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Bill was carried over.

READ THE SECOND TIME

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander, Young and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn, Kimbrell and Turner: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH

AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS. (Abbreviated Title)

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 3:38 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 947 -- Senators Grooms, Climer and Garrett: A BILL TO AMEND SECTION 56-23-20 OF THE 1976 CODE, RELATING TO DRIVER TRAINING SCHOOLS, TO PROVIDE THAT ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES PURSUANT TO SECTION 33-49-160 ARE PERMITTED TO PROVIDE DRIVER EDUCATION TRAINING.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN spoke on the Bill.

On motion of Senator MARTIN, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, DEBATE INTERRUPTED

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn and Fanning: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

The Committee on Judiciary proposed the following amendment (JUD0133.004), which was carried over:

Amend the joint resolution, as and if amended, by striking all after the title and inserting therein the following:

/ Whereas, the founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States, and

Whereas, it is the solemn duty of the states to protect the liberty of our people—particularly for the generations to come—by proposing Amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power. Now, therefore,

Be it therefore resolved by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

SECTION 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

SECTION 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 4. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was carried over.

Amendment No. 1A

Senators CAMPSEN, MASSEY and RICE proposed the following amendment (JUD0133.006), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the title and inserting therein the following:

/ Whereas, the annual federal budget is not in balance, and the federal public debt is now more than twenty-seven trillion dollars; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

SECTION 2. Copies of this application must be transmitted to the President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the members of the United States Senate and the United States House of Representatives from this State.

SECTION 3. Copies of this resolution must also be transmitted to the presiding officers of each of the legislative houses in the several states, requesting their cooperation in this endeavor.

SECTION 4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. This application supersedes all previous applications by this General Assembly on the same subject.

SECTION 5. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 2A

Senator HUTTO proposed the following amendment (133CBH3):

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of the State of South Carolina, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints. Any proposed amendment shall not include limiting the right to keep and bear arms. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Point of Quorum

At 5:06 P.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Celeste Pringle of Georgetown, S.C. Dr. Pringle was a retired educator from the Georgetown School District for more than 45 years. She held numerous positions as teacher, assistant principal, director of student support services, principal and retired as deputy superintendent. Dr. Pringle was a mentor to teachers and administrators throughout the State. She was well respected and admired in the community and beyond. Dr. Pringle was a loving mother and devoted sister who will be dearly missed.

ADJOURNMENT

At 5:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 16, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 23: 1 and 4c

We all know that most familiar Psalm: "The Lord is my shepherd, I shall not want. . . your rod and your staff they comfort me."

Pray with me, my friends: Time and time again, O Lord, in our moments of despair and loss of hope, we find the comfort we need through turning to You, celebrating Your presence with us. So we ask that You will unfailingly bless the members of this Senate and their aides, dear God. After all, in these days of ongoing strife and worry and unsettledness, we all turn to You for encouragement and for Your gifts of hope and loving guidance. And we further ask You to embrace in Your care all of our troops, O Lord, wherever these brave patriots might serve. And here in these troubling days may all of us experience the comfort and the hopefulness found in the loving Shepherd, in whose name we fervently pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Cash	Climer
Cromer	Davis	Gambrell
Garrett	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Peeler
Rice	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5037
Agency: Department of Labor, Licensing and Regulation-Board of Funeral Service
Chapter: 57
Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70
SUBJECT: Licensing Provisions; and Continuing Education
Received by Lieutenant Governor May 11, 2021
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 8, 2022
Withdrawn and Resubmitted March 16, 2022

Leave of Absence

On motion of Senator MASSEY, at 1:07 P.M., Senators GOLDFINCH and GUSTAFSON were granted a leave of absence for the day.

Leave of Absence

On motion of Senator HUTTO, at 1:34 P.M., Senator MATTHEWS was granted a leave of absence for the day.

Leave of Absence

On motion of Senator TURNER, at 2:55 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TURNER, at 2:55 P.M., Senator HEMBREE was granted a leave of absence until 3:30 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 002 Sen. Turner
S. 366 Sen. Malloy

RECALLED

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

Senator PEELER asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1137 -- Senator Hembree: A SENATE RESOLUTION TO COMMEND THE ROTARY CLUB OF LITTLE RIVER FOR ITS EXEMPLARY EFFORTS TO EDUCATE CHILDREN AND THEIR PARENTS ABOUT WATER SAFETY, TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO BECOME BETTER INFORMED ABOUT PREVENTION OF CHILD DROWNINGS AND THE PRACTICE OF WATER SAFETY, AND TO DECLARE SATURDAY, APRIL 2, 2022, AS "JOSH THE OTTER WATER SAFETY DAY" IN SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Fish, Game and Forestry.

The Resolution was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1170 -- Senators Hembree, K. Johnson and Malloy: A BILL TO AMEND SECTION 59-152-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCAL FIRST STEPS PARTNERSHIP BOARDS, SO AS TO REVISE THE COMPOSITION, MANNER OF APPOINTMENT, AND TERMS OF MEMBERSHIP OF THE BOARDS; AND TO AMEND SECTION 59-152-70, RELATING TO REQUIREMENTS FOR LOCAL FIRST STEPS PARTNERSHIP

BOARDS, SO AS TO REVISE THE REQUIRED CORPORATE STATUS OF THE BOARDS.
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Read the first time and referred to the Committee on Education.

S. 1171 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE THE SUMTER ROTARY CLUB, TO COMMEND THAT ORGANIZATION FOR ONE HUNDRED YEARS OF DISTINGUISHED SERVICE TO OUR STATE, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN THE YEARS TO COME.
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The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEE

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 366 -- Senators Talley, Hutto and Malloy: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND

TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 471 -- Senators Rankin and Sabb: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS,

AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE

CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 1032 -- Senators Martin, Verdin and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor - Appointed:

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

House - Majority:

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE* Donald H. Jackson

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor - Appointed:

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

Received as information.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Governor - Appointed:

F. Xavier Starkes, PO Box 1497, Columbia, SC 29202-1497 *VICE* Ashleigh R. Wilson

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

S. 1157 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

On motion of Senator HUTTO.

H. 5098 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE CONSOLIDATION OF BAMBERG EHRHARDT SCHOOL DISTRICT ONE AND DENMARK OLAR SCHOOL DISTRICT TWO (THE TWO PRESENT SCHOOL DISTRICTS) INTO ONE SCHOOL DISTRICT KNOWN AS THE BAMBERG COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE TWO PRESENT SCHOOL DISTRICTS' BOARDS OF TRUSTEES IF THE APPOINTMENTS TO THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES RESULT IN THE ABSENCE OF A QUORUM ON BOTH OF THE TWO PRESENT DISTRICTS' BOARDS OF TRUSTEES.

On motion of Senator HUTTO.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR

DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4944 -- Rep. McGinnis: A BILL TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

CARRIED OVER

S. 712 -- Senators Davis, Hutto and Garrett: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

On motion of Senator CASH, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (812CBH2), which was adopted:

Amend the bill, as and if amended, page 11, by striking lines 10-14 and inserting the following:

/ (a) any conviction of a felony or of any crime with an element of dishonesty or fraud, under the laws of the United States, of this State, or of any other state if the acts involved constitute a crime under state laws;/

Amend the bill further, as and if amended, page 25, by striking line 39 and inserting the following:

/ (1) conviction of a felony or of any crime with an element of /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY

GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

On motion of Senator TURNER, the Bill was carried over.

WEDNESDAY, MARCH 16, 2022

OBJECTION

S. 1130 -- Senators Kimbrell and Garrett: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROVIDE THAT LOCAL LAWS AND ORDINANCES RELATED TO THE REGULATION AND ENFORCEMENT OF THE RIGHT OF MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS TO EXERCISE THEIR CONSCIENCE, WHETHER SUCH CONSCIENCE IS INFORMED BY RELIGION, MORAL, ETHICAL, OR PHILOSOPHIC BELIEFS, ARE PREEMPTED AND SUPERSEDED BY LAWS ENACTED BY THE GENERAL ASSEMBLY AND REGULATIONS PROMULGATED BY STATE AGENCIES PURSUANT TO THOSE LAWS.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL explained the Bill.

Senator KIMPSON objected to further consideration of the Bill.

POINT OF ORDER

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE

CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin and Senn: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1159 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5087, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1160 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5088, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1161 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL PLUMBING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5098, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1162 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL

FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5086, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1163 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5085, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1164 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5084, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1165 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5074, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1166 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF COSMETOLOGY, RELATING TO EMERGENCY TEMPORARY WORK PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5034, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:01 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

WEDNESDAY, MARCH 16, 2022

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

March 14, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-127, S. 862, which seeks to amend Act No. 184 of 2020, consolidating the Hampton County School District ("District"), by vesting the District with total fiscal autonomy and altering the manner in which the District receives funds. For the reasons set forth below, I am compelled to veto S. 862.

As the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" and "where a general law can be made applicable." S.C. Const. art. VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted in the context of public education, "legislation regarding education is not exempt from the requirements of Article III, § 34(IX)." Therefore, I carefully review and consider all such legislation presented to me and scrutinize the same in view of the governing law. Absent other issues or infirmities, I have, on occasion, signed local legislation that is not clearly unconstitutional, such as where a general law could not be made applicable or the General Assembly has established that a special law is necessary to "best meet the exigencies of [this] particular situation." *Charleston Cty. Sch. Dist. v. Harrell*, 393 S.C. 552, 559, 713 S.E.2d 604, 608 (2011). Regardless, I have consistently cautioned the General Assembly to avoid or limit the regular resort to this practice and encouraged legislators to address similar issues in the future by passing laws of uniform, statewide application.

Here, S. 862 plainly pertains to only Hampton County and does not appear to satisfy any recognized exception to the constitutional prohibition on local or special legislation. Although I approved Act No. 184 of 2020, which established the consolidated Hampton County School District, it was readily apparent that such legislation was necessary to "best meet the exigencies of [that] particular situation" and it was not clear that a general law could be made applicable. *Id.* However, now, less than two years later, the General Assembly seeks to tweak that enabling and consolidating legislation. Because the General Assembly has not demonstrated that this special legislation is necessary, I must respectfully veto the same. *See Richardson v. McCutchen*, 278 S.C. 117, 119, 292 S.E.2d 787, 788 (1982) (noting that "[t]he prohibition is applicable to . . . the amendment of prior special legislation").

To the extent S. 862 seeks to alter the manner in which the District receives funds, perhaps this proposal is borne of concerns previously raised regarding the Hampton County Treasurer and Hampton County's financial affairs more generally. However, the General Assembly has not established any such nexus or identified the requisite exigencies, as required by the South Carolina Supreme Court in other contexts. Nevertheless, even assuming these concerns prompted S. 862, they do more to bolster my argument that the General Assembly should expand the oversight and investigatory authority of the State Inspector General than they do to support this effort to expand the fiscal autonomy of the recently consolidated Hampton County School District. Accordingly, I am compelled to reiterate my longstanding concerns regarding the General Assembly's seemingly routine reliance on local or special legislation, which has produced a patchwork of authorities governing South Carolina's schools and school districts.

For the foregoing reasons, I am respectfully vetoing R-127, S. 862 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

The veto of the Governor was taken up for immediate consideration.

Senator HUTTO moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

March 14, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-128, S. 912, which seeks to amend Act No. 593 of 1992, imposing limitations on the allowable amount of cash reserves for Dorchester County School District Nos. 2 and 4 ("Districts"), so as to increase the permissible amount of cash in reserves from 5% to 15% of the Districts' total operating budgets. The Bill also seeks to exempt Dorchester County School District No. 4 from the increased limit for Fiscal Year 2021–2022. For the reasons set forth below, I am compelled to veto S. 912.

As the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" and "where a general law can be made applicable." S.C. Const. art. VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted in the context of public education, "legislation regarding education is not exempt from the requirements of Article III, § 34(IX)." Therefore, I carefully review and consider all such legislation presented to me and scrutinize the same in view of the governing law. Absent other issues or infirmities, I have, on occasion, signed local legislation that is not clearly unconstitutional, such as where a general law could not be made applicable or the General Assembly has established that a special law is necessary to "best meet the exigencies of [this] particular situation." *Charleston Cty. Sch. Dist. v. Harrell*, 393 S.C. 552, 559, 713 S.E.2d 604, 608 (2011). Regardless, I have consistently cautioned the General Assembly to avoid or limit the regular resort to this practice and encouraged legislators to address similar issues in the future by passing laws of uniform, statewide application.

Here, S. 912 would apply to only a single county, and the General Assembly has not established that a special law is necessary to "best meet the exigencies of [this] particular situation." *Id.* Moreover, it appears that a general law could be made applicable. Indeed, given the significant federal funds currently available to school districts, whatever the concern is that prompted this Bill, one can fairly presume that other

school districts are facing the same or similar issue. Therefore, rather than micromanaging the operations of these Districts (and others) through piecemeal and inconsistent special legislation, this matter is likely worthy of consideration, and scrutiny, on a statewide basis. Accordingly, I am compelled to reiterate my longstanding concerns regarding the General Assembly's seemingly routine reliance on local or special legislation, which has produced a patchwork of authorities governing South Carolina's schools and school districts.

For the foregoing reasons, I am respectfully vetoing R-128, S. 912 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R128, S912) -- Senator Stephens: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

The veto of the Governor was taken up for immediate consideration.

Senator STEPHENS moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis

Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 947 -- Senators Grooms, Climer and Garrett: A BILL TO AMEND SECTION 56-23-20 OF THE 1976 CODE, RELATING TO DRIVER TRAINING SCHOOLS, TO PROVIDE THAT ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES PURSUANT TO SECTION 33-49-160 ARE PERMITTED TO PROVIDE DRIVER EDUCATION TRAINING.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S

INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

READ THE SECOND TIME

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn and Fanning: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

Amendment No. 2A

Senator HUTTO proposed the following amendment (133CBH3), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of the State of South Carolina, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

Any proposed amendment shall not include limiting the right to keep and bear arms. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 22; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Massey	Peeler	Rice
Senn	Talley	Turner
Young		

Total--22

NAYS

Allen	Corbin	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Martin
McElveen	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Williams	

Total--17

The amendment was laid on the table.

The Committee on Judiciary proposed the following amendment (JUD0133.004), which was tabled:

Amend the joint resolution, as and if amended, by striking all after the title and inserting therein the following:

/ Whereas, the founders of our constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people -- particularly for the generations to come -- by proposing Amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power. Now, therefore,

Be it therefore resolved by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

SECTION 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

SECTION 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 4. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.
Senator KIMPSON spoke on the Resolution.
Senator SABB spoke on the Resolution.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and ladies and gentlemen of the Senate. Let me start by expressing my appreciation to the United States of America that saw fit to evolve over a course of years in the search to become a more perfect union, so I appreciate Her, Senator HARPOOTLIAN. Her, being the United States of America. I really believe that we make a mistake if we do not debate this issue in a serious kind of a way. One of the things that I have marveled about, since I have been a member of this Body, is oftentimes in committee meetings -- Senator CLIMER might say, "Well you know, I went back and I looked at the prior hearings to get a better understanding about what I'm hearing or about to hear." Actually, go back and research something because they want to make sure that they have gotten enough information to try to get something right. One could argue in this debate that it is an exercise in futility because it is never going to happen. There is never going to be a Convention of States. It is simply not going to happen. Before it happens, Congress will wake up and they will put into place the kinds of measures where the states will say no we do not need to do this. So, then states will have done what they believe is necessary to get Congress' attention. Ladies and gentlemen of the Senate, if that happens then I do not have a concern. My concern -- what if by some stretch of the imagination there is a Convention of States. What happens? Well, Justice Antonin Scalia, when dealing with this issue is quoted as saying, "I certainly would not want a Constitutional Convention, whoa! Who knows what would come out of it." That is a justice of the United States Supreme Court. A learned scholar in the issues of the Constitution of our Union expressing a deep concern about what happens if there is a Constitutional Convention. Well, I know the scholars in here know that the last time they talked about a Constitutional Convention; it was on the Articles of Confederation. That is what they went in talking about and came out with the United States Constitution. That is my opinion because there were no sufficient rules in place to control the conversation. I would submit to this Body that there are no rules in place to control a Constitutional Convention. I do believe everything is on the table, and here is what is even more troubling to me than just that. We have talked

about before this notion of experiments and democracy, and how that is what we live in right now, and the question is how strong is our Union, or how fragile is our democracy? I have maintained in terms of how we live in the State of South Carolina and in the United States of America that we are but a few votes away from turning back the clock. So, then I think it is incumbent upon every lawmaker everywhere to make sure that those kinds of rules, those kinds of laws are never enacted, because we ought to be about the business of going forward and not going backwards. We talked a bit about this experiment in democracy and we mentioned this notion of an experiment as it relates to the Convention of States -- nobody really knows. I understand that there was a simulated Convention of States that took place between the dates of September 21 to September 23, 2016. They simulated a Convention of States in Williamsburg, Virginia. That experiment based upon my reading did not exactly flush out the way that some had hoped and anticipated. I think one of the things that it did was highlighted some of the problems with a Convention of States. One of the things that I had an appreciation for, for a long period of time, and this experience with Convention of States has done nothing but reiterated what I always thought -- and that is, the well intentions of a lot of the proponents of this Bill. I appreciate, frankly, the information that some of you have been kind enough to share beyond the passage of the prior petition. The information relating to how many states are attempting to do what South Carolina is attempting to do. As I understand it, there is an intent to put a law in place. Such that if one of the delegates were to go beyond the directives then that delegate may face criminal penalties -- and grant you the real legal question as to whether or not that law will be constitutional, and whether or not that law can be enforceable because it's clear that those delegates will be performing a federal duty -- covered under the auspices of the federal government. So then the question is, "Can the state penalize an individual who is performing federal duties?" I am not a legal scholar so I do not know the answer to the question but I would venture to say, "I'm not alone. I'm absolutely not alone." Therefore, the question is, whether or not it is enforceable, but here is what I appreciate. -- we know that we are I think, the 19th state on the other petition. I missed yesterday, so I do not know how many states there are as it relates to this particular petition. Out of the 19 states, I believe and somebody correct me if I'm wrong, there were either eight or nine that have at least attempted to put safeguards in place so that if the delegates go rogue there are some consequences. What does that say? That says that there is no uniformity in how we approach this notion of controlling the convention. All that

does is give opportunities for a wide-open kind of a convention where all cards are on the table, and to me, that is a serious problem. I have not heard any of the proponents of this Bill say that we want a wide-open convention. What I have heard is, "We want to control the convention." The question is can we really. We talked a bit about what rules would govern the convention. I think many of us were satisfied that Mason's Manual likely would be the one or if it is replaced. Here is the beauty or the absence of beauty in most of those kind of rules. Almost all of them, that I am aware of, says, in there we can do what? Change the rules so we will end up adopting rules where the rules say we can change the rules. That is almost a formula for no rules at all, or at least none in the beginning such that reasonable people can see it and say, well, wait a minute, there are rules in place. We cannot have any real confidence in that. Because they can be what? Be changed. I want to make sure in the annals of South Carolina history that if this record is reviewed, it is clear that we did not ignore the obvious. We did not just vote on the obvious because we thought it was popular, or in our heart of hearts, and minds of minds we thought it was the thing to do. We listened to what is considered the good. Somebody might call it the Clint Eastwood rule of rule -- what is considered the bad, and even what is considered the ugly. I do not believe that we have a situation, and I have to confess they say confession is good for the soul. I do not have the numbers on the balanced budget petition, so I do not know what the approach is for the proponents of this legislation. We do know what the approach was of the proponents of the prior legislation that has been passed by this Body. We know they could achieve their goals of getting 34 states to do the petition which would account for less than a third of American voters, and that if all it takes is a simple majority of them to pass the measure -- follow it, then we're talking about less than 17% of American voters. There's something fundamentally wrong and flawed when we allow 17% of the people of the United States of America to decide that we want to talk about changing the Constitution. In my mind, there is something fundamentally wrong with that. It flies in the face, in my opinion, of what we represent in terms of majority rules and that is why some have questioned whether or not it ought to be one state, one vote. I submit that will be a question that will override many of the conversations if this convention were ever to take place. Why? If we represent 83% of America, why should we be compelled to participate in an exercise that is controlled by 17%? Why should we have to do that? I mean it just seems fundamentally unfair to me for 17% of America to be able to tell the other 83% what they are required to do under our Constitution, but

that is where we are headed. I appreciate so many of you for so many reasons. I think one of the things that I witnessed last week was conversations relating to our economy and where we ought to head. I, like Senator KIMPSON, appreciate those who bring levels of expertise to those kinds of issues. I always said to my basketball team back in my coaching days, "Hey, you've got to be a student of the game. You know, you got to be willing to learn and to adjust based on what you encounter, because you want to be a better athlete tomorrow than you are today. So the way that you grow and the way that you develop is to be a student of the game." Well, such is the case, I think, as relates to us and our duties and our responsibilities. We have to be students of this Body, and so we are unwilling to listen. If we are unwilling to follow the lead of those who know, then in my opinion it is a missed opportunity. It is a missed opportunity to grow and to develop and so I appreciate the conversation, and I especially appreciate and I will talk about an issue that Senator KIMPSON mentioned because I think that it fits, I think it is in sync. When I heard this notion that it is easy to do the easy things, but it is hard to do the hard things, and I think that is applicable in so many ways, and in so many areas of what we encounter. I think if one were to examine what we have done this year as a Senate, in terms of some of the Bills that have moved, I think perhaps there might be one or two of us that are amazed that we got so much done so quickly. I really think y'all that talking about race relations is a tough issue. I think it is a hard issue, and I would just encourage all of us to please, ma'ams and sirs, consider tackling hard issues. I have to say this -- I believe that we are all products of our experience. I think that what we encounter makes, molds, and shapes us into the individual that we ultimately are and are becoming. So, every once in a while an experience comes our way that we ought to be enriched and enhanced by, and every once in a while that experience puts us in a position to not just talk what we think and talk what we feel, but actually talk what we know. Therefore, when we think in terms of the Hate Crime Bill something was thrown our way, not something that we asked for. Frankly, something that we all wish we could have avoided encountering, but it was thrown our way. No other Senate in the United States of America has encountered what this Senate has encountered. No one has been victimized in a manner in which we have been victimized. I would submit that puts us in a position to lead based upon our experience and it is a missed opportunity. If we are the only one that does not act, it is a missed opportunity, because we are not reacting to our experience, and some would see divine that in which we encounter. I am not qualified to say that, but I know what I have experienced in the

short time that I have been a member of this South Carolina Senate. I am urging my friends and neighbors to dig deep and so say let us at least have this hard conversation. I think we are eminently qualified to deal with it based upon those personal experiences that we have all had. I know that those of you who are not in the Body at that moment witnessed it just like all of South Carolina and the United States of America and the rest of the world witnessed it. We must not in my opinion -- my humble opinion we must take a step backwards. My grandmother used to tell me, "Son, you cannot control what people say about you, but you can control whether or not it is true." Therefore, I say that as a preference to saying that there would be some that would maintain that the reason why we have not acted is that we condone the conduct. There can be nothing farther than the truth, and I know like my grandmother said, we cannot control what they say, but y'all, we can erase the reasons why they say it. I believe that if a full and fair debate takes place, I believe this Body would move. I believe this Body would act and I believe we would get it right just like we have done on many of the other tough issues that have confronted this State and us over the years. I am finished with that.

I want to make two more points and then I will take my seat. The other important issue, I believe, is -- and I have to talk about the other Bill just for a minute, and its vagueness. I am sure that the architects in that drafted the Bill considered the four corners of what has been said, but I believe the drafters would have to admit that it is vague. I have an even greater appreciation as I reflected on my conversations with Senator KIMPSON and the things that we agreed with and we had scholarly disagreements about. One of the things that is clear and what I call petition number one is that it is unclear, and the biggest way to make mistakes, I think, is where there is an absence of clarity -- an absence of clarity -- I do not know who else wants to speak after I am finished, but I have an appreciation for the right to speak. I have an appreciation for the fact that most of us who disagree with the others of us would still defend our right to speak about that which we disagree with. Therefore, for the third time in conclusion, I will ever be mindful of something that I encountered when I just became a member of the Senate. Frankly, I do not remember what it was, but it was a compelling issue involving the State of South Carolina. One of the older, my humble opinion learned members of this Body, made it clear to the media and I think in a worldly like fashion, of course -- I don't know how far his words traveled. He said, "Look, we are not Republican Senators, we're not Democratic Senators, we are Senators of the State of South Carolina." I believed that

statement to be true then. I believe that statement to be true now, but I would submit that that statement is a kin to experiment in democracy. I believe that statement to be fragile. I believe that statement to be breakable, but as long as the members of this Chamber are mindful of it and its significance, then it will last. Why should it last? It should last because of what we are most proud of, and that is this institution. Thank you, Mr. PRESIDENT.

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator SABB, were ordered printed in the Journal.

The question then was second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Davis	Fanning	Gambrell
Garrett	Grooms	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Corbin	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Martin
McElveen	McLeod	Sabb
Scott	Setzler	Stephens
Williams		

Total--16

There being no further amendments, the Resolution was read the second time, passed and ordered to a third reading.

WEDNESDAY, MARCH 16, 2022

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED
READ THE SECOND TIME

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn, Kimbrell and Turner: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\2C004.CC.VR21), which was adopted:

Amend the bill, as and if amended, by striking all the enacting words and inserting:

/ SECTION 1. On the effective date of this act:

(1) there is created the Department of Behavioral and Public Health;

(2) the divisions, offices, and programs of the Department of Health and Environmental Control that perform health-related functions shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Behavioral and Public Health;

(3) the divisions, offices, and programs of the Department of Alcohol and Other Drug Abuse Services shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Alcohol and Other Drug Abuse Services being transferred to and devolved upon the Department of Behavioral and Public Health;

(4)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Mental Health shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Mental Health being transferred to and devolved upon the Department of Behavioral and Public Health;

(b) the authority to establish, manage, and operate veterans homes shall be transferred to the Department of Veterans' Affairs, and all powers and duties assigned to the Department of Mental Health regarding veterans homes being transferred to and devolved upon the Department of Veterans' Affairs. To the extent, the Department of Mental Health owns the grounds upon which these veterans homes are located, title shall be transferred to the Department of Veterans' Affairs;

(5) there is created the Department of Environmental Services;

(6)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Health and Environmental Control that perform functions related to regulation and protection of the environment shall become divisions, offices, and programs of the Department of Environmental Services with the director of the department being

deemed the head of the divisions, offices, and programs unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Environmental Services;

(b) the food safety program in the Division of Food and Lead Risk Assessment and the Milk and Dairy Lab of the Department of Health and Environmental Control shall become a division of the Department of Agriculture with the director of that department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Agriculture;

(7) the hydrology and aquatic nuisance species programs of the Land, Water and Conservation Division of the Department of Natural Resources shall become a division of the Department of Environmental Services, and all relevant powers and duties assigned to the Department of Natural Resources being transferred to and devolved upon the Department of Environmental Services;

(8) the flood mitigation program of the Department and Natural Resources shall become a program of the Office of Resilience and all relevant powers and duties assigned to the Department of Natural Resources being transferred to and devolved upon the Office of Resilience; and

(9) the South Carolina Department of Alcohol and Other Drug Abuse Services, South Carolina Mental Health Commission, the South Carolina Department of Mental Health, the South Carolina Department of Health and Environmental Control, and the South Carolina Board of Health and Environmental Control shall be abolished.

SECTION 2. Chapter 1, Title 44 of the 1976 Code is amended to read:

"CHAPTER 1

Department of ~~Health and Environmental Control~~

Behavioral and Public Health

Article 1

General Provisions

Section 44-1-10. There is created the Department of Behavioral and Public Health comprised of:

(1) the Division of Public Health;

(2) the Division of Alcohol and Other Drug Abuse Services; and

(3) the Division of Mental Health.

Section 44-1-20. ~~There is created the South Carolina Department of Health and Environmental Control which shall be administered under the~~

~~supervision of the South Carolina Board of Health and Environmental Control. The board shall consist of eight members, one from each congressional district, and one from the State at large to be appointed by the Governor, upon the advice and consent of the Senate. The member who is appointed at large shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.~~ (A) The Governor shall appoint a Director of the Department of Behavioral and Public Health pursuant to Section 1-30-10(B)(1) with the advice and consent of the Senate who manages the department and who may appoint deputies for the divisions pursuant to Section 1-30-10(E).

(B) If a vacancy occurs in the department when the Senate is not in session, the Governor may appoint a director to fill the vacancy until the Senate acts on the appointment.

(C) The director is subject to removal by the Governor as provided for in Section 1-3-240.

Section 44-1-30. ~~The Board shall meet at least quarterly and the members shall receive such compensation for their services as is provided by law for members of boards and commissions.~~ The director shall have all authority and duties as provided for in Chapter 30, Title 1.

~~Section 44-1-40. The board shall select a director for the department who shall serve a four-year term and who shall have such authority and perform such duties as may be directed by the board. The salary of the director shall be fixed by the board, upon approval of the State Budget and Control Board. For any vacancy occurring in the office of director on or after February 1, 1995, the board, after consultation with and approval by the Governor, must submit the name of its appointee to the Senate for the Senate's advice and consent. On or after February 1, 1995, the board may remove a director only after consultation with and approval by the Governor.~~

~~Section 44-1-50. The board may conduct such administrative reviews as may be required by law, as considered necessary by the board to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.~~

~~The board shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the board may appoint such advisory boards as it considers necessary to carry out the functions of Sections 44-1-10 to 44-1-70, and there shall be provided a compensation for their services as provided by the law for members of boards and commissions.~~

Section 44-1-60. (A) All ~~department~~ decisions of the Department of Behavioral and Public Health involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case~~, except a decision to establish a baseline or setback line,~~ must be made using the procedures set forth in this section. ~~A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 44-1-65.~~

(B) The department ~~staff~~ shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

(C) ~~The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.~~

~~(D)~~ In making a ~~staff~~ decision ~~on any~~ about a permit, license, certification or other approval, the department staff shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition ~~such~~ a permit, license, certification or other approval. At the time that ~~such staff~~ a decision is made, the department shall issue a ~~department~~ written decision~~,~~ and shall base its ~~department~~ decision on the administrative record, which ~~shall~~ must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification or

other approval. The administrative record ~~may~~ also may include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department ~~decision need not be issued for routine permits for which no adverse public comments have been received~~ is not required to issue a written decision for issuance of routine permits for which the department has not received adverse public comments.

~~(E)~~(D)(1)~~Notice of a~~ The department ~~decision must be sent~~ shall send a notice of a decision by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of ~~staff~~ decisions for which a ~~department~~ written decision is not required pursuant to subsection ~~(D)~~(C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

~~(2) The staff decision becomes the final agency decision fifteen calendar days after notice of the staff decision has been mailed to the applicant, unless a written request for final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person.~~

~~(3) The filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses.~~

~~(F) No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days' written notice of the conference; and advise the~~

~~applicant that evidence may be presented at the conference. The final review conference must be held as follows:~~

~~(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.~~

(2) ~~After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference.~~ Within thirty calendar days after the receipt of the decision pursuant to item (1) an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the ~~final~~ agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.

~~(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.~~

~~(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:~~

~~(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or~~

~~(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or~~

~~(3) the final agency decision resulting from the final review conference is received by the parties.~~

~~(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.~~

~~(I) The department may promulgate regulations providing for procedures for final reviews.~~

~~(J) Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process.~~

(E) If ~~any~~ a deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

~~Section 44-1-65. (A) In making a staff decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(D), or if the department conducts a final review conference related to a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(F), the department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.~~

~~(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:~~

~~(1) only an applicant, permittee, licensee, or affected person may request a final review conference pursuant to Section 44-1-60(F);~~

~~(2) only an affected person may request a contested case hearing pursuant to Section 44-1-60(G);~~

~~(3) only an applicant, permittee, licensee, or affected person may become a party to a final review conference;~~

~~(4) only an affected person may become a party to a contested case hearing; and~~

~~(5) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the Administrative Procedures Act.~~

~~(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant's complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application, including, but not limited to, the construction of a residence.~~

~~(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy-two hours to provide in writing a withdrawal or rescission of the waiver.~~

~~(D)(1) An applicant, permittee, licensee, or affected person who has exhausted all administrative remedies within the department relating to a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, and who is aggrieved by a final decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.~~

~~(2) Notwithstanding any other provision of law, a final decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner's property line or located one thousand feet or more from an adjacent property owner's residence.~~

~~(E) For purposes of this section, "affected person" means a property owner with standing within a one mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.~~

Section 44-1-70. All ~~rules and~~ regulations promulgated by the ~~Board~~ department shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation.

Article 3

Division of Public Health

Section 44-1-75. There is established the Division of Public Health within the Department of Behavioral and Public Health. The division shall be vested with all the public health-related functions, powers, and duties of the divisions, offices, and programs of the Department of Health and Environmental Control on the effective date of this act.

Section 44-1-80. (A) The ~~Board of Health and Environmental Control~~ Department of Behavioral and Public Health or its designated agents must investigate the reported causes of communicable or epidemic disease and must enforce or prescribe these preventive measures as may be needed to suppress or prevent the spread of these diseases by proper quarantine or other measures of prevention, as may be necessary to protect the citizens of the State. The ~~Board of Health and Environmental Control~~ department or its designated agents shall declare, when the facts justify it, any place as infected and, in case of hydrophobia or other diseases transmitted from animals to man, must declare such animal or animals quarantined, and must place all such restrictions upon ingress and egress of persons or animals therefrom as may be, in its judgment, necessary to prevent the spread of disease from the infected locality.

(B)(1) Whenever the ~~board~~ department learns of a case of a reportable illness or health condition, an unusual cluster, or a suspicious event that it reasonably believes has the potential to cause a public health emergency, as defined in Section 44-4-130, it is authorized to notify the appropriate public safety authority, tribal authorities, and federal health and public safety authorities.

(2) The sharing of information on reportable illnesses, health conditions, unusual clusters, or suspicious events between authorized personnel must be restricted to information necessary for the treatment, control, investigation, and prevention of a public health emergency. Restriction of access to this information to those authorized personnel for the protection of public health ensures compliance with all state and federal health information privacy laws.

(3) The ~~board~~ department and its agents ~~must~~ shall have full access to medical records and nonmedical records when necessary to investigate the causes, character, and means of preventing the spread of a qualifying health event or public health emergency. For purposes of this item, 'nonmedical records' ~~mean~~ means records of entities, including businesses, health facilities, and pharmacies, which are needed to

adequately identify and locate persons believed to have been potentially exposed or known to have been infected with a contagious disease.

(4) An order of the ~~board~~ department given to effectuate the purposes of this subsection is enforceable immediately by the public safety authority.

(5) For purposes of this subsection, the terms qualifying health event, public health emergency, and public safety authority have the same meanings as provided in Section 44-4-130.

Section 44-1-90. The ~~State Board of Health and Environmental Control~~ Department of Behavioral and Public Health or its designated agents, when it is deemed necessary by the municipal officers of any town or city or the governing body of any county, may (a) visit cities, towns, villages, or localities where disease is prevalent or threatened, (b) investigate and advise with the local authorities or persons as to such measures as may tend to prevent the spread of disease or to remove or abate causes that may tend to cause or intensify disease, (c) advise, when practicable or possible, as to measures of sanitation or hygiene, and (d) investigate and advise as to all matters respecting water supply, sewage, drainage, ventilation, heating, lighting, or other measures connected with public sanitation or safety.

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns must aid and assist the Director of the ~~Department of Health and Environmental Control~~ Division of Public Health and must carry out and obey his orders, or those of the ~~Department of Health and Environmental Control~~ division, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. During a state of public health emergency, as defined in Section 44-4-130, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44.

Section 44-1-110. (A) The Department of ~~Health and Environmental Control~~ Behavioral and Public Health is invested with all the rights and charged with all the duties pertaining to organizations of like character and is the sole advisor of the State in all questions involving the protection of the public health within its limits.

(B) ~~It shall~~ The department, through its representatives, shall investigate the causes, character, and means of preventing the epidemic

and endemic diseases as the State is liable to suffer from and the influence of climate, location, and occupations, habits, drainage, scavengering, water supply, heating, and ventilation. It ~~shall have~~ has, upon request, full access to the medical records, tumor registries, and other special disease record systems maintained by physicians, hospitals, and other health facilities as necessary to carry out its investigation of these diseases. No physician, hospital, or health facility, or person in charge of these records is liable in any action-at-law for permitting the examination or review. Patient-identifying information elicited from these records and registries must be kept confidential by the department, and ~~it~~ the information is exempt from the provisions of Chapter 4, ~~of~~ Title 30. ~~It~~ The department shall supervise and control the quarantine system of the State~~. It~~ and may establish quarantine both by land and sea.

Section 44-1-130. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health may divide the State into health districts and establish in these districts advisory boards of health which shall consist of representatives from each county in the district. Boards of health now existing in the districts shall have representation on the district advisory board. Counties not having local boards of health ~~shall~~ must be represented by individuals appointed by the county legislative delegation. The number of members of a district advisory board ~~shall~~ must be determined by the department with due consideration to the population and community needs of the district. District advisory boards of health ~~shall be~~ are subject to the supervisory and advisory control of the department. District advisory boards are charged with the duty of advising the district medical director or administrator in all matters of sanitary interest and scientific importance bearing upon the protection of the public health. The district medical director or administrator ~~shall be~~ is the secretary of the advisory board, and the district advisory board shall elect annually from its membership a chairman.

Section 44-1-140. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

~~(1) For the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats and other vehicles of transportation in this State and all convict camps, penitentiaries, jails, hotels, schools and other places used by or open to the public;~~

~~(2) For the sanitation of hotels, restaurants, cafes, drugstores, hot dog and hamburger stands, and all other places or establishments providing eating or drinking facilities and all other places known as~~

~~private nursing homes or places of similar nature, operated for gain or profit;~~

~~(3) For the production, storing, labeling, transportation, and selling of milk and milk products, filled milk and filled milk products, imitation milk and imitation milk products, synthetic milk and synthetic milk products, milk derivatives and any other products made in semblance of milk or milk products;~~

~~(4) For the sanitation and control of abattoirs, meat markets, whether the same be definitely provided for that purpose or used in connection with other business, and bottling plants;~~

~~(5) For the classification of waters and for the safety and sanitation in the harvesting, storing, processing, handling and transportation of mollusks, fin fish and crustaceans;~~

~~(6) For the control of disease-bearing insects, including the impounding of waters;~~

~~(7)~~(1) ~~For~~ the safety, safe operation and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs;

~~(8) For the control of industrial plants, including the protection of workers from fumes, gases and dust, whether obnoxious or toxic;~~

~~(9) For the use of water in air humidifiers;~~

~~(10)~~(2) ~~For~~ the care, segregation and isolation of persons having or suspected of having any communicable, contagious, or infectious disease; and

~~(11) For the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction or otherwise;~~

~~(12)~~(3) ~~For~~ the thorough investigation and study of the causes of all diseases, epidemic and otherwise, in this State, the means for the prevention of contagious disease and the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease~~; and~~

~~(13) For alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes~~.

(B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing ~~nuisances~~ conditions dangerous to the public

health and communicable, contagious and infectious diseases, and other danger to the public life and health.

~~Section 44-1-143. (A) For the purposes of this section:~~

~~(1) 'Home-based food production operation' means an individual, operating out of the individual's dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person.~~

~~(2) 'Nonpotentially hazardous foods' are candy and baked goods that are not potentially hazardous foods.~~

~~(3) 'Person' means an individual consumer.~~

~~(4) 'Potentially hazardous foods' includes:~~

~~(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;~~

~~(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:~~

~~Aw values~~	~~pH values~~		
	~~4.6 or less~~	~~>4.6–5.6~~	~~>5.6~~
~~(1) <0.92~~	~~non-PHF~~	~~non-PHF~~	
~~(2) >0.92–0.95~~	~~non-PHF~~	~~non-PHF~~	~~PHF~~
~~(3) >0.95~~	~~non-PHF~~	~~PHF~~	~~PHF~~

~~Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.~~

~~(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items, including, but not limited to:~~

~~(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;~~

~~(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and~~

~~prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;~~

~~(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;~~

~~(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and~~

~~(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.~~

~~(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:~~

~~(1) department-approved water supply;~~

~~(2) a separate storage place for ingredients used in foods intended for sale;~~

~~(3) a properly functioning refrigeration unit;~~

~~(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;~~

~~(5) adequate facilities for the storage of utensils and equipment;~~

~~(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;~~

~~(7) a properly functioning toilet facility;~~

~~(8) no evidence of insect or rodent activity; and~~

~~(9) department-approved sewage disposal, either onsite treatment or publicly provided.~~

~~(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:~~

~~(1) the name and address of the home-based food production operation;~~

~~(2) the name of the product being sold;~~

~~(3) the ingredients used to make the product in descending order of predominance by weight; and~~

~~(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: 'NOT FOR RESALE – PROCESSED AND PREPARED BY A HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'~~

~~(E) Home-based food operations only may sell, or offer to sell, food items directly to a person for his own use and not for resale. A home-based food operation may not sell, or offer to sell, food items at wholesale. Food produced from a home-based food production operation must not be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25.~~

~~(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.~~

~~(G) The provisions of this section do not apply to an operation with net earnings of less than five hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).~~

~~Section 44-1-145. (A) Notwithstanding any other provision of law, ground beef or any food containing ground beef prepared by a food service provider for public consumption must be cooked to heat all parts of the food to at least one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), unless otherwise ordered by the immediate consumer.~~

~~(B) The food service provider, its business or its employees or agents, are not liable for any adverse affects to the purchaser or anyone else for providing a ground beef product cooked at an internal temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), if providing the product is at the request of the purchaser and if the food service provider has notified the purchaser in advance that a possible health risk may exist by eating the product. The notice must state that a possible health risk may exist in eating undercooked ground beef at an internal temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), and be given to the purchaser:~~

~~(1) in writing;~~

~~(2) as stated on the menu; or~~

~~(3) by visible sign warning.~~

~~(C) In order for an immediate consumer or purchaser, as used in this section, to request or order ground beef to be cooked to a temperature~~

~~less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), the individual must be eighteen years of age or older.~~

~~Section 44-1-148. Fresh meat or fresh meat products sold to a consumer may not be offered to the public for resale for human consumption if the fresh meat or fresh meat products have been returned by the consumer.~~

Section 44-1-150. (A) ~~Except as provided in Section 44-1-151, a~~ A person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of ~~Health and Environmental Control~~ Behavioral and Public Health, made by the department pursuant to Section 44-1-140, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

(B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued pursuant to Section 44-1-140 is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

(C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

(D) The term 'notice' as used in this section means either actual notice or constructive notice.

~~(E) This section does not apply to fines levied under Section 44-1-140(8) or any other areas regulated by the South Carolina Occupational Health and Safety Act, Section 41-12-10 et seq.~~

~~Section 44-1-151. Notwithstanding any other provision of law, all shellfish involved in any violation of law, including any regulation, regarding shellfish may be confiscated and disposed of at the discretion of the arresting officer. Any person convicted of a second offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than two hundred dollars and not more than five hundred dollars or imprisoned for not less than thirty days and not more than sixty days. Any person convicted of a third or subsequent offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than five hundred dollars and not more than one thousand or imprisoned for not less than sixty days and not more than ninety days. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a first offense of harvesting shellfish in any polluted area, may be impounded at the discretion of the arresting officer. The equipment impounded shall be delivered to the sheriff of the county in which the arrest was made and shall be retained~~

~~by the sheriff. Such equipment may not be returned to the owner until the case has been finally disposed of. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a second, third, or subsequent offense of harvesting shellfish in any polluted area, shall be confiscated. All such confiscated equipment shall be sold at auction by the sheriff of the county in which such second, third, or subsequent offense took place and by a representative of the State Department of Health and Environmental Control, except for weapons, which, following confiscation, shall be disposed of in the manner set forth in Sections 16-23-50, 16-23-460, and 16-23-500.~~

~~Section 44-1-152. Notwithstanding any other provision of law, all revenue from any fine or any forfeiture of bond for any violation of any shellfish law or regulation provided by this title must be deposited monthly with the treasurer of the county in which the arrest for such violation was made. One-third of such revenue must be retained by the county treasurer to be used for the general operating needs of the county pursuant to the direction of the governing body of the county. Two-thirds of such revenue must be remitted quarterly to the state Department of Health and Environmental Control of which one-half is to be used in enforcing shellfish laws and regulations and one-half of such revenue must be remitted quarterly to the state's general fund. All monies derived from auction sales of confiscated equipment pursuant to Section 44-1-151 must be deposited, retained, remitted, and used in the same manner as provided in this section for all revenue derived from any fine or any violation of any shellfish law or regulation. A report of fines for forfeitures of bonds regarding shellfish violations must be sent to the state Department of Health and Environmental Control monthly by each magistrate and clerk of court in this State. A report of monies derived from auction of sales of confiscated equipment must be sent to the state Department of Health and Environmental Control monthly by each sheriff.~~

~~Section 44-1-155. When any person is apprehended by a shellfish patrolman upon a charge of violating the health and sanitary aspects of shellfish, crab, and shrimp laws or regulations, such person upon being served with a summons by the patrolman may in lieu of being immediately brought before the proper judicial officer enter into a formal recognizance or deposit a proper sum of money in lieu of a recognizance or incarceration with the patrolman as bail which shall be not less than the minimum nor more than the maximum fine, but in no case to exceed~~

~~one hundred dollars. The bail shall be turned over to the proper judicial officer. A receipt for the sum so deposited shall be given to the person by the patrolman. The summons duly served shall give the judicial officer jurisdiction to dispose of the matter. Upon receipt of bail the patrolman shall release the person so charged and he may appear in court at the time stated in and required by the summons.~~

Section 44-1-160. Nothing contained in Section 44-1-140 ~~shall~~ in any way ~~abridge or limit~~ abridges or limits the right of ~~any~~ a person to maintain or prosecute ~~any proceedings, civil or criminal,~~ a civil or criminal proceeding against a person maintaining a nuisance.

~~Section 44-1-165. (A) There is established within the Department of Health and Environmental Control the Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The department shall determine the project applications to review, and the process may be applied to any one or all of the permit programs administered by the department.~~

~~(B)(1) Before January 1, 2009, the department shall promulgate regulations necessary to carry out the provisions of this Section. The regulations shall include, but are not limited to, definitions of 'completeness' for applications submitted, consideration of joint federal-state permitting activities, standards for applications submitted that advance environmental protection, and expedited process application review fees.~~

~~(2) Regulations promulgated pursuant to this Section must not alter public notice requirements for any permits, certifications, or licenses issued by the department.~~

~~(C) Until such time as regulations are promulgated pursuant to subsection (B), the department shall conduct a pilot expedited review program to determine the most environmentally sound, cost-efficient, and economically beneficial process for implementation of a statewide expedited review program. The department shall determine which permit programs, or subcomponents of a program, to include in the pilot program and also may establish pilot program expedited process application fees.~~

~~(D) There is created the Expedited Review Fund that is separate and distinct from the general fund of the State and all other funds. Fees established in regulation pursuant to subsection (B)(1) and assessed pursuant to subsection (C) must be credited to the fund and used for the costs of implementing the expedited review program. Interest accruing~~

~~to the fund must be retained by the fund and used for the same purposes. Revenue in the fund not expended during a fiscal year, including fees generated pursuant to subsection (C), must be carried forward to the succeeding fiscal year and must be used for the same purposes.~~

~~(E) No later than January 1, 2008, the department shall report to the Board of Health and Environmental Control the department's findings on the implementation of the pilot expedited review program provided for in subsection (C).~~

Section 44-1-170. The ~~Department of Health and Environmental Control~~ Division of Public Health may direct and supervise the action of the local boards of health in incorporated cities and towns and in all townships in all matters pertaining to ~~such~~ these local boards.

Section 44-1-180. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health may establish charges for maintenance and medical care for all persons served in state health centers and other health facilities under the jurisdiction of the department and by personnel of the department and of the health units under its jurisdiction in homes and any other places where health services are needed. The terms 'medical care' and 'health services' include the services of physicians, dentists, optometrists, nurses, sanitarians, physical therapists, medical social workers, occupational therapists, health aides, speech therapists, X-ray technologists, dietitians, nutritionists, laboratory technicians, and other professional and subprofessional health workers. The charges, which may be adjusted from time to time, ~~shall~~ must be reasonable and based on the total costs of the services rendered, including operating costs, depreciation costs, and all other elements of costs.

Section 44-1-190. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health shall make such investigations as it deems necessary to determine which persons or which of the parents, guardians, trustees, committees, or other persons or agencies legally responsible therefor are financially able to pay the expenses of the care and treatment, and may contract with any person or agency for the care and treatment of any person to the extent permitted by the resources available to the department. The department may require any county or state agency to furnish information which would be helpful to it in making the investigations. In arriving at the amount to be charged, the department shall have due regard for the financial condition and estate of the person, his present and future needs and the present and future needs of his lawful dependents, and whenever considered necessary to protect him or his dependents, may agree to accept a sum less than the

actual cost of services. ~~No~~ A person ~~shall~~ may not be deprived of available health services solely because of inability to pay. ~~No fees shall~~ A fee must not be charged for services which in the judgment of the department should be made freely available in order to protect and promote the public health.

Section 44-1-200. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health may provide home health services to those persons living in areas of the State in which adequate home health services are not available and may charge fees for such services. Home health services ~~shall~~ must include care of the ill and disabled rendered at home including, but not limited to, bedside care, treatment, and rehabilitation services. In order that it may provide such services, the department may employ the necessary personnel, including nurses, physical therapists, speech therapists, occupational therapists, medical social workers, home health aides, nutritionists, and supervisory personnel, and may purchase equipment and materials necessary to maintain an effective program. The department shall, wherever possible, assist and advise nonprofit agencies or associations in the development of home health services programs and may enter into agreements with such agencies or associations specifying the type of assistance and advice it will provide.

Section 44-1-210. All fees and charges collected pursuant to Sections 44-1-180 to 44-1-200, including vital statistics fees as now provided by law, ~~shall~~ must be deposited in the State Treasury and ~~shall~~ must be used in the operation of the public health program of the bureau, division, district health unit, or local county health department which performed the services for which the fees and charges were collected. An annual report ~~shall~~ must be made to the ~~State Budget and Control Board~~ Department of Administration of the receipts and expenditures made under the provisions of Sections 44-1-180 to 44-1-200.

Section 44-1-215. Notwithstanding Section 13-7-85, the Department of ~~Health and Environmental Control~~ Behavioral and Public Health may retain all funds generated in excess of those funds remitted to the general fund in ~~fiscal year~~ Fiscal Year 2000-2001 from fees listed in Regulation R61-64 Title B.

Section 44-1-220. All skilled and intermediate care nursing facilities licensed by the Department of ~~Health and Environmental Control shall~~ Behavioral and Public Health must be required to furnish an item-by-item billing for all charges to the patient or the person paying ~~such~~ the bill, upon request by ~~such~~ the patient or person. Items which remain unpaid are not required to be itemized again. ~~Such requests~~ A

request for itemized billing ~~shall remain~~ remains in effect until further notification by the patient or person paying ~~such~~ the bill. Provided, that the provision herein ~~shall~~ does not apply to the contracted amount of a state or federal agency. Any amount above ~~such~~ a contract ~~shall~~ must be itemized as provided herein.

Section 44-1-230. The Department of ~~Health and Environmental Control~~ Behavioral and Public Health shall give consideration to any benefits available to an individual, including private, group, or other insurance benefits, to meet, in whole or in part, the cost of any medical or health services. ~~Such benefits shall~~ Benefits must be utilized insofar as possible; provided, however, the availability of ~~such~~ benefits ~~shall~~ must not be the sole basis for determining eligibility for program services of the department. Insurance carriers ~~shall~~ must not deny payment of benefits otherwise available to the insured solely on the basis that an individual has applied for, or has been deemed eligible to receive, or has received, services, or on the basis that payments have been made for services by the department.

Section 44-1-260. Upon conducting an early periodic screening, diagnosis, and treatment screening (EPSDT), or another physical examination of a child from which it is determined that the child may benefit from the use of assistive technology, the department or person conducting the screening or examination may refer the child to an appropriate agency for an assistive technology evaluation. For purposes of this section, 'assistive technology' means a device or service which is used to increase, maintain, or improve the functional capacities of an individual with a disability. An 'assistive technology device' ~~is~~ means an item, piece of equipment, or product system, whether acquired commercially, off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capacities of an individual with a disability including, but not limited to, aids for daily living, augmentative communication devices, wheelchairs, and mobility aids, seating and positioning aids, computer aids, environmental controls, home and workplace modifications, prosthetics and orthotics, or aids for vision or hearing impairments. An 'assistive technology service' ~~is~~ means a service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device.

Section 44-1-280. The ~~Board and Department of Health and Environmental Control~~ Department of Behavioral and Public Health in establishing priorities and funding for programs and services which impact on children and families during the first years of a child's life, within the powers and duties granted to it, must support, as appropriate,

the South Carolina First Steps to School Readiness initiative, as established in ~~Title 59, Chapter 152~~ Chapter 152, Title 59, at the state and local levels.

~~Section 44-1-290. A corporation or person whose only purpose is furnishing, supplying, marketing, or selling treated effluent for irrigation purposes, shall not be considered a public utility for purposes of Title 58 by virtue of the furnishing, supplying, marketing, or selling of the treated effluent, provided that the effluent has not been permitted for consumption by the department or other regulatory agency.~~

~~Section 44-1-300. The department shall not use any funds appropriated or authorized to the department to enforce Regulation 61-25 to the extent that its enforcement would prohibit a church or charitable organization from preparing and serving food to the public on their own premises at not more than one function a month or not more than twelve functions a year.~~

Section 44-1-310. (A) The Department of Behavioral and Public Health ~~and Environmental Control~~ shall establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and to develop strategies for the prevention of maternal deaths. The committee must be multidisciplinary and composed of members deemed appropriate by the department. The committee also may review severe maternal morbidity. The department may contract with an external organization to assist in collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the committee, and performing other tasks as may be incident to these activities, including providing the necessary data, information, and resources to ensure successful completion of the ongoing review required by this section.

(B) The State Registrar shall provide the following necessary data from death certificates of women who died within a year of pregnancy to the department staff for review to assist in identifying maternal death information:

(1) name;
(2) date and time of death;
(3) state and county of residence;
(4) date of birth;
(5) marital status;
(6) citizenship status;
(7) United States armed forces veteran status;
(8) educational background;
(9) race and ethnicity;

(10) date and time of injury;
(11) place of injury;
(12) location where injury occurred;
(13) place of death (facility name and/or address);
(14) manner of death;
(15) whether an autopsy was performed and findings available as to the cause of death;
(16) whether tobacco contributed to death;
(17) primary and contributing causes of death.

(C) The State Registrar shall provide the following necessary data from birth certificates or fetal death reports linked to the woman for whom data from the death certificate was provided pursuant to subsection (B), where available, to department staff for review to assist in identifying maternal death information:
(1) medical record number;
(2) date of delivery;
(3) location of event;
(4) name of mother;
(5) mother's date of birth;
(6) mother's race and ethnicity;
(7) mother's pregnancy history;
(8) mother's height and weight;
(9) date of last normal menstrual period;
(10) date of first prenatal visit;
(11) number of prenatal visits;
(12) plurality;
(13) use of WIC during pregnancy;
(14) delivery payment method;
(15) cigarette smoking before and during pregnancy;
(16) risk factors during pregnancy;
(17) infections present or treated during pregnancy;
(18) onset of labor;
(19) obstetric procedures;
(20) characteristics of labor and delivery;
(21) maternal morbidity.

(D) The department must not disclose any information collected under this section that would identify the mother or baby with anyone outside the department, including the committee. Identifying information includes, but may not be limited to, names, addresses more specific than the county of residence, medical record numbers, and dates and times of birth or death.

(E) The department, or its representatives, on behalf of the committee, shall:

(1) extract necessary data elements from death certificates and birth certificates or fetal death reports, as applicable, and provide de-identified information to the committee for its review and consideration;

(2) review and abstract medical records and other relevant data;

(3) contact family members and other affected or involved persons to collect additional data.

(F) The committee shall:

(1) review information and records provided by the department;

(2) determine whether maternal death cases reviewed are pregnancy related, as defined as a death within one year of the pregnancy with a direct or indirect causation related to the pregnancy or postpartum period;

(3) consult with relevant experts to evaluate the records and data;

(4) make determinations regarding the preventability of maternal deaths;

(5) develop recommendations for the prevention of maternal deaths; and

(6) disseminate findings and recommendations pursuant to subsection (J).

(G)(1) Health care providers and pharmacies licensed pursuant to Title 40 shall provide reasonable access to the department and its representatives, on behalf of the committee, to all relevant medical records associated with a case under review by the committee.

(2) A health care provider, health care facility, or pharmacy providing access to medical records pursuant to this subsection are not liable for civil damages or subject to criminal or disciplinary action for good faith efforts in providing the records.

(3) Coroners and law enforcement shall provide reasonable access to the department and its representatives, on behalf of the committee, to all relevant records associated with a case under review by the committee.

(H)(1) Information, records, reports, statements, notes, memoranda, or other data collected pursuant to this section are not admissible as evidence in any action of any kind in any court or before another tribunal, board, agency, or person. The information, records, reports, statements, notes, memoranda, or other data must not be exhibited nor their contents disclosed, in whole or in part, by an officer or a representative of the department or another person, except as necessary for the purpose of

furthering the review of the committee of the case to which they relate. A person participating in a review may not disclose the information obtained except in strict conformity with the review project.

(2) All information, records of interviews, written reports, statements, notes, memoranda, or other data obtained by the department, the committee, and other persons, agencies, or organizations authorized by the department pursuant to this section are confidential.

(I)(1) All proceedings and activities of the committee, opinions of members of the committee formed as a result of the proceedings and activities, and records obtained, created, or maintained pursuant to this section, including records of interviews, written reports, and statements procured by the department or another person, agency, or organization acting jointly or under contract with the department in connection with the requirements of this section, are confidential and are not subject to the provisions of Chapter 4, Title 30 relating to open meetings or public records, or subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. However, this section must not be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the committee's proceedings.

(2) Members of the committee must not be questioned in a civil or criminal proceeding regarding the information presented in or opinions formed as a result of a meeting or communication of the committee. However, this section must not be construed to prevent a member of the committee from testifying to information obtained independently of the committee or which is public information.

(J) Reports of aggregated nonindividually identifiable data for the previous calendar year must be compiled and disseminated by March first of the following year in an effort to further study the causes and problems associated with maternal deaths. Reports must be distributed to the General Assembly, the Director of the Department of Behavioral and Public Health ~~and Environmental Control~~, health care providers and facilities, key governmental agencies, and others necessary to reduce the maternal death rate.

(K) Members shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

(L) The department shall apply for and use any available federal or private monies to help fund the costs associated with implementing the provisions of this section.

~~Section 44-1-315. (A) For purposes of the section, "impacted location" means any facility issued or otherwise subject to a permit, license, or approval from the North Carolina Department of Environment and Natural Resources that has now been determined to be located within the jurisdiction of the South Carolina Department of Health and Environmental Control as a result of the amendments to Section 1-1-10, effective January 1, 2017.~~

~~(B) Notwithstanding any other provision of law, the South Carolina Department of Health and Environmental Control, in issuing any environmental permit, license, or approval to an impacted location shall provide a schedule of compliance that allows the permittee a reasonable period of time to be no greater than five years to come into compliance with any South Carolina environmental rule, regulation, or standard established by the department or by law that has no corresponding rule, regulation, or standard under North Carolina law or regulation, or is more stringent than the corresponding rule, regulation, or standard established under North Carolina law or regulation. The department may include increments of progress applicable in each year of the schedule established under this subsection, and may shorten the period of compliance as necessary to prevent an imminent threat to the public health and environment. The department may extend a permittee's compliance schedule under this section beyond five years upon written application by the permittee only if the department determines that circumstances reasonably require such an extension, and the extension of time would pose no threat to public health or the environment.~~"

SECTION 3. Chapter 9, Title 44 of the 1976 Code is amended to read:

"CHAPTER 9

~~State Department~~ Division of Mental Health, Department of Behavioral and Public Health

Section 44-9-10. There is ~~hereby~~ created the ~~State Department~~ Division of Mental Health within the Department of Behavioral and Public Health which ~~shall have~~ has jurisdiction over all of the state's mental hospitals, clinics and centers, joint state and community sponsored mental health clinics and centers, and facilities for the treatment and care of alcohol and drug addicts, including the authority to name each facility.

Section 44-9-20. All the powers and duties vested in the South Carolina Mental Health Commission immediately ~~prior to~~ before March 26, 1964, are ~~hereby~~ transferred to and vested in the Division of Mental Health, Department of ~~Mental Health~~ Behavioral and Public Health. All

records, files, and other papers belonging to the South Carolina Mental Health Commission ~~shall~~ must be continued as part of the records and files of the ~~Department~~ Division of Mental Health, Department of Behavioral and Public Health.

~~Section 44-9-30. (A)(1) There is created the governing board for the State Department of Mental Health known as the South Carolina Mental Health Commission. The commission shall consist of seven members, one from each congressional district, appointed by the Governor, upon the advice and consent of the Senate.~~

~~(2) The Governor shall consider consumer and family representation when appointing members.~~

~~(B) The members serve for terms of five years and until their successors are appointed and qualify. The terms of no more than two members may expire in one year. The Governor may remove a member pursuant to the provisions of Section 1-3-240. A vacancy must be filled by the Governor for the unexpired portion of the term.~~

~~(C) The commission shall determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel.~~

~~(D) The members shall receive the same subsistence, mileage, and per diem provided by law for members of state boards, committees, and commissions.~~

Section 44-9-40. The ~~Mental Health Commission~~ Director of the Department of Behavioral and Public Health shall appoint and remove ~~a state director of Mental Health, who is chief executive of the State Department of Mental Health~~ the Director of the Division of Mental Health. ~~Subject to the supervision and control of the Mental Health Commission,~~ The ~~state~~ division director shall administer the policies and regulations ~~established by the commission~~ of the department. The division director must be a person of proven executive and administrative ability with appropriate education and substantial experience in the field of mental illness treatment. ~~The director must appoint and remove all other officers and employees of the Department of Mental Health, subject to the approval of the Mental Health Commission.~~

Section 44-9-50. The ~~Department~~ Division of Mental Health may be divided into ~~such divisions~~ subdivisions as may be authorized by the Director of ~~Mental Health and approved by the commission~~ the Department of Behavioral and Public Health. ~~One of the divisions must be a Division on Alcohol and Drug Addiction which shall have primary responsibility in the State for treatment of alcohol and drug addicts.~~ One

of the ~~divisions~~ subdivisions must be ~~a Division~~ the Office for Long Term Care which ~~shall have~~ has primary responsibility for care and treatment of elderly persons with mental and physical disabilities to the extent that their needs are not met in other facilities either public or private.

Section 44-9-60. The ~~director of the Department of Mental Health~~ Director of the Division of Mental Health may appoint a director of each hospital. Each director must be knowledgeable in the treatment of the mentally ill and in hospital administration. The director of each hospital under the jurisdiction of the Department of ~~Mental Health~~ Behavioral and Public Health is responsible for the employment of all personnel at the hospital, subject to the approval of the director of the department. The director of the ~~department~~ division may serve as director of one or more hospitals or other mental health facilities.

Section 44-9-70. The ~~State department of Mental Health~~ Department of Behavioral and Public Health is ~~hereby~~ designated as the state's mental health authority for purposes of administering federal funds allotted to South Carolina under the provisions of the National Mental Health Act, as amended. The ~~State department~~ Division of Mental Health is ~~further~~ designated as the state ~~agency~~ entity authorized to administer minimum standards and requirements for mental health clinics as conditions for participation in federal-state grants-in-aid under the provisions of the National Mental Health Act, as amended, and is authorized to promote and develop community mental health outpatient clinics. Provided, that nothing in this article ~~shall~~ may be construed to prohibit the operation of outpatient mental health clinics by the ~~South Carolina Medical College~~ Medical University of South Carolina Hospital in Charleston. ~~Provided, further, that nothing herein shall be construed to include any of the functions or responsibilities now granted the Department of Health and Environmental Control, or the administration of the State Hospital Construction Act (Hill-Burton Act), as provided in the 1976 Code of Laws and amendments thereto.~~

Section 44-9-80. Payments made to a mental health facility which are derived in whole or in part from federal funds which become available after June 30, 1967, and which are provided with the stipulation that they be used to improve services to patients ~~shall~~ are not ~~be~~ considered fees from paying patients under the terms of Act No. 1100 of 1964 but may be utilized by the ~~State department~~ Division of Mental Health to improve South Carolina's comprehensive mental health program.

Section 44-9-90. The ~~commission~~ Division of Mental Health shall:

~~(1) form a body corporate in deed and in law with all the powers incident to corporations;~~

~~(2)~~(1) cooperate with persons in charge of ~~penal~~ correctional institutions in this State for the purpose of providing proper care and treatment for mental patients confined in ~~penal~~ these institutions because of emergency;

~~(3)~~(2) inaugurate and maintain an appropriate mental health education and public relations program;

~~(4)~~(3) collect statistics bearing on mental illness, drug addiction, and alcoholism;

~~(5)~~(4) provide vocational training and medical treatment which must tend to the mental and physical betterment of patients and which is designed to lessen the increase of mental illness, drug addiction, and alcoholism;

~~(6)~~(5) encourage the directors of hospitals and their medical staffs in the investigation and study of these subjects and of mental health treatment in general; and

~~(7)~~(6) provide a statewide system for the delivery of mental health services to treat, care for, reduce, and prevent mental illness and provide mental health services for citizens of this State, whether or not in a hospital. The system must include services to prevent or postpone the commitment or recommitment of citizens to hospitals.

Section 44-9-100. The ~~commission~~ Division of Mental Health may:

(1) prescribe the form of and information to be contained in applications, records, reports, and medical certificates provided for under this chapter, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52;

(2) require reports from the director of a state hospital relating to the admission, examination, diagnosis, discharge, or conditional discharge of a patient;

(3) investigate complaints made by a patient or by a person on behalf of a patient;

(4) adopt regulations not inconsistent with this chapter, Chapter 11, Chapter 13, Article 1 ~~of~~, Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52 as it may find to be reasonably necessary for the government of all institutions over which it has authority and of state mental health facilities and the proper and efficient treatment of persons with a mental illness or substance abuse disorder;

(5) take appropriate action to initiate and develop relationships and agreements with state, local, federal, and private agencies, hospitals, and clinics as the ~~commission~~ director considers necessary to increase and enhance the accessibility and delivery of emergency and all other types of mental health services.

Section 44-9-110. The ~~Mental Health Commission~~ director may accept on behalf of the Department ~~of Mental Health~~ Behavioral and Public Health or any of its facilities or services, gifts, bequests, devises, grants, donations of money or real and personal property of whatever kind, but ~~no such~~ a gift or grant ~~shall~~ may not be accepted upon the condition that it ~~shall~~ diminish an obligation due the department. The ~~Commission~~ director may refuse to accept ~~any such~~ this gift or grant and the acceptance of ~~any such~~ this gift or grant ~~shall~~ may not incur ~~any~~ an obligation on the part of the State. ~~Any~~ A gift or grant given to a specific facility or service ~~shall~~ must be used for that facility or service only, or to its successor. The ~~Commission~~ department may promulgate ~~rules and~~ regulations governing the disposition of ~~such~~ these gifts and grants.

Section 44-9-120. The ~~Commission~~ director shall submit an annual report to the Governor ~~before the eleventh day of~~ by January eleventh of each year setting forth its activities, the financial affairs, and the state and condition of the state mental health facilities and ~~any~~ other statistical information which is usually required of facilities of the type over which it has charge. The report shall include ~~any~~ recommendations ~~which~~ that in the opinion of the ~~Commission~~ director will improve the mental health program of the State. A copy of the report ~~shall also~~ must be submitted to the General Assembly.

Section 44-9-160. ~~Wherever in~~ In the 1976 Code when reference is made to the State Hospital, it ~~shall mean~~ means a state hospital; wherever reference is made requiring the signature of the superintendent of any mental health facility, it ~~shall mean~~ means the director or superintendent or his designee; and wherever reference is made to the State Commissioner of Mental Health, it ~~shall mean~~ means the ~~State~~ Director of the Department of ~~Mental Health~~ Behavioral and Public Health."

SECTION 4. Chapter 49, Title 44 of the 1976 Code is amended to read:

"CHAPTER 49

~~Department~~ Division of Alcohol and Other Drug Abuse Services, Department of Behavioral and Public Health

Section 44-49-10. (A) There is established the ~~Department~~ Division of Alcohol and Other Drug Abuse Services within the Department of Behavioral and Public Health. The ~~department shall be~~ Division of

Alcohol and Other Drug Abuse Services is vested with all the functions, powers, and duties, of the ~~South Carolina Commission on Alcoholism and the South Carolina Commission on Alcohol and Drug Abuse~~ Department of Alcohol and Other Drug Abuse Services related to the delivery of services and shall have full authority for formulating, coordinating, and administering the state plans for controlling narcotics and controlled substances and alcohol abuse and for providing treatment to people with alcohol and drug addictions.

(B) All functions, powers, and duties of the former commissioner of the narcotics and controlled substances section of the former State Planning and Grants Division (Division of Administration in the Office of the Governor) are hereby transferred to the ~~department~~ division, except those powers and duties related to the traffic of narcotics and controlled substances as defined in Section 44-53-130 which ~~shall be~~ are vested in the State Law Enforcement Division.

(C) All ~~rules and~~ regulations promulgated by the ~~commissioner of narcotics and controlled substances~~ Department of Alcohol and Other Drug Abuse Services shall remain in effect until changed by the ~~department~~ Department of Behavioral and Public Health.

(D) The ~~department~~ Department of Behavioral and Public Health is authorized to establish a block grant mechanism to provide such monies as may be ~~appropriated by the Legislature~~ disbursed to the department for this purpose to each of the agencies designated under Section 61-12-20(a). The distribution of these monies must be on a per capita basis according to the most recent United States Census. The agencies designated under Section 61-12-20(a) must expend any funds received through this mechanism in accordance with the county plans required under Section 61-12-20(b).

(E) The department is authorized to develop ~~such~~ rules and regulations not inconsistent with the provisions of this chapter as it may find to be reasonably appropriate for the government of the county plans called for in Section 61-12-20(b), and the financial and programmatic accountability of funds provided under this section and all other funds provided by the department to agencies designated under Section 61-12-20(a).

Section 44-49-20. The ~~Department~~ Division of Alcohol and Other Drug Abuse Services ~~shall~~ must be headed by a director appointed by the ~~Governor, upon the advice and consent of the Senate. The director is subject to removal by the Governor pursuant to the provisions of Section 1-3-240~~ Director of the Department of Behavioral and Public Health.

Section 44-49-40. (A) The ~~department~~ division shall arrange for the exchange of information between governmental officials concerning the use and abuse of controlled substances.

~~(B) Results, information, and evidence received from the Department of Health and Environmental Control relating to the regulatory functions of this chapter and Article 3 of Chapter 53, including results of inspections conducted by such department, may be relied upon and acted upon by the department in conformance with its administration and coordinating duties under this Chapter and Article 3 of Chapter 53.~~

~~(C)(1)~~(B) The ~~department~~ division shall:

(1) plan, coordinate and cooperate in educational programs for schools, communities, and general public designed to prevent and deter misuse and abuse of controlled substances;

(2) promote better recognition of the problems of misuse and abuse of controlled substances within the regulated industry and among interested groups and organizations;

(3) assist the regulated industry, interested groups and organizations in contributing to the reduction of misuse and abuse of controlled substances;

(4) consult with interested groups and organizations to aid them in solving administrative and organizational problems;

(5) evaluate procedures, projects, techniques, and controls conducted or proposed as part of educational programs on misuse and abuse of controlled substances;

(6) disseminate the results of research on misuse and abuse of controlled substances to promote a better public understanding of what problems exist and what can be done to combat them;

(7) assist in the education and training of state and local law enforcement officials in their efforts to control misuse and abuse of controlled substances;

(8) encourage research on misuse and abuse of controlled substances;

(9) cooperate in establishing methods to assess accurately the effects of controlled substances and to identify and characterize controlled substances with potential for abuse;

(10) cooperate in making studies and in undertaking programs of research to:

(a) develop new or improved approaches, techniques, systems, equipment, and devices to strengthen the enforcement of this section, Sections 44-49-10~~, 44-49-40~~ and 44-49-50, and Article 3 ~~of~~, Chapter 53;

(b) determine patterns of misuse and abuse of controlled substances and the social effects ~~thereof~~; and

(c) improve methods for preventing, predicting, understanding, and dealing with the misuse and abuse of controlled substances.

~~(D)~~(C) The department may enter into contracts with public agencies, institutions of higher education, and private organizations or individuals for the purpose of conducting research, demonstrations, or special projects which bear directly on misuse and abuse of controlled substances.

~~(E)~~(D) The department may enter into contracts for educational and research activities without performance bonds.

~~(F)~~(E) The department is authorized to accept gifts, bequests, devises, contributions, and grants, public or private, including federal funds, or funds from any other source for use in furthering the purpose of the department. The department is authorized to administer the grants and contracts arising from the federal program entitled the Drug-Free Schools and Communities Act of 1986, P.L. 99-570.

Section 44-49-50. It ~~shall be~~ is the duty of all departments, officers, agencies, and employees of the State to cooperate with the ~~Department~~ Division of Alcohol and Other Drug Abuse Services in carrying out its functions. The Attorney General shall furnish ~~such~~ legal services as are necessary to the division.

Section 44-49-60. The ~~department~~ division shall appoint a supervisor of adult education for the prevention of alcoholism, who ~~shall be~~ is responsible for activating and implementing an adequate alcoholic education program for the citizens of this State above high school age. The program ~~shall~~ must be designed to prevent or reduce alcoholism in this State and to create a recognition and understanding of the problem.

~~In carrying out the provisions of this section the department and the supervisor of adult education for the prevention of alcoholism may consult and work in conjunction with groups such as Alcoholics Anonymous, the Yale Center of Alcohol Studies of Yale University, the Research Council on Problems of Alcohol of the American Association for the Advancement of Science, the South Carolina Medical Association, the department of Mental Health, the Christian Action Council, the Committee on Alcoholism of the South Carolina Conference of Social Work and other groups or agencies that are able to assist in the study, prevention, treatment and rehabilitation of alcoholics and in a scientific educational program on the problems of alcohol.~~

Section 44-49-70. The ~~department~~ division shall furnish the supervisor of adult education for the prevention of alcoholism adequate

ways and means to accomplish an effective educational program for the prevention of alcoholism in this State.

Section 44-49-80. The ~~department~~ division shall establish a program to provide alcohol and drug abuse intervention, prevention, and treatment services for the public schools of the State. The ~~department~~ division shall provide staff and support necessary to administer the program. Funds for this program must be annually appropriated by the General Assembly from the Education Improvement Act of 1984 Fund as it determines appropriate. The appropriated funds must be forwarded to the ~~South Carolina~~ Department of Behavioral and Public Health for disbursal to the Division of Alcohol and Other Drug Abuse Services from the Education Improvement Act of 1984 Fund in the manner the State Treasurer shall direct."

SECTION 5. Chapter 11, Title 25 of the 1976 Code is amended by adding:

"Article 7

South Carolina Veteran Homes

Section 25-11-710. The Department of Veterans' Affairs, in mutual agreement with the authorities of the United States Veterans Administration, may establish and operate South Carolina veterans homes to provide treatment for South Carolina veterans who require long-term nursing care. The Department of Veterans' Affairs is designated as the agency of the State to apply for and to accept gifts, grants, and other contributions from the federal government or from any other governmental unit for the operation and construction of South Carolina veterans homes. The Department of Veterans' Affairs may consult with the Department of Behavioral and Public Health and the Office of the Governor concerning the policies, management, and operation of the South Carolina veterans homes.

Section 25-11-720. For the purpose of Section 25-11-710, 'South Carolina veterans' means any ex-service South Carolina citizen who was discharged under other than dishonorable conditions and who served in any branch of the military or naval service of the United States."

SECTION 6.A. Section 44-11-10(1) of the 1976 Code is amended to read:

"(1) those inpatient facilities as authorized by the Department of ~~Mental~~ Behavioral and Public Health and funded by legislative appropriations, including facilities for the evaluation and treatment of mentally ill persons, facilities for the evaluation and treatment of chemically dependent persons, and long-term care facilities; and"

B. Section 44-11-60 of the 1976 Code is amended to read:

"Section 44-11-60. The ~~Mental Health Commission~~ Department of Behavioral and Public Health shall establish mental health clinics throughout the State and shall supervise them."

C. Section 44-11-70 of the 1976 Code is amended to read:

"Section 44-11-70. The Department of ~~Mental~~ Behavioral and Public Health may employ law enforcement officers as may be necessary to maintain the security of state mental health facilities. The law enforcement officers must be vested with all the powers and charged with all the duties of police officers generally. They may, without warrant, arrest persons guilty of disorderly conduct or of trespass on state mental health facilities and have them tried in any court of competent jurisdiction."

SECTION 7.A. Section 44-13-20 of the 1976 Code is amended to read:

"Section 44-13-20. Any individual, legally a resident of this State, ordered to be admitted to any mental health facility under the laws of any other state, may be admitted, upon satisfactory proof of residence, to care and treatment in any state mental health facility of this State. The orders of any court of competent jurisdiction of another state or of the District of Columbia authorizing admittance of such individual to a mental health facility shall have the same force and effect upon his transfer to this State as a lawful order of any court of competent jurisdiction in this State. A certified copy of such order shall be furnished the Department of ~~Mental~~ Behavioral and Public Health prior to the issuance by the department ~~of Mental Health~~ of any authorization of transfer of such patient. Jurisdiction in all further matters relating to such mentally ill person shall vest in the judge of probate of the county in which the mental health facility, to which such person is admitted, is located, during his confinement therein, or the judge of probate of the county in which he is legally resident."

B. Section 44-13-30 of the 1976 Code is amended to read:

"Section 44-13-30. Unless he was admitted pursuant to the Interstate Compact on Mental Health as set out in Section 44-25-20 or a supplementary agreement thereto, if any person admitted to a State mental health facility is not a citizen of this State, the superintendent of the facility concerned shall immediately notify the Department of ~~Mental~~ Behavioral and Public Health, and the department ~~of Mental Health~~ shall notify the mental health commission or other appropriate agency of the state of which the patient or trainee is a citizen. If the state of his citizenship fails to provide for his removal within a reasonable time, the department ~~of Mental Health~~ shall cause him to be delivered to the

officials authorized by law to care for similar persons pending their commitment to state institutions of the state of his citizenship. The cost of these proceedings and conveyance from this State shall be borne by this State under reciprocity agreements made by the department ~~of Mental Health~~ with the mental health authorities of other states. In entering upon such reciprocal agreements with other states, the department ~~of Mental Health~~ shall provide that the requirements necessary to gain residence in this State shall not be less than those required for the acquisition of residence in the other contracting state. The department ~~of Mental Health~~ may, however, in cases of undue hardship waive the requirements of residence, for cause."

C. Section 44-13-40 of the 1976 Code is amended to read:

"Section 44-13-40. If any person admitted to a State mental health facility is not a citizen of the United States, the superintendent of the facility concerned shall immediately notify the Department of ~~Mental~~ Behavioral and Public Health of the name of the person and all ascertainable information as to race, nativity, date of last arrival in the United States, the name of the vessel on which he arrived, the port at which he landed and the name of the transporting company. The department ~~of Mental Health~~ shall transmit this information to the appropriate United States authorities and shall continue to provide care and treatment for the patient or trainee pending arrangements for his deportation."

D. Section 44-13-60 of the 1976 Code is amended to read:

"Section 44-13-60. The Department of ~~Mental~~ Behavioral and Public Health shall investigate the case of each patient or trainee in a State mental health facility who is simply mentally or physically infirm or who is a harmless mental defective or harmless epileptic. When, in the opinion of the department ~~of Mental Health~~, the family, guardian, trustee, committee or other person legally responsible for the person is financially able to provide for his care, it shall, when in the opinion of the department ~~of Mental Health~~ this is advisable, transfer the patient or trainee to the custody of that person. If all persons legally responsible for the patient or trainee are financially unable to provide for his care, the department ~~of Mental Health~~ shall, when practicable, transfer the custody of the person to the county health authorities of the county of which the patient or trainee was a resident prior to admittance."

SECTION 8.A. Section 44-15-10 of the 1976 Code is amended to read:

"Section 44-15-10. Any county, city, town, political subdivision, or any combination thereof, of over one hundred thousand population, and

upon consent of the South Carolina Department of ~~Mental~~ Behavioral and Public Health, any city, county, town, or political subdivision, or combination thereof, with less than one hundred thousand population, may establish a community mental health services program and may establish clinics and staff them with persons specially trained in psychiatry and related fields. Such programs and clinics may be administered by a county, city, town, political subdivision or nonprofit corporation or a community mental health board established pursuant to this article."

B. The undesignated, introductory paragraph of Section 44-15-20 of the 1976 Code is amended to read:

"The Department of ~~Mental~~ Behavioral and Public Health may, when funds are available for such purposes, make grants to assist counties, cities, towns, political subdivisions or any combinations thereof, or any nonprofit corporation, in the establishment and operation of local mental health programs to provide the following services:"

C. Section 44-15-30 of the 1976 Code is amended to read:

"Section 44-15-30. Any county, city, town, political subdivision, nonprofit corporation or community mental health board administering a mental health services program may apply for the assistance provided by this article by submitting annually to the Department of ~~Mental~~ Behavioral and Public Health its plan and budget for the next fiscal year together with the recommendations of the community mental health board. No program shall be eligible for such assistance unless its plan and budget have been approved by the department."

D. Section 44-15-60 of the 1976 Code is amended to read:

"Section 44-15-60. Every county, city, town, or political subdivision, or combination of them, establishing a community mental health services program, before it may come within this article, shall establish a community mental health board to be made up of not less than seven nor more than fifteen members. Membership of the boards, so far as may be practicable, must be representatives of local health departments, medical societies, county welfare boards, hospital boards, and lay associations concerned with mental health as well as labor, business, and civic groups, and the general public. At least one member of the board must be a medical doctor licensed to practice medicine in this State. The members must be appointed by the Governor upon the recommendation of a majority of the members of the legislative delegations of the counties participating. The legislative delegations and the Governor shall consider consumer and family representation, including parents of emotionally disturbed children and adolescents, when recommending and appointing

members to the board. By resolution a county legislative delegation may delegate to the governing body of the county they represent the authority to recommend board members to the Governor. The resolution is not revocable, and copies of the resolution must be sent to the Governor, the Department of ~~Mental~~ Behavioral and Public Health, and the governing bodies of the counties concerned. The number of members representing each county must be proportional to its population. The term of office of each member of the community mental health board is four years and until the member's successor is appointed. Vacancies must be filled for the unexpired term in the same manner as original appointments. A member of a board may be removed by the Governor pursuant to the provisions of Section 1-3-240. A person may serve consecutive terms."

E. The undesignated, introductory paragraph of Section 44-15-70 of the 1976 Code is amended to read:

"Subject to the provisions of this article and the rules and regulations of the Department of ~~Mental~~ Behavioral and Public Health, each community mental health board shall:"

F.1. The undesignated, introductory paragraph of Section 44-15-80 of the 1976 Code is amended to read:

"Section 44-15-80. In addition to the powers and duties already conferred by law, the Department of ~~Mental~~ Behavioral and Public Health shall:"

2. Section 44-15-80(8) of the 1976 Code is amended to read:

"(8) Employ personnel, certified by the merit system as classified according to existing job classifications, including a State Director of Community Mental Health Services, to be under the supervision of the director of the department ~~of Mental Health~~, to implement the provisions of this article."

G.Section 44-15-90 of the 1976 Code is amended to read:

"Section 44-15-90. If any balances of appropriations for the program authorized by this article are unexpended during any fiscal year, the Department of ~~Mental~~ Behavioral and Public Health may carry such balances forward to the next fiscal year; provided, that not more than five per cent of the amount appropriated during any fiscal year shall be carried forward."

SECTION 9.A. Section 44-17-450 of the 1976 Code is amended to read:

"Section 44-17-450. The Department of ~~Mental~~ Behavioral and Public Health, in conjunction with its local mental health centers acting as the preadmission facilities, must develop and maintain a preadmission screening and evaluation service for all psychiatric emergencies at the

local community level utilizing available local resources for mentally ill persons. The preadmission screening services must act as the public mental health system's entry point in order (1) to provide to the examining physician information about accessible crisis intervention, evaluation, and referral services in the community; (2) to offer to mentally ill persons clinically appropriate alternatives to inpatient care, if any; and when necessary (3) to provide a means for involuntary commitment."

B. Section 44-17-460 of the 1976 Code is amended to read:

"Section 44-17-460. Prior to the emergency admission of any person to a psychiatric facility of the Department of ~~Mental~~ Behavioral and Public Health, the person must be examined by a licensed physician. The physician must inform the mental health center in the county where the person resides or where the examination takes place of the mental and physical treatment needs of the patient. The physician must consult with the center regarding the commitment/admission process and the available treatment options and alternatives in lieu of hospitalization at a state psychiatric facility.

The examining physician must complete a statement that he has consulted with the local mental health center prior to the admission of the person to a state psychiatric facility. If the physician does not consult with the center, he must state a clinical reason for his failure to do so. The statement must accompany the physician's certificate and written application for emergency commitment. The department, in its discretion, may refuse to admit a patient to its facility if the physician fails to complete the statement required by this section."

C. Section 44-17-580(A)(2) of the 1976 Code is amended to read:

"(2) there is a likelihood of serious harm to himself or others, the court shall order in-patient or out-patient treatment at a mental health facility, public or private, designated by the Department of ~~Mental~~ Behavioral and Public Health and may order out-patient treatment following in-patient treatment. If the court finds that the person is not mentally ill and not in need of involuntary treatment, the court shall dismiss the proceedings."

D. Section 44-17-860 of the 1976 Code is amended to read:

"Section 44-17-860. It shall be unlawful for any person, without prior authorization from the patient's attending physician, to take or cause to be taken any patient away from the grounds of any facility under the jurisdiction of the Department of ~~Mental~~ Behavioral and Public Health. Any person violating the provisions of this section shall be fined

in a sum of not more than one thousand dollars or imprisoned for not exceeding one year, or both."

E. Section 44-17-865 of the 1976 Code is amended to read:

"Section 44-17-865. If any person involuntarily committed to a facility under the jurisdiction of the Department of ~~Mental~~ Behavioral and Public Health is absent without proper authorization, the department shall immediately notify by telephone the appropriate state and local law enforcement officials of such absence. Such notice shall also be confirmed in writing and mailed to such law enforcement officials within twenty-four hours after the absence is discovered."

F. Section 44-17-870 of the 1976 Code is amended to read:

"Section 44-17-870. If a patient involuntarily committed to a facility under the jurisdiction of the State Department of ~~Mental~~ Behavioral and Public Health is absent without proper authorization, a state or local law enforcement officer or employee of the department appointed pursuant to Section 44-11-70, upon the request of the facility superintendent or director or a designee and without the necessity of a warrant or a court order, may take the patient into custody and return the patient to a facility designated by the department. No person may be reconfined pursuant to this section after being continuously absent from the jurisdiction of the department for at least one year unless criminal charges are still pending against the patient or unless he was committed to a facility of the department pursuant to Chapter 24, Title 17."

SECTION 10.A. Section 44-22-10(2) and (4) of the 1976 Code is amended to read:

"(2) 'Director' means the Director of the Department of ~~Mental~~ Behavioral and Public Health.

(4) 'Department' means the State Department of ~~Mental~~ Behavioral and Public Health."

B. Section 44-22-110(C) of the 1976 Code is amended to read:

"(C) Patients and guardians denied access to medical records may appeal the refusal to the Director of the Department of ~~Mental~~ Behavioral and Public Health. The director of the residential program shall notify the patient or guardian of the right to appeal."

SECTION 11.A. Section 44-23-10(3) and (5) of the 1976 Code is amended to read:

"(3) 'Department' means the South Carolina Department of ~~Mental~~ Behavioral and Public Health.

(5) 'Director' means the Director of the South Carolina Department of ~~Mental~~ Behavioral and Public Health."

B. Section 44-23-210 of the 1976 Code is amended to read:

"Section 44-23-210. A person confined in a state institution or a person confined in a state or private mental health or intellectual disability facility may be transferred to another mental health or intellectual disability facility if:

(1) the director of a state institution not under the jurisdiction of the Department of Behavioral and Public Health's Division of Mental Health requests the admission of a person confined there to a state mental health facility if the person is suspected of having a mental illness. If after full examination by two designated examiners, one of whom must be a licensed physician, the director of the mental health facility is of the opinion that the person has a mental illness, the director shall notify the director of the institution or the facility to which the person was admitted who shall commence proceedings pursuant to Sections 44-17-510 through 44-17-610;

(2) the director of a facility in which the patient resides determines that it would be consistent with the medical needs of the person, the ~~department~~ Division of Mental Health may transfer or authorize the transfer of the patient from one facility to another. If the transfer is from a less restricted facility to a substantially more secure facility and the patient objects to the transfer, a hearing to give the patient a reasonable opportunity to contest the transfer must be held pursuant to Sections 44-17-540 through 44-17-570. When a patient is transferred, written notice must be given to the patient's legal guardian, attorney, parents, or spouse or, if none be known, to the patient's nearest known relative or friend. This section may not be construed to apply to transfers of a patient within a mental health facility; or

(3) the legal guardian, parent, spouse, relative, or friend of an involuntary patient submits a request for the transfer of the patient from one ~~department~~ Division of Mental Health facility to another and the reasons for desiring the transfer and unless the ~~department~~ Division of Mental Health reasonably determines that it would be inconsistent with the medical needs of the person, the transfer must be made. If the transfer is from a less restricted to a substantially more secure facility, item (2) governs."

C. Section 44-23-220 of the 1976 Code is amended to read:

"Section 44-23-220. No person who is mentally ill or who has an intellectual disability shall be confined for safekeeping in any jail. If it appears to the officer in charge of the jail that such a person is in prison, he shall immediately cause the person to be examined by two examiners designated by the Department of Behavioral and Public Health's Division of Mental Health or the Department of Disabilities and Special

Needs, or both, and if in their opinion admission to a mental health or intellectual disability facility is warranted, the officer in charge of the jail shall commence proceedings pursuant to Sections 44-17-510 through 44-17-610, or Section 44-21-90. If hospitalization is ordered, the person shall be discharged from the custody of the officer in charge of the jail and shall be admitted to an appropriate mental health or intellectual disability facility."

D.Section 44-23-410 of the 1976 Code is amended to read:

"Section 44-23-410. (A) Whenever a judge of the circuit court or family court has reason to believe that a person on trial before him, charged with the commission of a criminal offense or civil contempt, is not fit to stand trial because the person lacks the capacity to understand the proceedings against him or to assist in his own defense as a result of a lack of mental capacity, the judge shall:

(1) order examination of the person by two examiners designated by the Department of Behavioral and Public Health's Division of Mental Health if the person is suspected of having a mental illness or designated by the Department of Disabilities and Special Needs if the person is suspected of having intellectual disability or having a related disability or by both sets of examiners if the person is suspected of having both mental illness and intellectual disability or a related disability. The examination must be made within thirty days after the receipt of the court's order and may be conducted in any suitable place unless otherwise designated by the court; or

(2) order the person committed for examination and observation to an appropriate facility of the ~~Department~~ Division of Mental Health or the Department of Disabilities and Special Needs for a period not to exceed fifteen days.

(B) Before the expiration of the examination period or the examination and observation period, the ~~Department~~ Division of Mental Health or the Department of Disabilities and Special Needs, as appropriate, may apply to a judge designated by the Chief Justice of the South Carolina Supreme Court for an extension of time up to fifteen days to complete the examination or the examination and observation.

(C) If the person or the person's counsel requests, the court may authorize the person to be examined additionally by a designated examiner of the person's choice. However, the court may prescribe the time and conditions under which the independent examination is conducted.

(D) If the examiners designated by the ~~Department~~ Division of Mental Health find indications of intellectual disability or a related

disability but not mental illness, the ~~department~~ division shall not render an evaluation on the person's mental capacity, but shall inform the court that the person is 'not mentally ill' and recommend that the person should be evaluated for competency to stand trial by the Department of Disabilities and Special Needs. If the examiners designated by the Department of Disabilities and Special Needs find indications of mental illness but not intellectual disability or a related disability, the department shall not render an evaluation on the person's mental capacity, but shall inform the court that the person does 'not have intellectual disability or a related disability' and recommend that the person should be evaluated for competency to stand trial by the ~~Department~~ Division of Mental Health. If either the ~~Department~~ Division of Mental Health or the Department of Disabilities and Special Needs finds a preliminary indication of a dual diagnosis of mental illness and intellectual disability or a related disability, this preliminary finding must be reported to the court with the recommendation that one examiner from the ~~Department~~ Division of Mental Health and one examiner from the Department of Disabilities and Special Needs be designated to further evaluate the person and render a final report on the person's mental capacity."

E. Section 44-23-1080 of the 1976 Code is amended to read:

"Section 44-23-1080. No patient or prisoner under the jurisdiction of the ~~South Carolina~~ Department of Behavioral and Public Health's Division of Mental Health is allowed access to alcoholic beverages, firearms, dangerous weapons, or controlled substances as defined by Section 44-53-110. Any person who intentionally or negligently allows patients or prisoners of the department access to these items or who attempts to furnish these items to patients or prisoners of the department is guilty:

(1) in the case of alcoholic beverages or controlled substances, of a misdemeanor and, upon conviction, must be punished by a fine of not less than one hundred dollars nor more than ten thousand dollars or imprisonment for not less than thirty days nor more than ten years, or both; and

(2) in the case of firearms or dangerous weapons, of a felony and, upon conviction, must be punished by a fine of not less than one thousand dollars nor more than ten thousand dollars or imprisonment for not less than one year nor more than ten years, or both."

F. Section 44-23-1110 of the 1976 Code is amended to read:

"Section 44-23-1110. The Department of Behavioral and Public Health's Division of Mental Health shall establish the charges for

maintenance and medical care for patients, other than beneficiary, of State mental health facilities. These charges shall be based upon the per capita costs per day of the services rendered, which may include costs of operation, costs of depreciation, and all other elements of cost, which may be adjusted from time to time as the ~~department of Mental Health~~ division considers advisable. It shall establish a reasonable scale of fees to be charged patients, other than beneficiary, served by the mental health clinics and shall retain these fees for use in defraying the expenses of the clinics."

G.Section 44-23-1120 of the 1976 Code is amended to read:

"Section 44-23-1120. Upon the death of a person who is or has been a patient or trainee of a State mental health facility the executor or administrator and the judge of probate shall notify the Department of Behavioral and Public Health's Division of Mental Health in writing. If the decedent was cared for at the expense of the State during his confinement, the ~~department of Mental Health~~ division shall present a claim for the amount due, and this claim shall be allowed and paid as other lawful claims against the estate. The ~~department of Mental Health~~ division may waive the presentation of any claim when, in its opinion, an otherwise dependent person would be directly benefited by waiver."

H.Section 44-23-1130 of the 1976 Code is amended to read:

"Section 44-23-1130. The Department of Behavioral and Public Health's Division of Mental Health shall make investigations and ascertain which of the patients or trainees of State mental health facilities or which of the parents, guardians, trustees, committees or other persons legally responsible therefor are financially able to pay the expenses of the care and treatment, and it may contract with any of these persons for a patient's or trainee's care and treatment. The ~~department of Mental Health~~ division may require any county or State agency which might have or might be able to obtain information which would be helpful to it in making this investigation to furnish this information upon request. In arriving at the amount to be paid the ~~department of Mental Health~~ division shall have due regard for the financial condition and estate of the patient or trainee, his present and future needs and the present and future needs of his lawful dependents, and whenever considered necessary to protect him or his dependents may agree to accept a monthly sum less than the actual per capita cost."

I. Section 44-23-1140 of the 1976 Code is amended to read:

"Section 44-23-1140. There is hereby created a general lien upon the real and personal property of any person who is receiving or who has received care or treatment in a State mental health facility, to the extent

of the total expense to the State in providing the care, training or treatment. The Department of Behavioral and Public Health's Division of Mental Health shall send to the clerk of court or the register of deeds in those counties having such officer and the judge of probate of the county of the patient's or trainee's known or last known residence a statement showing the name of the patient or trainee and the date upon which the lien attaches, which shall be filed in the offices of the clerk of court or the register of deeds in those counties having such officer and the judge of probate in each county in which the patient or trainee then owns or thereafter acquires property, real or personal, and no charge shall be made for this filing. From the time of filing in either office, the statement shall constitute due notice of the lien against all property then owned or thereafter acquired by the patient or trainee. No action to enforce the lien may be brought more than one year after the patient's or trainee's death. This lien shall in no way affect the right of homestead."

SECTION 12. Section 44-24-10(7) of the 1976 Code is amended to read:

"(7) 'Department' means the State Department of ~~Mental~~ Behavioral and Public Health."

SECTION 13. Section 44-25-30 of the 1976 Code is amended to read:

"Section 44-25-30. Pursuant to the compact, the ~~State~~ Directors of the ~~Departments~~ Division of Mental Health and Department of Disabilities and Special Needs shall be the compact administrators for the mentally ill and persons with intellectual disability, or those with a related disability, respectively, and, acting jointly with like officers of other party states, shall have power to promulgate ~~rules and~~ regulations to carry out more effectively the terms of the compact. The compact administrators shall cooperate with all departments, agencies and officers of and in the government of this State and its subdivisions in facilitating the proper administration of the compact and any supplementary agreement or agreements entered into by this State and thereunder."

SECTION 14.A. Section 44-27-10 of the 1976 Code is amended to read:

"Section 44-27-10. When the individual is admitted to any institution operated by any agency of the United States within or without this State, he shall be subject to the rules and regulations of the agency. The superintendent of any institution operated by the agency and in which the individual is confined shall, with respect to the individual, be vested with the same powers as the superintendents of institutions or the

Department of ~~Mental~~ Behavioral and Public Health within this State with respect to detention, custody, transfer, conditional discharge or discharge of patients."

B. Section 44-27-30 of the 1976 Code is amended to read:

"Section 44-27-30. Upon receipt of a certificate of an agency of the United States that facilities are available for the care or treatment of any individual confined pursuant to law in any State mental health facility and that such individual is eligible for care or treatment in an institution of the agency, the Department of ~~Mental~~ Behavioral and Public Health may cause his transfer to the agency of the United States for confinement. Upon effecting the transfer, the court ordering confinement, the legal guardian, spouse and parents or, if none be known, his nearest known relative or friend shall be notified thereof immediately by the department ~~of Mental Health~~. No person shall be transferred to an agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he has been acquitted of the charge solely on the ground of mental illness unless prior to transfer the court originally ordering his confinement shall enter an order for transfer after appropriate motion and hearing. Any person transferred as provided in this section to an agency of the United States shall be deemed to be confined by the agency pursuant to the original order of confinement."

SECTION 15.A. Section 44-28-20 of the 1976 Code is amended to read:

"Section 44-28-20. For the purpose of this chapter 'a self-sufficiency trust' means a trust created by a nonprofit corporation exempt from federal income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 and organized for purposes of providing care or treatment of one or more developmentally disabled, mentally ill, or physically handicapped persons eligible for services of the South Carolina Department of Disabilities and Special Needs, ~~State Department~~ the Department of Behavioral and Public Health's Division of Mental Health, or the State Agency of Vocational Rehabilitation."

B. Section 44-28-40 of the 1976 Code is amended to read:

"Section 44-28-40. (A) The South Carolina Department of Disabilities and Special Needs, ~~State Department~~ the Department of Behavioral and Public Health's Division of Mental Health, or the State Agency of Vocational Rehabilitation must provide care or treatment for a beneficiary from monies available from the beneficiary's account maintained in the Self-Sufficiency Trust Fund.

(B) Upon proper certification by the South Carolina Department of Disabilities and Special Needs, the ~~State~~ Department of Behavioral and Public Health's Division of Mental Health, or the State Agency of Vocational Rehabilitation, the State Treasurer shall process vouchers from the Self-Sufficiency Trust Fund accounts for services provided pursuant to this section."

C. Section 44-28-60 of the 1976 Code is amended to read:

"Section 44-28-60. If the State Treasurer after consultation with the South Carolina Department of Disabilities and Special Needs, the ~~State~~ Department of Behavioral and Public Health's Division of Mental Health, or the State Agency of Vocational Rehabilitation determines that the money in the account of a named beneficiary cannot be used for supplemental care or treatment of the beneficiary in a manner consistent with the agreement or upon request of the trustee of the self-sufficiency trust, the remaining money in the account and any accumulated interest promptly must be returned to the self-sufficiency trust which deposited the money in the Self-Sufficiency Trust Fund."

D. Section 44-28-80 of the 1976 Code is amended to read:

"Section 44-28-80. The South Carolina Department of Disabilities and Special Needs, the ~~State~~ Department of Behavioral and Public Health's Division of Mental Health, and the State Agency of Vocational Rehabilitation shall promulgate regulations necessary for the implementation and administration of the Self-Sufficiency Trust Fund."

E. Section 44-28-360 of the 1976 Code is amended to read:

"Section 44-28-360. The South Carolina Department of Disabilities and Special Needs, ~~State Department~~ the Department of Behavioral and Public Health's Division of Mental Health, or the State Agency of Vocational Rehabilitation must provide care or treatment for the beneficiary from monies available from the Disability Trust Fund. These agencies are responsible only for the beneficiaries that meet their individual eligibility criteria."

F. Section 44-28-370 of the 1976 Code is amended to read:

"Section 44-28-370. The South Carolina Department of Disabilities and Special Needs, the ~~State~~ Department of Behavioral and Public Health's Division of Mental Health, and the State Department of Vocational Rehabilitation shall promulgate regulations necessary for the implementation and administration of the Disability Trust Fund."

SECTION 16. Chapter 3, Title 49 of the 1976 Code is amended to read:

"CHAPTER 3

~~Water Resources Planning and Coordination Act~~ Department of Environmental Services

~~Section 49-3-10. This chapter may be cited as the South Carolina Water Resources Planning and Coordination Act.~~

~~Section 49-3-20. As used in this chapter:~~

~~(1) 'Board' means the governing body of the Department of Natural Resources.~~

~~(2) 'Department' means the Department of Natural Resources.~~

~~Section 49-3-30. The former Water Resources Commission without its regulatory functions is hereby transferred to the Water Resources Division of the Department of Natural Resources and is directly accountable to and subject to the board of the Department of Natural Resources. The Water Resources Division shall be directly accountable to and subject to the Department of Natural Resources. The regulatory functions of the former Water Resources Commission are transferred to the Department of Health and Environmental Control.~~

~~Section 49-3-40. (a) The department shall advise and assist the Governor and the General Assembly in:~~

~~(1) formulating and establishing a comprehensive water resources policy for the State, such as a State Water Plan, including coordination of policies and activities among the state departments and agencies;~~

~~(2) developing and establishing policies and proposals designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;~~

~~(3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and to recommend appropriate action where deemed necessary;~~

~~(4) reviewing any project, plan or program of federal aid affecting the use or control of any waters within the State and to recommend appropriate action where deemed necessary;~~

~~(5) developing policies and recommendations to assure that the long range interests of all groups, urban, suburban, and rural, are provided for in the state's representation on interstate water issues;~~

~~(6) recommending to the General Assembly any changes of law or regulation required to implement the policy declared in this chapter; and~~

~~(7) such other water resources planning, policy formulation and coordinating functions as the Governor and the General Assembly may designate.~~

~~(b) The department is authorized to conduct or arrange for such studies, inquiries, surveys or analyses as may be relevant to its duties in assisting the Governor and the General Assembly in the implementation of the policy declared in this chapter, and in developing recommendations for the General Assembly. For these purposes, the department shall have full access to the relevant records of other state departments and agencies and political subdivisions of the State, and may hold public hearings, and may cooperate with or contract with any public or private agency, including educational, civic and research organizations. The studies, inquiries, surveys, or analyses shall incorporate and integrate, to the maximum extent feasible, plans, programs, reports, research and studies of federal, state, interstate, regional, metropolitan and local units, agencies and departments of government.~~

~~(c) In developing recommendations for the Governor and the General Assembly relating to the use and control of the water resources of the State, the department shall:~~

~~(1) coordinate its activities by distribution of copies of its notices of meetings with agenda, minutes and reports of all state agencies concerned with water resources;~~

~~(2) consult with representatives of any federal, state, interstate, or local units of government which would be affected by such recommendations; and~~

~~(3) be authorized to appoint such interdepartmental and public advisory boards as necessary to advise them in developing policies for recommendations to the Governor and the General Assembly.~~

~~(d) The department shall encourage, assist and advise regional, metropolitan, and local governmental agencies, officials or bodies responsible for planning in relation to water aspects of their programs, and shall assist in coordinating local and regional water resources activities, programs, and plans.~~

~~(e) The department may publish reports, including the results of such studies, inquiries, surveys and analyses as may be of general interest, and shall make an annual report of its activities to the Governor and the General Assembly within ten days after the convening of each session of the General Assembly.~~

~~(f) The department may receive and expend grants, gifts, and monies donated or given by any state, federal, or private agency, person, corporation, water or sewer authority, or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.~~

~~(g) The department is authorized and required to review and approve the expenditure of funds derived from the United States Army Corps of Engineers when any funds are authorized and appropriated for any water resources related projects or purposes, including but not limited to, the following:~~

~~(1) navigation,~~

~~(2) irrigation,~~

~~(3) water storage,~~

~~(4) aquatic weed management,~~

~~(5) flood control,~~

~~(6) salinity control,~~

~~(7) interstate water concerns, and~~

~~(8) any studies, surveys, or analyses performed by the Corps of Engineers.~~

~~The review and approval required by this subsection is not applicable to any Corps of Engineers funds which must be expended in a different manner pursuant to express statutory direction.~~

~~Section 49-3-50. In exercising its responsibilities under this chapter, the department shall take into consideration the need for:~~

~~(a) Adequate supplies of surface and groundwaters of suitable quality for all uses, including domestic, municipal, agricultural, and industrial.~~

~~(b) Water of suitable quality for all purposes.~~

~~(c) Water availability for recreational and commercial needs.~~

~~(d) Hydroelectric power.~~

~~(e) Flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses.~~

~~(f) Land stabilization measures.~~

~~(g) Drainage measures, including salinity control.~~

~~(h) Watershed protection and management measures.~~

~~(i) Outdoor recreational and fish and wildlife opportunities.~~

~~(j) Studies on saltwater intrusion into groundwater and surface water.~~

~~(k) Measures to protect the state's fisheries and other aquatic resources.~~

~~(l) Any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State.~~

Section 49-3-10. (A) There is created the Department of Environmental Services comprised of:

(1) the Bureau of Air Quality;

(2) the Bureau of Land and Waste Management;

(3) the Bureau of Water;

(4) the Bureau of Regional and Laboratory Services, which includes the Division of Emergency Response and the Division of Onsite Wastewater and Enforcement; and

(5) the Bureau of Coastal Management.

The Director of the Department of Environmental Services may realign the bureaus, divisions, offices, and programs to gain additional efficiencies or to better align resources with changes in environmental statutes or regulation.

(B) The department is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of the Department of Health and Environmental Control on the effective date of this act including, but not limited to, functions, powers, and duties provided for in this chapter; in Chapters 2, 55, 56, 93, 95, and 96 of Title 44; in Chapters 2, 14, 18, 20, 21, 40, 41, 43, 46, 55, 56, 57, and 60 of Title 48; and in Chapter 5 of Title 49.

Section 49-3-20. (A) The Governor shall appoint a Director of the Department of Environmental Services pursuant to Section 1-30-10(B)(1) with the advice and consent of the Senate who manages the department and who may appoint deputies for the divisions pursuant to Section 1-30-10(E).

(B) If a vacancy occurs in the department when the Senate is not in session, the Governor may appoint a director to fill the vacancy until the Senate acts on the appointment.

(C) The director is subject to removal by the Governor as provided for in Section 1-3-240.

Section 49-3-30. The director shall have all authority and duties as provided for in Chapter 30, Title 1.

Section 49-3-40. (A) All decisions of the Department of Environmental Services involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case, except a decision to establish a baseline or setback line, must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 49-3-45.

(B) The department shall comply with all requirements for public notice, receipt of public comments, and public hearings before making a

decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment, and public hearings.

(C) In making a decision about a permit, license, certification or other approval, the department shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition a permit, license, certification, or other approval. At the time that a decision is made, the department shall issue a written decision and shall base its decision on the administrative record, which must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification, or other approval. The administrative record also may include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department is not required to issue a written decision for issuance of routine permits for which the department has not received adverse public comments.

(D)(1) The department shall send a notice of a decision by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of decisions for which a written decision is not required pursuant to subsection (C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

(2) Within thirty calendar days after the receipt of the decision pursuant to item (1) an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.

(E) If a deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

Section 49-3-45. (A) In making a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 49-3-40(C), the

department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.

(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:

(1) only an applicant, permittee, licensee, or affected person may request a contested case hearing pursuant to Section 49-3-40(D)(2);

(2) only an applicant, permittee, licensee, or affected person may become a party to a contested case hearing; and

(3) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the Administrative Procedures Act.

(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant's complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application including, but not limited to, the construction of a residence.

(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy-two hours to provide in writing a withdrawal or rescission of the waiver.

(D)(1) An applicant, permittee, licensee, or affected person who is aggrieved by a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.

(2) Notwithstanding any other provision of law, a decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner's property line or located one thousand feet or more from an adjacent property owner's residence.

(E) For purposes of this section, 'affected person' means a property owner with standing within a one-mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.

Section 49-3-50. (A) The Department of Environmental Services may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats, and other vehicles of transportation in this State and all correctional facilities, jails, hotels, schools, and other places used by or open to the public;

(2) the control of industrial plants, including the protection of workers from fumes, gases, and dust, whether obnoxious or toxic;

(3) the use of water in air humidifiers;

(4) the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town, or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction, or otherwise; and

(5) the alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes.

(B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the environment and public life and health.

Section 49-3-60. (A) There is established within the Department of Environmental Services an Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary, and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The department shall determine the project applications to review, and the process may be applied to any one or all of the permit programs administered by the department.

(B)(1) Before January 1, 2009, the Department of Health and Environmental Control was directed to promulgate regulations necessary to carry out the provisions of this section. The regulations were to

include, but are not limited to, definitions of 'completeness' for applications submitted, consideration of joint federal-state permitting activities, standards for applications submitted that advance environmental protection, and expedited process application review fees. Beginning the effective date of this act, the Department of Environmental Services shall promulgate regulations it determines necessary to carry out the purposes of this section.

(2) Regulations promulgated pursuant to this section must not alter public notice requirements for permits, certifications, or licenses issued by the Department of Environmental Services.

(C) Until the Department of Health and Environmental Control promulgated regulations pursuant to subsection (B)(1), it was directed to conduct a pilot expedited review program to determine the most environmentally sound, cost efficient, and economically beneficial process for implementation of a statewide expedited review program and to determine which permit programs, or subcomponents of a program, to include in the pilot program and also was authorized to establish pilot program expedited process application fees.

(D) There was created the Expedited Review Fund that is separate and distinct from the general fund of the State and all other funds. Fees established in regulation pursuant to subsection (B) and assessed pursuant to subsection (C) must be credited to the fund and used for the costs of implementing the Expedited Review Program. Interest accruing to the fund must be retained by the fund and used for the same purposes. Revenue in the fund not expended during a fiscal year, including fees generated pursuant to subsection (C), must be carried forward to the succeeding fiscal year and must be used for the same purposes.

Section 49-3-70. A corporation or person whose only purpose is furnishing, supplying, marketing, or selling treated effluent for irrigation purposes, is not a public utility for purposes of Title 58 by virtue of the furnishing, supplying, marketing, or selling of the treated effluent, provided that the effluent has not been permitted for consumption by the Department of Environmental Services or other regulatory agency.

Section 49-3-80.(A) A person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Environmental Services, made by the department pursuant to Section 49-3-50, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

(B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued

pursuant to Section 49-3-50 is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

(C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

(D) The term 'notice' as used in this section means either actual notice or constructive notice.

(E) This section does not apply to fines levied pursuant to Section 49-3-50(3) or any other areas regulated by the South Carolina Occupational Health and Safety Act, Section 41-12-10, et seq.

Section 49-3-85. Nothing contained in Section 49-3-50 in any way abridges or limits the right of a person to maintain or prosecute a civil or criminal proceeding against a person maintaining a nuisance.

Section 49-3-90. (A) For purposes of the section, 'impacted location' means any facility issued or otherwise subject to a permit, license, or approval from the North Carolina Department of Environment and Natural Resources that has now been determined to be located within the jurisdiction of the South Carolina Department of Environmental Services as a result of the amendments to Section 1-1-10, effective January 1, 2017.

(B) Notwithstanding any other provision of law, the South Carolina Department of Environmental Services, in issuing any environmental permit, license, or approval to an impacted location shall provide a schedule of compliance that allows the permittee a reasonable period of time to be no greater than five years to come into compliance with any South Carolina environmental rule, regulation, or standard established by the department or by law that has no corresponding rule, regulation, or standard under North Carolina law or regulation, or is more stringent than the corresponding rule, regulation, or standard established under North Carolina law or regulation. The department may include increments of progress applicable in each year of the schedule established under this subsection, and may shorten the period of compliance as necessary to prevent an imminent threat to the public health and environment. The department may extend a permittee's compliance schedule under this section beyond five years upon written application by the permittee only if the department determines that circumstances reasonably require such an extension, and the extension of time would pose no threat to public health or the environment.

Section 49-3-95. (A) Notwithstanding any other provision of law, shellfish that is the subject of a violation of law, including regulations, may be confiscated and disposed of at the discretion of the arresting officer.

(B) A person convicted of a second offense of harvesting shellfish in a polluted area, upon conviction, must be fined not less than two hundred dollars and not more than five hundred dollars or imprisoned for not less than thirty days and not more than sixty days.

(C) A person convicted of a third or subsequent offense of harvesting shellfish in a polluted area, upon conviction, must be fined not less than five hundred dollars and not more than one thousand dollars or imprisoned for not less than sixty days and not more than ninety days.

(D) All equipment including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a first offense of harvesting shellfish in any polluted area, may be impounded at the discretion of the arresting officer. The equipment impounded must be delivered to the sheriff of the county in which the arrest was made and must be retained by the sheriff. The equipment may not be returned to the owner until the case has been finally disposed of. All equipment including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a second, third, or subsequent offense of harvesting shellfish in a polluted area, must be confiscated. All confiscated equipment must be sold at auction by the sheriff of the county in which the second, third, or subsequent offense took place and by a representative of the Department of Environmental Services, except for weapons, which, following confiscation, must be disposed of in the manner set forth in Sections 16-23-50, 16-23-460, and 16-23-500.

Section 49-3-100. Notwithstanding any other provision of law, all revenue from a fine or a forfeiture of bond for a violation of a shellfish law or regulation provided by this title must be deposited monthly with the treasurer of the county in which the arrest for the violation was made. One-third of the revenue must be retained by the county treasurer to be used for the general operating needs of the county pursuant to the direction of the governing body of the county. Two-thirds of the revenue must be remitted quarterly to the Department of Environmental Services of which one-half is to be used in enforcing shellfish laws and regulations and one-half is to be remitted quarterly to the state general fund. All monies derived from auction sales of confiscated equipment pursuant to Section 49-3-95 must be deposited, retained, remitted, and used in the same manner as provided in this section for all revenue derived from a fine or a violation of a shellfish law or regulation. A report of fines for forfeitures of bonds regarding shellfish violations must be sent to the department monthly by each magistrate and clerk of court in this State.

A report of monies derived from auction of sales of confiscated equipment must be sent to the department monthly by each sheriff.

Section 49-3-105. When a person is apprehended by a shellfish patrolman upon a charge of violating the health and sanitary aspects of shellfish, crab, and shrimp laws or regulations, the person upon being served with a summons by the patrolman in lieu of being immediately brought before the proper judicial officer may enter into a formal recognizance or deposit a proper sum of money in lieu of a recognizance or incarceration with the patrolman as bail which must not be less than the minimum or more than the maximum fine, but in no case exceed one hundred dollars. The bail must be turned over to the proper judicial officer. A receipt for the sum deposited must be given to the person by the patrolman. The summons duly served must give the judicial officer jurisdiction to dispose of the matter. Upon receipt of bail the patrolman shall release the person so charged, and the person may appear in court at the time stated in and required by the summons."

SECTION 17.A. Section 44-2-20(3) and (5) of the 1976 Code is amended to read:

"(3) 'Committed funds' means that portion of the Superb Account reserved as a result of action by the Department of ~~Health and~~ Environmental ~~Control~~ Services to approve costs for planned site rehabilitation activities.

(5) 'Department' means the Department of ~~Health and~~ Environmental ~~Control~~ Services."

B. Section 44-2-40(A) of the 1976 Code is amended to read:

"(A) There is created within the state treasury two separate and distinct accounts which are to be administered by the Department of ~~Health and~~ Environmental ~~Control~~ Services. The 'Superb Account' and the 'Superb Financial Responsibility Fund' are created to assist owners and operators of underground storage tanks containing petroleum and petroleum products to the extent provided for in this chapter but not to relieve the owner or operator of any liability that cannot be satisfied by the provisions of this chapter.

The Superb Account must be used for payment of usual, customary, and reasonable costs for site rehabilitation of releases from underground storage tanks containing petroleum or petroleum products.

The Superb Financial Responsibility Fund must be used for compensating third parties for actual costs for bodily injury and property damage caused by accidental releases from underground storage tanks containing petroleum or petroleum products. The Superb Financial

Responsibility Fund must not be used for reimbursing claims for punitive damages.

Except for releases reported before July 1, 1994, sites where the underground storage tank, at the time of discovery and reporting of the release to the department, is not in substantial compliance with regulations promulgated pursuant to Section 44-2-50(A), are not eligible for compensation from the Superb Account, and no third party claims resulting from that release may be paid from the Superb Financial Responsibility Fund."

C. Section 44-2-60(C) of the 1976 Code is amended to read:

"(C) In addition to the inspection fee of one-fourth cent a gallon imposed pursuant to Section 39-41-120, an environmental impact fee of one-half cent a gallon is imposed which must be used by the department for the purposes of carrying out the provisions of this chapter. This one-half cent a gallon environmental impact fee must be paid and collected in the same manner that the one-fourth cent a gallon inspection fee is paid and collected except that the monies generated from these environmental impact fees must be transmitted by the Department of Agriculture to the Department of ~~Health and~~ Environmental ~~Control~~ Services which shall deposit the fees as provided for in Section 44-2-40."

D. Section 44-2-130(E)(1) of the 1976 Code is amended to read:

"(1) An owner or operator of an underground storage tank or his agent seeking to qualify for compensation from the Superb Account for site rehabilitation shall submit a written application to the department. The written application must be on a form specified by the department and include certification that site rehabilitation is necessary, the tanks at the site have been registered in compliance with applicable law and regulations, and all registration fees have been paid. The department shall accept certification that the release at the site is in need of rehabilitation if the certification is provided jointly by the owner or operator and a South Carolina registered professional geologist or engineer, and if the certification is supported with geotechnical data which reasonably justifies the claim. Upon final determination the department shall provide written notice to the applicant of its findings including detailed reasons for any denial. Any denial of an application must be appealable to ~~the Board of Health and Environmental Control~~ a court with appropriate jurisdiction pursuant to the Administrative Procedures Act. The department is exempt from this time frame for applications which are received within three months of the close of the grace period allowed in Section 44-2-110."

SECTION 18.A. Section 44-4-130(F), (I), and (W) of the 1976 Code is amended to read:

"(F) '~~Commissioner~~ Director' means the ~~Commissioner~~ Director of the Department of Behavioral and Public Health ~~and Environmental Control~~.

(I) '~~DHEC~~ Department' means the Department of Behavioral and Public Health ~~and Environmental Control~~ or any person authorized to act on behalf of the Department of Behavioral and Public Health ~~and Environmental Control~~.

(W) 'Trial court' is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Behavioral and Public Health ~~and Environmental Control~~."

B. Section 44-4-540(B)(1) of the 1976 Code is amended to read:

"(1) ~~DHEC~~ The department may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the ~~commissioner~~ director or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize ~~DHEC's~~ the department's ability to prevent or limit the transmission of a contagious or possibly contagious disease to others."

C. The Code Commissioner is directed to change all references to 'DHEC' in Chapter 4, Title 44 of the 1976 Code to 'the department'.

SECTION 19.A. Section 44-7-130(3) and (8) of the 1976 Code is amended to read:

"(3) ~~'Board' means the State Board of Health and Environmental Control~~ Reserved.

(8) 'Department' means the Department of Behavioral and Public Health ~~and Environmental Control~~."

B. Section 44-7-150(3) of the 1976 Code is amended to read:

"(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department ~~and approved by the board~~ to carry out the department's licensure and Certificate of Need duties under this article, including regulations to deal with competing applications;"

C. Section 44-7-180(A) and (C) of the 1976 Code is amended to read:

"(A) There is created a health planning committee comprised of fourteen members. The Governor shall appoint twelve members, which must include at least one member from each congressional district. In

addition, each of the following groups must be represented among the Governor's appointees: health care consumers, health care financiers, including business and insurance, and health care providers, including an administrator of a licensed for-profit nursing home. The ~~chairman of the board~~ director of the department shall appoint one member. The South Carolina Consumer Advocate or the Consumer Advocate's designee is an ex officio nonvoting member. Members appointed by the Governor are appointed for four-year terms, and may serve only two consecutive terms. Members of the health planning committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions. The committee shall elect from among its members a chairman, vice chairman, and such other officers as the committee considers necessary to serve a two-year term in that office.

(C) Upon approval by the health planning committee, the South Carolina Health Plan must be submitted at least once every two years to the ~~board~~ department for final revision and adoption. Once adopted by the ~~board~~ department, the plan may later be revised through the same planning and approval process. The department shall adopt by regulation a procedure to allow public review and comment, including regional public hearings, before adoption or revision of the plan."

D. Section 44-7-190(A) of the 1976 Code is amended to read:

"(A) The department shall adopt~~, upon approval of the board,~~ Project Review Criteria which, at a minimum, must provide for the determination of need for health care facilities, beds, services and equipment, including demographic needs, appropriate distribution, and utilization; accessibility to underserved groups; availability of facilities and services without regard to ability to pay; absence of less costly and more effective alternatives; appropriate financial considerations, including method of financing, financial feasibility, and cost containment; consideration of impact on health systems resources; site and building suitability; consideration of quality of care; and relevant special considerations as may be appropriate. The Project Review Criteria must be adopted as a regulation pursuant to the Administrative Procedures Act.

E. Section 44-7-200(C) of the 1976 Code is amended to read:

"(C) ~~Upon publication of this notice and until a contested case hearing is requested pursuant to Section 44-1-60(G):~~

~~(1) members of the board and persons appointed by the board to hold a final review conference on staff decisions may not communicate~~

~~directly or indirectly with any person in connection with the application; and~~

~~(2) no person shall communicate, or cause another to communicate, as to the merits of the application with members of the board and persons appointed by the board to hold a final review conference on staff decisions.~~

~~A person who violates this subsection is subject to the penalties provided in Section 1-23-360~~ Reserved."

F. Section 44-7-210(C) - (E) of the 1976 Code is amended to read:

"(C) On the basis of ~~staff~~ review of the application, the ~~staff~~ department shall make a ~~staff~~ department decision to grant or deny the Certificate of Need and the ~~staff~~ department shall issue a decision in accordance with Section 44-1-60~~(D)~~ (C). Notice of the decision must be sent to the applicant and affected persons who have asked to be notified. ~~The decision becomes the final agency decision unless a timely written request for a final review is filed with the department as provided for in Section 44-1-60(E).~~

~~However, a person may not file a request for final review in opposition to the staff decision on a Certificate of Need unless the person provided written notice to the department during the staff review that he is an affected person and specifically states his opposition to the application under review.~~

(D) ~~The staff's decision is not the final agency decision until the completion of the final review process provided for in Section 44-1-60(F).~~

~~(E)~~ A contested case hearing of the final agency decision must be requested in accordance with Section 44-1-60~~(G)~~ (D). The issues considered at the contested case hearing considering a Certificate of Need are limited to those presented or considered during the ~~staff~~ department review."

G. Section 44-7-230(D) of the 1976 Code is amended to read:

"(D) A Certificate of Need is valid for one year from the date of issuance. A Certificate of Need must be issued with a timetable submitted by the applicant and approved by the department to be followed for completion of the project. The holder of the Certificate of Need shall submit periodic progress reports on meeting the timetable as may be required by the department. Failure to meet the timetable results in the revocation of the Certificate of Need by the department unless the department determines that extenuating circumstances beyond the control of the holder of the Certificate of Need are the cause of the delay. The department may grant ~~two~~ extensions of up to nine months each

upon evidence that substantial progress has been made in accordance with procedures set forth in regulations. ~~The board may grant further extensions of up to nine months each only if it determines that substantial progress has been made in accordance with the procedures set forth in regulations.~~"

H. Section 44-7-320(B) of the 1976 Code is amended to read:

"(B) Should the department determine to assess a penalty, deny, suspend, or revoke a license, it shall send to the appropriate person or facility, by certified mail, a notice setting forth the particular reasons for the determination. The determination becomes final thirty days after the mailing of the notice, unless the person or facility, within such thirty-day period, requests in writing a contested case hearing ~~before the board, or its designee,~~ pursuant to the Administrative Procedures Act. On the basis of the contested case hearing, the determination involved must be affirmed, modified, or set aside. Judicial review may be sought in accordance with the Administrative Procedures Act."

I. Section 44-7-370 of the 1976 Code is amended to read:

"Section 44-7-370. (A) The South Carolina Department of Behavioral and Public Health ~~and Environmental Control~~ shall establish a Residential Care Committee to advise the department regarding licensing and inspection of community residential care facilities.

(1) The committee consists of the Long Term Care Ombudsman, three operators of homes with ten beds or less, four operators of homes with eleven beds or more, and three members to represent the department appointed by the ~~commissioner~~ director for terms of four years.

(2) The terms must be staggered and no member may serve more than two consecutive terms. Any person may submit names to the ~~commissioner~~ director for consideration. The advisory committee shall meet at least once annually with representatives of the department to evaluate current licensing regulations and inspection practices. Members shall serve without compensation.

(B) The Department of Behavioral and Public Health ~~and Environmental Control~~ shall appoint a Renal Dialysis Advisory Council to advise the department regarding licensing and inspection of renal dialysis centers. The council must be consulted and have the opportunity to review all regulations promulgated by the ~~board~~ department affecting renal dialysis prior to submission of the proposed regulations to the General Assembly.

(1) The council is composed of a minimum of fourteen persons, one member recommended by the Palmetto Chapter of the American Nephrology Nurses Association; one member recommended by the

South Carolina Chapter of the National Association of Patients on Hemodialysis and Transplants; three physicians specializing in nephrology recommended by the South Carolina Renal Physicians Association; two administrators of facilities certified for dialysis treatment or kidney transplant services; one member recommended by the South Carolina Kidney Foundation; one member recommended by the South Carolina Hospital Association; one member recommended by the South Carolina Medical Association; one member of the general public; one member representing technicians working in renal dialysis facilities; one member recommended by the Council of Nephrology Social Workers; and one member recommended by the Council of Renal Nutritionists. The directors of dialysis programs at the Medical School of the University of South Carolina and the Medical University of South Carolina, or their designees, are ex officio members of the council.

(2) Members shall serve four-year terms and until their successors are appointed and qualify. No member of council shall serve more than two consecutive terms. The council shall meet as frequently as the ~~board~~ department considers necessary, but not less than twice each year. Members shall serve without compensation."

J. Section 44-7-760 of the 1976 Code is amended to read:

"Section 44-7-760. Every person who is financially able shall pay to the board of hospital trustees or such officers as it shall designate for such county or public hospital or tuberculosis camp such reasonable compensation as he is able to pay for occupying a bed in such hospital or camp or being nursed, cared for or maintained therein according to the rules and regulations of the ~~board~~ department."

K. Section 44-7-2430(C)(1) of the 1976 Code is amended to read:

"(1) The ~~Board~~ Department of Behavioral and Public Health ~~and Environmental Control~~ shall appoint an advisory committee that must have an equal number of members representing all involved parties. The ~~board~~ department shall seek recommendations for appointments to the advisory committee from organizations that represent the interests of hospitals, consumers, businesses, purchasers of health care services, physicians, and other professionals involved in the research and control of infections."

SECTION 20.A. Section 44-29-10(D) of the 1976 Code is amended to read:

"(D) The reports of conditions must be made in the form and manner as prescribed by ~~DHEC~~ the department in regulations concerning infectious diseases. The reports must be made to the Bureau of Disease Control in the manner required in the regulations. When available,

clinical information supporting the diagnoses, including results of specific diagnostic tests, must be included."

B. Section 44-29-150 of the 1976 Code is amended to read:

"Section 44-29-150. No person will be initially hired to work in any public or private school, kindergarten, nursery or day care center for infants and children until appropriately evaluated for tuberculosis according to guidelines approved by the ~~Board~~ Department of Behavioral and Public Health ~~and Environmental Control~~. Re-evaluation will not be required for employment in consecutive years unless otherwise indicated by such guidelines."

C. Section 44-29-210(A) of the 1976 Code is amended to read:

"(A) If ~~the Board of the Department of Health and Environmental Control or~~ the Director of the Department of Behavioral and Public Health ~~and Environmental Control~~ approves in writing a mass immunization project to be administered in any part of this State in cooperation with an official or volunteer medical or health agency, any authorized employee of the agency, any physician who does not receive compensation for his services in the project, and any licensed nurse who participates in the project, except as provided in subsection (B), is not liable to any person for illness, reaction, or adverse effect arising from or out of the use of any drug or vaccine administered in the project by the employee, physician, or nurse. ~~Neither the board nor~~ The director may not approve the project unless ~~either~~ the department finds that the project conforms to good medical and public health practice.

For purposes of this section, a person is considered to be an authorized employee of an official or volunteer medical or health agency if he has received the necessary training for and approval of the department for participation in the project."

SECTION 21.A. Section 44-53-160(C) of the 1976 Code, as last amended by Act 216 of 2018, is further amended to read:

"(C) If a substance is added, deleted, or rescheduled as a controlled substance pursuant to federal law or regulation, the department shall, ~~at the first regular or special meeting of the South Carolina Board of Health and Environmental Control~~ within thirty days after publication in the federal register of the final order designating the substance as a controlled substance or rescheduling or deleting the substance, add, delete, or reschedule the substance in the appropriate schedule. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection has the full force of law unless overturned by the General Assembly. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection must be in

substance identical with the order published in the federal register effecting the change in federal status of the substance. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Chairman of the Medical, Military, Public and Municipal Affairs Committee, the Chairman of the Judiciary Committee of the House of Representatives, the Clerks of the Senate and House, and the Code Commissioner, and shall post the schedules on the department's website indicating the change and specifying the effective date of the change."

B. Section 44-53-280(C) and (D) of the 1976 Code, as last amended by Act 216 of 2018, is further amended to read:

"(C) A class 20-28 registration, as provided for by the ~~board~~ department in regulation, expires October first of each year. The registration of a registrant who fails to renew by October first is canceled. However, registration may be reinstated upon payment of the renewal fees due and a penalty of one hundred dollars if the registrant is otherwise in good standing and presents a satisfactory explanation for failure to renew.

(D) All registrations other than class 20-28, as provided for by the ~~board~~ department in regulation, expire on April first of each year. The registration of a registrant who fails to renew by April first is canceled. However, registration may be reinstated upon payment of the renewal fees due and a penalty of one hundred dollars if the registrant is otherwise in good standing and presents a satisfactory explanation for failure to renew."

C. Section 44-53-290(i) of the 1976 Code, as last amended by Act 216 of 2018, is further amended to read:

"(i) Practitioners who dispense narcotic drugs to individuals for maintenance treatment or detoxification treatment shall obtain annually a separate registration for that purpose. The ~~board~~ department shall register an applicant to dispense but not prescribe narcotic drugs to individuals for maintenance treatment or detoxification treatment, or both:

(1) if the applicant is a practitioner who is otherwise qualified to be registered under the provisions of this article to engage in the treatment with respect to which registration has been sought;

(2) if the ~~board~~ department determines that the applicant will comply with standards established by the ~~board~~ department respecting security of stocks of narcotic drugs for such treatment, and the

maintenance of records in accordance with Section 44-53-340 and the rules issued by the ~~board~~ department on such drugs; and

(3) if the ~~board~~ department determines that the applicant will comply with standards established by the ~~board~~ department respecting the quantities of narcotic drugs which may be provided for unsupervised use by individuals in such treatment."

D. Section 44-53-310(a) of the 1976 Code before the numbered items is amended to read:

"(a) An application for a registration or a registration granted pursuant to Section 44-53-300 to manufacture, distribute, or dispense a controlled substance, may be denied, suspended, or revoked by the ~~Board~~ department upon a finding that the registrant:"

E. Section 44-53-320(b) of the 1976 Code is amended to read:

"(b) The department, without an order to show cause, may suspend any registration simultaneously with the institution of proceedings under Section 44-53-310, or where renewal of registration is refused if it finds that there is an imminent danger to the public health or safety which warrants this action. A failure to comply with a standard referred to in Section 44-53-290(i) may be treated under this subsection as grounds for immediate suspension of a registration granted under such section. The suspension shall continue in effect until withdrawn by the ~~Board~~ department or dissolved by a court of competent jurisdiction."

F. Section 44-53-360(g) of the 1976 Code is amended to read:

"(g) The ~~Board~~ department shall, by rules and regulations, specify the manner by which prescriptions are filed."

G. Section 44-53-740 of the 1976 Code is amended to read:

"Section 44-53-740. The ~~Board of the~~ Department of Behavioral and Public Health ~~and Environmental Control~~ shall promulgate regulations necessary to carry out the provisions of this article."

SECTION 22.A. Section 44-55-20(1), (2), and (7) of the 1976 Code is amended to read:

"(1) ~~'Board' means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Safe Drinking Water Act~~ Reserved.

(2) ~~'Commissioner'~~ 'Director' means the ~~commissioner~~ director of the department or his authorized agent.

(7) 'Department' means the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services, including personnel authorized and empowered to act on behalf of the department ~~or board~~."

B. Section 44-55-30 of the 1976 Code is amended to read:

"Section 44-55-30. In general, the design and construction of any public water system must be in accord with modern engineering practices for these installations. The ~~board~~ department shall establish regulations, procedures, or standards as may be necessary to protect the health of the public and to ensure proper operation and function of public water systems. These regulations may prescribe minimum design criteria, the requirements for the issuance of construction and operation permits, operation and maintenance standards, and bacteriological, chemical, radiological, and physical standards for public water systems, and other appropriate regulations."

C. Section 44-55-40(G), (K), (L), and (O) of the 1976 Code is amended to read:

"(G) The department may authorize variances or exemptions from the regulations issued pursuant to this section under conditions and in such manner as the ~~board~~ department considers necessary and desirable; however, these variances or exemptions must be permitted under conditions and in a manner which is not less stringent than the conditions under, and the manner in which, variances and exemptions may be granted under the Federal Safe Drinking Water Act.

(K) The ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall classify all public water system treatment facilities giving due regard to the size, type, complexity, physical condition, source of supply, and treatment process employed by the public water system treatment facility and the skill, knowledge, and experience necessary for the operation of these facilities. Each treatment facility must be classified at the highest applicable level of the following classification system, with Group VII Treatment being the highest classification level:

Group I Treatment. A facility which provides disinfection treatment using a sodium hypochlorite or calcium hypochlorite solution as the disinfectant.

Group II Treatment. A facility which provides disinfection treatment using gaseous chlorine or chloramine disinfection or includes sequestering, fluoridation, or corrosion control treatment.

Group III Treatment. A facility treating a groundwater source which is not under the direct influence of surface water, utilizing aeration, coagulation, sedimentation, lime softening, filtration, chlorine dioxide, ozone, ~~ultra-violet~~ ultraviolet light disinfection, powdered activated carbon addition, granular activated carbon filtration or ion exchange, or membrane technology or that includes sludge storage or a sludge dewatering process.

Group IV Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing aeration, coagulation, clarification with a minimum detention time of two hours in the clarification unit, lime softening, rapid rate gravity filtration (up to four gallons per minute per square foot), slow sand filtration, chlorine dioxide, powdered activated carbon addition, or granular activated carbon filtration or ion exchange or that includes sludge storage or a sludge dewatering process. This classification also includes any treatment facility which does not provide filtration for a surface water source or a groundwater source which is under the direct influence of surface water.

Group V Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing high rate gravity filtration (greater than four gallons per minute per square foot), clarification with a detention time of less than two hours in the clarification unit, diatomaceous earth filtration, or ultraviolet light disinfection.

Group VI Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing direct filtration, membrane technology, or ozone.

Group VII Treatment. Drinking water dispensing stations and vending machines which utilize water from an approved public water system or bottled water plants which treat water from the distribution system of a public water system or from a groundwater source which is not under the direct influence of surface water.

(L) The ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall classify all public water distribution systems giving due regard to the size, type, and complexity of the public water distribution system and the skill, knowledge, and experience necessary for the operation of these systems. The classification must be based on:

Group I Distribution. Distribution systems associated with state and transient noncommunity water systems.

Group II Distribution. Distribution systems associated with community and nontransient noncommunity public water systems which have a reliable production capacity not greater than six hundred thousand gallons a day and which do not provide fire protection.

Group III Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity greater than six hundred thousand gallons a day but not greater than six million gallons a day (MGD) or have a

reliable production capacity not greater than six hundred thousand gallons a day and provide fire protection.

Group IV Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity than six MGD, but not greater than twenty MGD.

Group V Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity greater than twenty MGD.

(O) The ~~board~~ department, to ensure that underground sources of drinking water are not contaminated by improper well construction and operation, may promulgate regulations as developed by the Advisory Committee established pursuant to Section 44-55-45, setting standards for the construction, maintenance, operation, and abandonment of any well except for wells where well construction, maintenance, and abandonment are regulated by the Groundwater Use Act of 1969, Sections 49-5-10 et seq.; the Oil and Gas Exploration, Drilling, Transportation, and Production Act, Sections 48-43-10 et seq.; or the Water Use Reporting and Coordination Act, Section 49-4-10 et seq. For these excepted wells, the ~~board~~ department may promulgate regulations. The ~~board~~ department shall further ensure that all wells are constructed in accordance with the standards. The ~~board~~ department shall make available educational training on the standards to well drillers who desire this training."

D. Section 44-55-45 of the 1976 Code is amended to read:

"Section 44-55-45. An advisory committee to the ~~board~~ department must be appointed for the purpose of advising the ~~board~~ department during development or subsequent amendment of regulatory standards for the construction, maintenance, operation, and abandonment of wells subject to the jurisdiction of the board. The Advisory Committee is composed of eight members appointed by the board. Five members must be active well drillers; one member must be a registered professional engineer with experience in well design and construction; one member must be a consulting hydrogeologist with experience in well design and construction; and one member must be engaged in farming and shall represent the public at large. Three ex officio members shall also serve on the Advisory Committee, one of whom must be an employee of the Department of ~~Health and~~ Environmental ~~Control~~ Services, and appointed by the ~~commissioner~~ director; and two of whom must be employees of the South Carolina Department of Natural Resources and appointed by the director.

The term of office of members of the Advisory Committee is for four years and until their successors are appointed and qualify. No member may serve more than two consecutive terms. The initial terms of office must be staggered and any member may be removed for cause after proper notification and an opportunity to be heard."

E. Section 44-55-50(A) and (B) of the 1976 Code is amended to read:

"(A) In establishing regulations, procedures, and standards under Section 44-55-30 and in exercising supervisory powers under Section 44-55-40 the ~~board or~~ department must not prohibit or fail to include provisions for recreational activities including boating, water skiing, fishing, and swimming in any reservoir without first making and publishing specific findings that these recreational activities would be injurious to the public health and assigning with particularity the factual basis and reasons for these decisions.

(B) If the ~~board or~~ department determines that these recreational activities would be injurious to the public health it shall cause to have published at least once a week for six consecutive weeks in a newspaper of general circulation in the county or area affected a summary of its findings. Any citizen of this State who objects to the findings of the ~~board or~~ department is entitled to request a public hearing, which the ~~board or~~ department shall conduct within thirty days after the request. The public hearing must be a formal evidentiary hearing where testimony must be recorded. After the hearing the ~~board or~~ department shall review its initial findings and shall within thirty days after the hearing affirm or reevaluate its findings in writing and give notice to known interested parties. The findings of the ~~board or~~ department may be appealed to the circuit court, which is empowered to modify or overrule the findings if the court determines the findings to be arbitrary or unsupported by the evidence. Notice of intention to appeal must be served on the ~~board or~~ department within fifteen days after it has affirmed or reevaluated its initial findings and copies also must be served on known interested parties."

F. Section 44-55-60 of the 1976 Code is amended to read:

"Section 44-55-60. (A) An imminent hazard is considered to exist when in the judgment of the ~~commissioner~~ director there is a condition which may result in a serious immediate risk to public health in a public water system.

(B) In order to eliminate an imminent hazard, the ~~commissioner~~ director may, without notice or hearing, issue an emergency order requiring the water system to immediately take such action as is required

under the circumstances to protect the public health. A copy of the emergency order must be served by certified mail or other appropriate means. An emergency order issued by the ~~commissioner~~ director must be effected immediately and binding until the order is reviewed and modified by the ~~board~~ department or modified or rescinded by a court of competent jurisdiction."

G. The paragraph after the numbered items in Section 44-55-70 of the 1976 Code is amended to read:

"The ~~board~~ department shall prescribe procedures for the public notice, including procedures for notification by publication in a newspaper of general circulation, notification to be given in the water bills of the systems, as long as a condition of violation exists, and other notification as is considered appropriate by the ~~board~~ department."

H. Section 44-55-120(C) of the 1976 Code is amended to read:

"(C) There is established a Safe Drinking Water Advisory Committee for the purpose of advising and providing an annual review to the department and General Assembly on the fee schedule and the use of revenues deposited in the Drinking Water Trust Fund. The Governor shall appoint the advisory committee which must be composed of one member representing water systems with fifty thousand or more service connections, one member representing water systems with at least twenty-five thousand but fewer than fifty thousand service connections, one member representing water systems with at least ten thousand but fewer than twenty-five thousand water service connections, one member representing water systems with at least one thousand but fewer than ten thousand service connections, one member representing water systems with fewer than one thousand service connections, and the Executive Director of the Office of Regulatory Staff and the ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services, or a designee."

I. Section 44-55-690 of the 1976 Code is amended to read:

"Section 44-55-690. The county board of health may permit and approve the installation of temporary septic tanks in the case of unusual, temporary or emergency conditions. Such temporary septic tank shall be constructed and installed in accordance with the specifications, rules and regulations promulgated by the county board of health relating to the use of such tanks, and the ~~board~~ department may determine the period of time for which such temporary septic tank may be used."

J. Section 44-55-860 of the 1976 Code is amended to read:

"Section 44-55-860. Whenever any lot or parcel of land without improvement thereon upon which an owner intends to construct a

building or place a mobile home is not accessible to a sewer line for a tap-on and the county board of health or other appropriate agency in which the lot or parcel of land is situated certifies that such lot or land is not suitable to accommodate a septic tank or other individual sewage disposal system, the ~~board or agency~~ department shall state in writing to the owner within thirty days following inspection of the property the reason such septic tank or system cannot be used. At the same time the ~~board or agency~~ department shall inform the owner of the property in detail of any corrective measures that may be taken to remedy the sewage problem."

K. The Code Commissioner is directed to change all references to the "Department of Health and Environmental Control" in Chapter 55, Title 44 of the 1976 Code to the "Department of Environmental Services."

SECTION 23.A. Section 44-56-20(1) and (3) of the 1976 Code is amended to read:

"(1) ~~'Board' means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Hazardous Waste Management Act~~ Reserved.

(3) 'Department' means the Department of ~~Health and~~ Environmental ~~Control~~ Services, including personnel thereof authorized ~~by the board~~ to act on behalf of the department ~~or board~~."

B. Section 44-56-30 of the 1976 Code is amended to read:

"Section 44-56-30. The ~~board~~ department shall promulgate such regulations, procedures or standards as may be necessary to protect the health and safety of the public, the health of living organisms and the environment from the effects of improper, inadequate, or unsound management of hazardous wastes. Such regulations may prescribe contingency plans; the criteria for the determination of whether any waste or combination of wastes is hazardous; the requirements for the issuance of permits required by this chapter; standards for the transportation, containerization, and labeling of hazardous wastes consistent with those issued by the United States Department of Transportation; operation and maintenance standards; reporting and record keeping requirements; and other appropriate regulations."

C. Section 44-56-60(a)(1) of the 1976 Code is amended to read:

"(1) In order to provide the General Assembly with the information it needs to accomplish the above goals, the Department of ~~Health and~~ Environmental ~~Control~~ Services shall evaluate annually the effects of new and existing waste management technologies, alternate methods of storage or disposal, recycling, incineration, waste minimization laws and

practices, and other factors that tend to reduce the volume of hazardous waste. The results of the department's evaluation must be reported to the General Assembly not later than February first of each year, beginning in 1991, in a form that will permit the General Assembly to determine whether or not hazardous waste landfill capacity in this State should be reduced."

D. Section 44-56-100 of the 1976 Code is amended to read:

"Section 44-56-100. The ~~board~~ department may issue, modify, or revoke any order to prevent any violation of this chapter."

E. Section 44-56-130(3) of the 1976 Code is amended to read:

"(3) It shall be unlawful for any person to fail to comply with this chapter and rules and regulations promulgated pursuant to this chapter; to fail to comply with any permit issued under this chapter; or to fail to comply with any order issued by the ~~board,~~ director~~,~~ or department."

F. Section 44-56-160(A) of the 1976 Code is amended to read:

"(A) The Department of ~~Health and~~ Environmental ~~Control~~ Services is directed to establish a Hazardous Waste Contingency Fund to ensure the availability of funds for response actions necessary at permitted hazardous waste landfills and necessary from accidents in the transportation of hazardous materials and to defray the costs of governmental response actions at uncontrolled hazardous waste sites. The contingency fund must be financed through the imposition of fees provided in Sections 44-56-170 and 44-56-510 and annual appropriations which must be provided by the General Assembly."

G. Section 44-56-200(A) of the 1976 Code is amended to read:

"(A) The Department of ~~Health and~~ Environmental ~~Control~~ Services is empowered to implement and enforce the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Public Law 96-510), and subsequent amendments to Public Law 96-510 as of the effective date of the amendments."

H. Section 44-56-210 of the 1976 Code is amended to read:

"Section 44-56-210. The Department of ~~Health and~~ Environmental ~~Control~~ Services, in its discretion, shall assign not more than two full-time health inspectors to serve at each commercial hazardous waste treatment, storage, and disposal facility located in South Carolina for the purpose of assuring the protection of the health and safety of the public by monitoring the receipt and handling of hazardous waste at these sites. For any facilities to which a full-time inspector is not assigned, there must be one or more inspectors who shall monitor these facilities on a rotating basis.

The department shall implement a fee schedule to cover the costs of implementing this inspection program and the fees must be collected by the facilities from the hazardous waste generators utilizing these sites."

I. Section 44-56-405 of the 1976 Code is amended to read:

"Section 44-56-405. The purpose of the South Carolina Drycleaning Facility Restoration Trust Fund is to collect and manage funds for the investigation and remediation of environmental contamination arising from the operation of eligible drycleaning facilities and eligible wholesale supply facilities. The Department of Revenue shall collect, and enforce the payment of surcharges and fees, which constitute the fund, as required by this article. The Department of ~~Health and~~ Environmental ~~Control~~ Services shall administer the fund to ensure that the sites that pose the greatest threat to human health and the environment are remediated first and that the remediation is accomplished in compliance with this article."

J. Section 44-56-410(2) of the 1976 Code is amended to read:

"(2) 'Department' means the Department of ~~Health and~~ Environmental ~~Control~~ Services."

K. Section 44-56-420(B) of the 1976 Code is amended to read:

"(B) The ~~board of the~~ Department of ~~Health and~~ Environmental ~~Control~~ Services shall establish a moratorium on administrative and judicial actions by the department concerning drycleaning facilities and wholesale supply facilities resulting from the release of drycleaning solvent to soil or waters of the State. This moratorium applies only to those sites deemed eligible as defined in Section 44-56-470. The ~~board~~ department may review and determine the appropriateness of the moratorium as needed. The review by the ~~board~~ department must include, but is not limited to, consideration of these factors:

(1) the solvency of the fund as described in this article;

(2) prioritization of the sites;

(3) public health concerns related to the sites;

(4) eligibility of the sites; and

(5) corrective action plans submitted to the department. After review, the ~~board~~ department may suspend all or a portion of the moratorium if necessary."

L. Section 44-56-495(C) of the 1976 Code is amended to read:

"(C) Members enumerated in subsections (B)(1) through (B)(3) are appointed by ~~the board of~~ the Department of ~~Health and~~ Environmental ~~Control~~ Services and shall serve terms of two years and until their successors are appointed. The chairman of the council is elected by the members of the council at the first meeting of each new term."

M. Section 44-56-720(4) of the 1976 Code is amended to read:

"(4) 'Department' means the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services."

N. Section 44-56-840(A)(6) of the 1976 Code is amended to read:

"(6) the Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services or his designee;"

SECTION 24.A. Section 44-61-20(5) and (8) of the 1976 Code is amended to read:

"(5) ~~'Board' means the governing body of the Department of Health and Environmental Control or its designated representative~~ Reserved.

(8) 'Department' means the administrative agency known as the Department of Behavioral and Public Health ~~and Environmental Control~~."

B. Section 44-61-30(A) and (C) of the 1976 Code is amended to read:

"(A) The Department of Behavioral and Public Health ~~and Environmental Control~~, with the advice of the Emergency Medical Services Advisory Council and the State Medical Control Physician, shall develop standards and promulgate regulations for the improvement of emergency medical services (hereinafter referred to as EMS) in the State. All administrative responsibility for this program is vested in the department.

(C) An Emergency Medical Services Advisory Council must be established composed of representatives of the Department of Behavioral and Public Health ~~and Environmental Control~~, the South Carolina Medical Association, the South Carolina Trauma Advisory Council, the South Carolina Hospital Association, the South Carolina Heart Association, Medical University of South Carolina, University of South Carolina School of Medicine, South Carolina College of Emergency Physicians, South Carolina Emergency Nurses Association, Emergency Management Division of the Office of the Adjutant General, South Carolina Emergency Medical Services Association, State Board for Technical and Comprehensive Education, Governor's Office of Highway Safety, Department of Health and Human Services, four regional Emergency Medical Services councils, and one EMT first responder agency. Membership on the council must be by appointment by the ~~board~~ department. Three members of the advisory council must be members of organized rescue squads operating in this State, three members shall represent the private emergency services systems, and three members shall represent the county emergency medical services systems. The advisory council shall serve without compensation, mileage, per diem, or subsistence."

C. Section 44-61-40(B) of the 1976 Code is amended to read:

"(B) Applicants shall file license applications with the appropriate official of the department having authority over emergency services. At a minimum, license applications shall contain evidence of ability to conform to the standards and regulations established by the ~~board~~ department and such other information as may be required by the department. If the application is approved, the license will be issued. If the application is disapproved, the applicant may appeal in a manner pursuant to Article 3, Chapter 23, Title 1."

D. Sections 44-61-50 and 44-61-60 of the 1976 Code are amended to read:

"Section 44-61-50. A vehicle must not be operated as an ambulance, unless its licensed owner applies for and receives an ambulance permit issued by the department for that vehicle. Prior to issuing an original permit for an ambulance, the vehicle for which the permit is issued shall meet all requirements as to vehicle design, construction, staffing, medical and communication equipment and supplies, and sanitation as set forth in this article or in the standards and regulations promulgated by the ~~board~~ department. Absent revocation or suspension, permits issued for ambulances are valid for a period not to exceed two years.

Section 44-61-60. (A) Such equipment as deemed necessary by the department must be required of organizations applying for ambulance permits. Each licensee of an ambulance shall comply with regulations as may be promulgated by the ~~board~~ department and shall maintain in each ambulance, when it is in use as such, all equipment as may be prescribed by the ~~board~~ department.

(B) The transportation of patients and the provision of emergency medical services shall conform to standards promulgated by the ~~board~~ department."

E. Section 44-61-70(C) of the 1976 Code is amended to read:

"(C) Whoever hinders, obstructs, or interferes with a duly authorized agent of the department while in the performance of his duties or violates a provision of this article or regulation of the ~~board~~ department promulgated pursuant to this article is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than five hundred dollars and not more than five thousand dollars or by imprisonment for not less than ten days nor more than six months for each offense. Information pertaining to the license or permit is admissible in evidence in all prosecutions under this article if it is consistent with applicable statutory provisions."

F. Section 44-61-80(G) of the 1976 Code is amended to read:

"(G) All instructors of emergency medical technician training courses must be certified by the department pursuant to requirements established by the ~~board~~ department; and all such training courses shall be supervised by certified instructors."

G. Section 44-61-130 of the 1976 Code is amended to read:

"Section 44-61-130. A certified emergency medical technician may perform any function consistent with his certification, according to guidelines and regulations that the ~~board~~ department may prescribe. Emergency medical technicians, trained to provide advanced life support and possessing current Department of Behavioral and Public Health ~~and Environmental Control~~ certification while on duty with a licensed service, are authorized to possess limited quantities of drugs, including controlled substances, as may be approved by the department ~~of Health and Environmental Control~~ for administration to patients during the regular course of duties of emergency medical technicians, pursuant to the written or verbal order of a physician possessing a valid license to practice medicine in this State; however, the physician must be registered pursuant to state and federal laws pertaining to controlled substances."

H. Section 44-61-310(3), (4), (5), and (9) of the 1976 Code is amended to read:

"(3) ~~'Board' means the governing body of the Department of Health and Environmental Control or its designated representative~~ Reserved.

(4) 'Department' means the Division of Emergency Medical Services and Trauma within the Department of Behavioral and Public Health ~~and Environmental Control~~.

(5) 'Director' means the Director of the Department of Behavioral and Public Health ~~and Environmental Control~~.

(9) 'Manager' means the person coordinating the EMSC Program within the Department of Behavioral and Public Health ~~and Environmental Control~~."

I. Section 44-61-350(B) of the 1976 Code is amended to read:

"(B) Committee members must be appointed by the ~~board~~ department."

J. Section 44-61-720(19) of the 1976 Code, as added by Act 248 of 2018, is amended to read:

"(19) 'State EMS authority' means the ~~board~~ department, office, or other agency with the legislative mandate to license EMS personnel."

K. Section 44-61-800(B)(1) of the 1976 Code, as added by Act 248 of 2018, is amended to read:

"(1) Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee

shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the Commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one ~~board~~ department, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the Governor of the state will determine which entity will be responsible for assigning the delegate."

SECTION 25. Section 44-63-110 of the 1976 Code is amended to read:

"Section 44-63-110. For making, furnishing, or certifying any card, certificate, or certified copy of the record, for filing a record amendment according to the provisions of Section 44-63-60, 44-63-80, 44-63-90 or 44-63-100, or for searching the record, when no card, certificate, or certified copy is made, a fee in an amount as determined by the ~~Board of the~~ Department of Behavioral and Public Health ~~and Environmental Control~~ must be paid by the applicant, except that the Department of Social Services or its designee is not required to pay a fee when the information is needed for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation. The amount of the fee established by the ~~board~~ department may not exceed the cost of the services performed and to the extent possible must be charged on a uniform basis throughout the State. When verification of the facts contained in these records is needed for Veterans Administration purposes in connection with a claim, it must be furnished without charge to the Veterans' Affairs Department of the Governor's Office or to a county veterans affairs officer upon request and upon the furnishing of satisfactory evidence that the request is for the purpose authorized in this chapter."

SECTION 26.A. Section 44-69-20(1) and (3) of the 1976 Code is amended to read:

"(1) ~~'Board' shall mean the South Carolina Board of Health and Environmental Control~~ Reserved.

(3) 'Department' ~~shall mean~~ means South Carolina Department of Behavioral and Public Health ~~and Environmental Control~~."

B. Section 44-69-30 of the 1976 Code is amended to read:

"Section 44-69-30. No person, private or public organization, political subdivision, or other governmental agency shall establish, conduct, or maintain a home health agency or represent itself as providing home health services without first obtaining a license from the Department of

Behavioral and Public Health ~~and Environmental Control~~. This license is effective for a twelve-month period following the date of issue. A license issued under this chapter is not assignable or transferable and is subject to suspension or revocation at any time for failure to comply with this act. Subunits of parent home health agencies must be separately licensed.

The department may enter into public and private joint partnerships or enter into other appropriate cooperative agreements or arrangements or negotiate and effect these partnerships and agreements to include the sale of the entity and/or the transfer of licenses held by the department or its subdivisions to other qualified providers, if appropriate, when doing so would result in continued high quality patient care, continued provision of services to indigent patients, assurance of the employment of the department's home health employees, and provision of home care services adequate to meet the needs of the State. The department may facilitate the negotiation, contracting, or transfer of these activities through licensure and without requirement of a Certificate of Need as set out in Section 44-69-75 and without regard to the Procurement Code, Section 11-35-10, et. seq. However, a sale of the entity is subject to the provisions of the Procurement Code.

At least thirty days before entering any negotiations regarding a contractual agreement or a public/private partnership concerning the provision of home health services, the department shall place a public notice in a newspaper of general circulation for a period of no less than three consecutive days within the area where the services will be performed.

The department may establish requirements and conditions upon those entities joined in partnership or receiving transfer of the home care services, licensing, and Certificate of Need including, but not limited to, transfer of employees, coverage of indigent patients, and payments or contributions to the department to continue the provision of basic public health services as determined by the department. ~~All agreements must be reviewed and approved by the board of the department.~~ The department may monitor and enforce the contract or partnership provisions and/or conditions of transfer or any other conditions or requirements of agreements entered into pursuant to this section.

All funds paid to or received by the department pursuant to this section must be deposited in an account separate and distinct from the general fund entitled the Public Health Fund (PHF). The funds deposited in this fund must be used solely by the department to support basic public health services determined to be necessary by the department. The

appropriation of the funds must be through the general appropriations act.

Notwithstanding any of the provisions of this section, the department may continue to provide public health services in the clinic, the home, and the community necessary to ensure the protection and promotion of the public's health."

C. Section 44-69-50 of the 1976 Code is amended to read:

"Section 44-69-50. Reasonable fees shall be established by the ~~Board~~ department. Such fees shall be paid into the State Treasury or refunded to the applicant if the license is denied. Governmental home health agencies are exempt from payment of license fees."

SECTION 27. Section 44-71-20(1) and (2) of the 1976 Code is amended to read:

"(1) ~~'Board' means the South Carolina Board of Health and Environmental Control~~ Reserved.

(2) 'Department' means the South Carolina Department of Behavioral and Public Health ~~and Environmental Control~~."

SECTION 28.A. Section 44-75-20(c) and (d) of the 1976 Code is amended to read:

"(c) 'Department' means the Department of Behavioral and Public Health ~~and Environmental Control~~.

(d) ~~'Board' means the Board of Health and Environmental Control~~ Reserved."

B. 1. Section 44-75-30(b) of the 1976 Code is amended to read:

"(b) An Athletic Trainers' Advisory Committee is created consisting of nine members appointed by the ~~board~~ department. Two members must be from the department, one must be from the State Board of Medical Examiners, four must be certified athletic trainers, and two must be from the general public who are not certified or licensed in any health care field and are not connected in any way with athletic trainers."

2. The undesignated paragraph immediately following Section 44-75-30(b) of the 1976 Code is amended to read:

"Membership on the committee is by appointment by the ~~board~~ department. The terms of the members are for four years or until successors are appointed except that of those first appointed four are appointed to a term of two years."

C. Section 44-75-40(e) of the 1976 Code is amended to read:

"(e) Any person whose application is denied, suspended, or revoked is entitled to a hearing before the ~~board~~ department if he submits a written request to the ~~board~~ department. Proceedings for denial,

revocation, or suspension of a certificate must be conducted consistent with Act 176 of 1977 (Administrative Procedures Act)."

SECTION 29. Section 44-89-30(2) and (4) of the 1976 Code is amended to read:

"(2) ~~'Board' means the South Carolina Board of Health and Environmental Control~~ Reserved.

(4) 'Department' means the South Carolina Department of Behavioral and Public Health ~~and Environmental Control~~."

SECTION 30.A. Section 44-93-20(C) and (F) of the 1976 Code is amended to read:

"(C) ~~'Board' means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Infectious Waste Management Act~~ Reserved.

(F) 'Department' means the Department of ~~Health and~~ Environmental ~~Control~~ Services, including personnel of the department authorized ~~by the board~~ to act on behalf of the department ~~or board~~."

B. Section 44-93-150(A) of the 1976 Code is amended to read:

"(A) Whenever the department finds that a person is in violation of a permit, regulation, standard, or requirement under this chapter, the department may issue an order requiring the person to comply with the permit, regulation, standard, or requirement or the department may bring civil action for injunctive relief in the appropriate court; or, the department may request that the Attorney General bring civil or criminal enforcement action under subsection (B) or (C) of this section. Violation of a court order issued pursuant to this section is contempt of the issuing court and punishable as provided by law. The department also may invoke civil penalties as provided in this section for violations of the provisions of this chapter, including an order, permit, regulation, or standard. After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department ~~or board~~ to the Court of Common Pleas."

C. Section 44-93-160(B) of the 1976 Code before the numbered items is amended to read:

"(B) The owner or operator of a facility required to be permitted pursuant to this chapter treating infectious waste shall submit, not later than the tenth day of each month, to the Department of ~~Health and~~ Environmental ~~Control~~ Services:"

SECTION 31.A. Section 44-96-40(9), (24), (29), (51), and (55) of the 1976 Code is amended to read:

"(9) 'Department' means the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services.

(24) 'Lead-acid battery collection facility' means a facility authorized by the Department of ~~Health and~~ Environmental ~~Control~~ Services to accept lead-acid batteries from the public for temporary storage prior to recycling.

(29) 'Office' means the Office of Solid Waste Reduction and Recycling established within the Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section 44-96-110.

(51) 'Solid Waste Management Trust Fund' means the trust fund established within the Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section 44-96-120.

(55) 'State solid waste management plan' means the plan which the Department of ~~Health and~~ Environmental ~~Control~~ Services is required to submit to the General Assembly and to the Governor pursuant to Section 44-96-60."

B. Section 44-96-60(C)(3) of the 1976 Code is amended to read:

"(3) one member to represent the Department of ~~Health and~~ Environmental ~~Control~~ Services;"

C. Section 44-96-85(A) of the 1976 Code, as added by Act 170 of 2018, is amended before the numbered items to read:

"(A) There is established a Solid Waste Emergency Fund to be administered by the Department of ~~Health and~~ Environmental ~~Control~~ Services."

D. Section 44-96-100(A) of the 1976 Code is amended to read:

"(A) Whenever the department determines that a person is in violation of a regulation promulgated pursuant to this article regarding Sections 44-96-160(X) (Used Oil), 44-96-170(H) (Waste Tires), or 44-96-190(A) (Yard trash, compost), the department may issue an order requiring the person to comply with the regulation or the department may bring civil action for injunctive relief in the appropriate court or the department may request that the Attorney General bring civil or criminal enforcement action under this section. The department also may impose reasonable civil penalties not to exceed ten thousand dollars, for each day of violation, for violations of the regulations promulgated pursuant to this article regarding Sections 44-96-160(X), 44-96-170(H), or 44-96-190(A). After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department ~~or board of~~ to the court of common pleas, pursuant to the Administrative Procedures Act."

E. Section 44-96-120(C) of the 1976 Code is amended to read:

"(C) The department shall report on a quarterly basis to the State Solid Waste Advisory Council, House Ways and Means Committee, Senate

Finance Committee, and the Joint Legislative Committee on Energy on the condition of the Solid Waste Management Trust Fund and on the use of all funds allocated from the Solid Waste Management Trust Fund. Quarterly reports shall be made not later than sixty days after the last day of each fiscal quarter beginning with the first full quarter after this chapter is effective. Notwithstanding Chapter 39 of Title 11, the Department of ~~Health and~~ Environmental ~~Control~~ Services, through the Office of Solid Waste Reduction and Recycling, shall make decisions on the allocation of oil overcharge funds transferred to the Solid Waste Management Trust Fund pursuant to Section 44-96-120(B)(9). The department's decisions shall be made upon the approval of the statewide Solid Waste Advisory Council and after consultation with the Governor's Office and the Joint Legislative Committee on Energy to ensure that the funds are administered according to decisions of the federal courts and requirements of the United States Department of Energy. If all oil overcharge funds transferred to the Solid Waste Management Trust Fund are not committed for projects or programs authorized by this chapter five years from the date this chapter is effective, they shall be returned to the Governor's Office."

F. Section 44-96-165 of the 1976 Code is amended to read:

"Section 44-96-165. The Department of ~~Health and~~ Environmental ~~Control~~ Services, with the approval of the State Auditor, shall contract with one or more qualified, independent certified public accountants on a one-year basis to audit revenues and disbursements from the Solid Waste Management Trust Fund and the Waste Tire Trust Fund established pursuant to Section 44-96-120 and from the Petroleum Fund established pursuant to Section 44-96-160(V). The auditors may audit relevant records of a public or private entity that has submitted, kept, handled, or tracked monies for any of the three funds. This contract must be funded by the Solid Waste Management Trust Fund, the Petroleum Fund, and the Waste Tire Trust Fund."

G. 1. In the fourth undesignated paragraph of Section 44-96-170(N) of the 1976 Code is amended to read:

"The remaining portion of the tire recycling fee is to be credited to the Solid Waste Management Trust Fund by the State Treasurer for the Waste Tire Grant Trust Fund, established under the administration of the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services."

2. Section 44-96-170(P) of the 1976 Code is amended to read:

"(P) The Office of Solid Waste Reduction and Recycling of the Department of ~~Health and~~ Environmental ~~Control~~ Services may provide

grants from the Waste Tire Trust Fund to counties which have exhausted all funds remitted to counties under Section 44-96-170(N), to regions applying on behalf of those counties and to local governments within those counties to assist in the following:

(1) constructing, operating, or contracting with waste tire processing or recycling facilities;

(2) removing or contracting for the removal of waste tires for processing or recycling;

(3) performing or contracting for the performance of research designed to facilitate waste tire recycling; or

(4) the purchase or use of recycled products or materials made from waste tires generated in this State."

3. Section 44-96-170(Q)(4) of the 1976 Code is amended to read:

"(4) the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services;"

H. Section 44-96-250(B)(4) of the 1976 Code is amended to read:

"(4) 'Director' means the Director of the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services."

I. Section 44-96-440(C) of the 1976 Code is amended to read:

"(C) It shall be unlawful for any person to fail to comply with this article and any regulations promulgated pursuant to this article, or to fail to comply with any permit issued under this article, or to fail to comply with any order issued by the ~~board, commissioner,~~ director or department."

J. Section 44-96-450(A) of the 1976 Code is amended to read:

"(A) Whenever the department finds that a person is in violation of a permit, regulation, standard, or requirement under this article, the department may issue an order requiring the person to comply with the permit, regulation, standard, or requirement, or the department may bring civil action for injunctive relief in the appropriate court, or the department may request that the Attorney General bring civil or criminal enforcement action under this section. The department also may impose reasonable civil penalties established by regulation, not to exceed ten thousand dollars for each day of violation, for violations of the provisions of this article, including any order, permit, regulation, or standard. After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department ~~or board~~ to the court of common pleas."

SECTION 32. Title 46 of the 1976 Code is amended by adding:

"CHAPTER 57

Food Safety

Section 46-57-10. (A) For the purposes of this section:

(1) 'Home-based food production operation' means an individual, operating out of the individual's dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person.

(2) 'Nonpotentially hazardous foods' means candy and baked goods that are not potentially hazardous foods.

(3) 'Person' means an individual consumer.

(4) 'Potentially hazardous foods' means:

(a) an animal food that is raw or heat-treated, a plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation, or garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values		pH values	
	4.6 or less	>4.6--5.6	>5.6
(1) <0.92	non-PHF	non-PHF	non-PHF
(2) >0.92--0.95	non-PHF	non-PHF	PHF
(3) >0.95	non-PHF	PHF	PHF

Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items including, but not limited to:

(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and

(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.

(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:

(1) department-approved water supply;

(2) a separate storage place for ingredients used in foods intended for sale;

(3) a properly functioning refrigeration unit;

(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;

(5) adequate facilities for the storage of utensils and equipment;

(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;

(7) a properly functioning toilet facility;

(8) no evidence of insect or rodent activity; and

(9) department-approved sewage disposal, either on-site treatment or publicly provided.

(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:

(1) the name and address of the home-based food production operation;

(2) the name of the product being sold;

(3) the ingredients used to make the product in descending order of predominance by weight; and

(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: 'NOT FOR RESALE - PROCESSED AND PREPARED BY A

HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'

(E) Home-based food operations only may sell, or offer to sell, food items directly to a person for his own use and not for resale. A home-based food operation may not sell, or offer to sell, food items at wholesale. Food produced from a home-based food production operation must not be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25.

(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.

(G) The provisions of this section do not apply to an operation with net earnings of less than five hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

Section 46-57-20. (A) Notwithstanding any other provision of law, ground beef or any food containing ground beef prepared by a food service provider for public consumption must be cooked to heat all parts of the food to at least one hundred fifty-five degrees Fahrenheit, or sixty-eight degrees Celsius, unless otherwise ordered by the immediate consumer.

(B) The food service provider, its business or its employees or agents, are not liable for any adverse effects to the purchaser or anyone else for providing a ground beef product cooked at an internal temperature less than one hundred fifty-five degrees Fahrenheit, or sixty-eight degrees Celsius, if providing the product is at the request of the purchaser and if the food service provider has notified the purchaser in advance that a possible health risk may exist by eating the product. The notice must state that a possible health risk may exist in eating undercooked ground beef at an internal temperature less than one hundred fifty-five degrees Fahrenheit, or sixty-eight degrees Celsius, and be given to the purchaser:

(1) in writing;

(2) as stated on the menu; or

(3) by visible sign warning.

(C) In order for an immediate consumer or purchaser, as used in this section, to request or order ground beef to be cooked to a temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), the individual must be eighteen years of age or older.

Section 46-57-30. Fresh meat or fresh meat products sold to a consumer may not be offered to the public for resale for human

consumption if the fresh meat or fresh meat products have been returned by the consumer.

Section 46-57-35. The Department of Agriculture may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the sanitation of hotels, restaurants, cafes, drugstores. hot dog and hamburger stands, all other places or establishments providing eating or drinking facilities, and all other places known as private nursing homes or places of similar nature, operated for gain or profit; and

(2) the production, storing, labeling, transportation, and selling of milk and milk products, filled milk and filled milk products, imitation milk and imitation milk products, synthetic milk and synthetic milk products, milk derivatives, and any other products made in semblance for milk or milk products.

Section 46-57-40. The department may not use any funds appropriated or authorized to the department to enforce Regulation 61-25 to the extent that its enforcement would prohibit a church or charitable organization from preparing and serving food to the public on their own premises at not more than one function a month or not more than twelve functions a year.

Section 46-57-45. (A) Except as provided in Section 46-57-50, a person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Agriculture promulgated pursuant to this chapter, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

(B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued pursuant to this chapter is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

(C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

(D) The term 'notice' as used in this section means either actual notice or constructive notice."

SECTION 33. Section 47-5-20(2) of the 1976 Code is amended to read:

"(2) 'Department' means the South Carolina Department of ~~Health and Environmental Control, including county health departments~~ Environmental Services."

SECTION 34.A. Section 48-1-10(9) of the 1976 Code is amended to read:

"(9) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services;"

B. Section 48-1-20 of the 1976 Code is amended to read:

"Section 48-1-20. It is declared to be the public policy of the State to maintain reasonable standards of purity of the air and water resources of the State, consistent with the public health, safety and welfare of its citizens, maximum employment, the industrial development of the State, the propagation and protection of terrestrial and marine flora and fauna, and the protection of physical property and other resources. It is further declared that to secure these purposes and the enforcement of the provisions of this chapter, the Department of ~~Health and Environmental Control~~ Environmental Services shall have authority to abate, control and prevent pollution."

C. Section 48-1-55 of the 1976 Code is amended to read:

"Section 48-1-55. On any navigable river in this State where an oyster factory is located, the Department of ~~Health and Environmental Control~~ Environmental Services may utilize qualified personnel of the county or municipality in whose jurisdiction the factory operates to assist with the monitoring of water quality and other environmental standards the department is required to enforce. The assistance may be provided at the request of the department and upon the consent of the county or municipality concerned."

D. Section 48-1-85(D) of the 1976 Code is amended to read:

"(D) Houseboat holding tanks may be emptied only by a pump-out system permitted by the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

E. Section 48-1-95(A)(4) of the 1976 Code is amended to read:

"(4) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services."

F. Section 48-1-100(B) and (C) of the 1976 Code is amended to read:

"(B) The Department of ~~Health and Environmental Control~~ Environmental Services is the agency of state government having jurisdiction over the quality of the air and waters of the State of South Carolina. It shall develop and enforce standards as may be necessary governing emissions or discharges into the air, streams, lakes, or coastal waters of the State, including waste water discharges.

(C) The Department of ~~Health and Environmental Control~~ Environmental Services is the agency of state government having jurisdiction over those matters involving real or potential threats to the health of the people of South Carolina, including the handling and

disposal of garbage and refuse; septic tanks; and individual or ~~privately owned~~ privately owned systems for the disposal of offal and human or animal wastes."

G. Section 48-1-130 of the 1976 Code is amended to read:

"Section 48-1-130. A person discharging sewage, industrial waste, or other waste or air contaminant into the environment of the State, in such manner or quantity as to cause pollution, without regard to the time that the discharge began or whether or not the continued discharge has been by virtue of a permit issued by the department, shall discontinue the discharge upon receipt of an order of the department. An order is subject to review pursuant to Section ~~44-1-60~~ 49-3-40 and the Administrative Procedures Act. This section does not abrogate any of the department's emergency powers."

H. Section 48-1-280 of the 1976 Code is amended to read:

"Section 48-1-280. Nothing herein contained shall be construed to postpone, stay or abrogate the enforcement of the provisions of the public health laws of this State and ~~rules and~~ regulations promulgated hereunder in respect to discharges causing actual or potential hazards to public health nor to prevent the Department of ~~Health and Environmental Control~~ Environmental Services from exercising its right to prevent or abate nuisances."

SECTION 35. A. Section 48-2-20(2) of the 1976 Code is amended to read:

"(2) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

B. Section 48-2-70 of the 1976 Code is amended to read:

"Section 48-2-70. Under each program for which a permit processing fee is established pursuant to this article, the promulgating authority also shall establish by regulation a schedule for timely action by the Department of ~~Health and Environmental Control~~ Environmental Services on permit applications under that program. These schedules shall contain criteria for determining in a timely manner when an application is complete and the maximum length of time necessary and appropriate for a thorough and prompt review of each category of permit applications and shall take into account the nature and complexity of permit application review required by the act under which the permit is sought. If the department fails to grant or deny the permit within the time frame established by regulation, the department shall refund the permit processing fee to the permit applicant."

C. Section 48-2-320(1), (2), and (3) of the 1976 Code is amended to read:

"(1) ~~'Commissioner'~~ 'Director' means the ~~Commissioner~~ director of the Department of ~~Health and Environmental Control~~ Environmental Services.

(2) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services.

(3) 'Environmental emergency' means a situation, to be determined by the ~~commissioner~~ director, that constitutes an immediate threat to the environment or public health, or both, and providing immediate, but temporary relief to the situation may require the expenditure of funds to effect a solution, provide temporary relief, or retain the services of appropriate technical personnel or contractors."

D. Section 48-2-330(A) of the 1976 Code is amended to read:

"(A) There is created within the Department of ~~Health and Environmental Control~~ Environmental Services a restricted account to be known as the Environmental Emergency Fund."

E. Section 48-2-340(A) of the 1976 Code is amended to read:

"(A) The department, through the ~~commissioner~~ director or the ~~commissioner's~~ director's designee, shall certify that funding for a specific emergency was necessary to protect the environment or public health, or both. Annually, the department shall prepare an independent accounting of all revenue in the fund. The report must be submitted to the ~~chairman of the Board of the Department of Health and Environmental Control~~ Governor and must be made available to the public upon request."

SECTION 36. A. Section 48-3-10(6) of the 1976 Code is amended to read:

"(6) 'Department' shall mean the Department of ~~Health and Environmental Control~~ Environmental Services of South Carolina."

B. Section 48-3-140(A)(2) of the 1976 Code is amended to read:

"(2) a statement setting forth the action taken by the Department of ~~Health and Environmental Control~~ Environmental Services in connection with the pollution control facilities;"

SECTION 37. Section 48-4-10 of the 1976 Code is amended to read:

"Section 48-4-10. (A) The South Carolina Department of Natural Resources ~~is created to~~ shall administer and enforce the laws of this State relating to wildlife, marine resources, and natural resources and other laws specifically assigned to it. The department must be comprised of a Natural Resources Enforcement Division, a Wildlife and Freshwater Fisheries Division, a Marine Resources Division, ~~a Water Resources Division,~~ and a Land Resources and Conservation Districts Division.

Each division of the department must have the functions and powers provided by law.

(B) ~~All functions, powers, and duties provided by law to the South Carolina Wildlife and Marine Resources Department, the Geological Survey Division of the Budget and Control Board, to include the State Geologist, and the South Carolina Migratory Waterfowl Committee are transferred to the Department of Natural Resources. All nonregulatory functions, powers, and duties provided by law to the South Carolina Water Resources Commission and the State Land Resources Conservation Commission are transferred to the Department of Natural Resources. All rules, regulations, standards, orders, or other actions of these entities remain in effect unless specifically changed or voided by the department in accordance with the Administrative Procedures Act.~~

~~(C)~~ All divisions are directly accountable to and subject to the Department of Natural Resources.

~~(D) The Wildlife and Marine Resources Commission, the Land Resources Conservation Commission, and the Water Resources Commission are abolished.~~"

SECTION 38. Section 48-5-20(6) of the 1976 Code is amended to read:

"(6) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

SECTION 39. Section 48-14-20(1) and (6) of the 1976 Code is amended to read:

"(1) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services.

(6) 'Designated Watershed' means a watershed designated by a local government and approved by the Department of ~~Health and Environmental Control~~ Environmental Services and identified as having an existing or potential storm water, sediment control, or nonpoint source pollution problem."

SECTION 40.A. Section 48-18-20(8) and (11) of the 1976 Code is amended to read:

"(8) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services.

~~(11) 'Board' means the board of the department.~~"

B. Section 48-18-50(1) of the 1976 Code is amended to read:

"(1) A State Advisory Council on Erosion and Sediment Reduction (State Advisory Council), which may include, but not be limited to, a representative of each of the following, must be appointed by the Governor upon the advice of the following agencies and organizations:

South Carolina Association of Counties
South Carolina Municipal Association
South Carolina Association of Conservation Districts
South Carolina Home Builders Association
Associated General Contractors, Inc.
South Carolina Association of Realtors
South Carolina Chapter, American Society of Landscape Architects
South Carolina Chapter, American Society of Civil Engineers
Council of Governments Executive Director's Committee
South Carolina Farm Bureau
South Carolina State Grange
Office of the Governor
USDA-Soil Conservation Service
Clemson University
South Carolina Department of ~~Health and Environmental Control~~ Environmental Services
South Carolina Forestry Commission
South Carolina Forestry Association
South Carolina Chapter
American Institute of Architects"

SECTION 41.A. Section 48-20-30 of the 1976 Code is amended to read:

"Section 48-20-30. The South Carolina Department of ~~Health and Environmental Control~~ Environmental Services is responsible for administering the provisions and requirements of this chapter. This includes the process and issuance of mining permits, review and approval of reclamation plans, collection of reclamation performance bonds, conduct of environmental appraisals, technical assistance to mine operators and the public, implementation of research and demonstration projects, and inspections of all mining operations and reclamation as set forth in this chapter. Proper execution of these responsibilities may necessitate that the department seek comment from other relevant state agencies regarding matters within their respective areas of statutory responsibility or primary interests. The department has ultimate authority, subject to the appeal provisions of this chapter, over all mining, as defined in this chapter, and the provisions of this chapter regulating and controlling such activity."

B. Section 48-20-40(3) of the 1976 Code is amended to read:

"(3) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services. Whenever in this

chapter the department is assigned duties, they may be performed by the director or by subordinates as he designates."

C. Section 48-20-70(3) of the 1976 Code is amended to read:

"(3) the operation will violate standards of air quality, surface water quality, or groundwater quality which have been promulgated by the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services;"

SECTION 42. Section 48-21-20(b) and (c) of the 1976 Code is amended to read:

"(b) The council shall be composed of eleven members. One member shall be the State Geologist and one member shall be the Secretary of Commerce or his designee. Three members, appointed by the Governor, shall be representatives of mining industries; three members, appointed by the Governor, shall be representatives of nongovernmental conservation interests; two members, appointed by the Governor, shall be representatives of the Department of ~~Health and Environmental Control~~ Environmental Services who shall be knowledgeable in the principles of water and air resources management; and one member, appointed by the Governor, shall be his official representative to the Interstate Mining Compact Commission. Any public official appointed to the council shall serve ex officio. The term of office for the Secretary of Commerce or his designee and the Governor's official representative to the Interstate Mining Compact Commission shall be coterminous with that of the Governor. Of the remaining eight members appointed by the Governor, six shall be appointed for terms of six years, two shall be appointed for terms of two years and beginning July 1, 1976, the term of office for all new appointments and reappointments to these eight positions shall be for four years. The term of each member of the council shall expire on June thirtieth of the year in which his term expires. Any vacancy occurring on the council by death, resignation, or otherwise shall be filled for the unexpired term of the person creating the vacancy by the Governor.

(c) In accordance with Article V (i) of the compact, the commission shall file copies of its bylaws and any amendments thereto with the Director of the Department of ~~Health and Environmental Control~~ Environmental Services."

SECTION 43. Section 48-34-40(B)(3) of the 1976 Code is amended to read:

"(3) are considered in the public interest and do not constitute a public or private nuisance when conducted pursuant to the South Carolina Smoke Management Guidelines, Chapters 1 and 35, Title 48,

and Chapter 2, Title 50; prescribed fires that are purposefully set in accordance with these chapters and the South Carolina Smoke Management Guidelines are exempt from the open fire prohibition pursuant to R. 61-62.2 and are acceptable to the Department of ~~Health and Environmental Control~~ Environmental Services if the fire is for:

(a) burning forest lands for specific management practices;

(b) agricultural control of diseases, weeds, and pests and for other specific agricultural purposes;

(c) open burning of trees, brush, grass, and other vegetable matter for game management purposes;"

SECTION 44.A. Section 48-39-10(C), (V), and (W) of the 1976 Code is amended to read:

"(C) 'Division' means the Coastal Division of the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services.

(V) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services.

(W) ~~'Board' means the board of the department~~ Reserved."

B. Section 48-39-35 of the 1976 Code is amended to read:

"Section 48-39-35. The Coastal Division of the Department of Health and Environmental Control is created July 1, 1994. The division is transferred to the Department of Environmental Services the effective date of this act."

C.1. The undesignated, introductory paragraph of Section 48-39-50 of the 1976 Code is amended to read:

"The South Carolina Department of ~~Health and Environmental Control~~ Environmental Services shall have the following powers and duties:"

2. Section 48-39-50(S) of the 1976 Code is amended to read:

"(S) To monitor, in coordination with the South Carolina Department of Natural Resources, the waters of the State for oil spills. If such department observes an oil spill in such waters, it shall immediately report ~~such~~ the spill to the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services, the United States Coast Guard, and the Environmental Protection Agency. This in no way negates the responsibility of the spiller to report a spill."

D. Section 48-39-270(3) of the 1976 Code is amended to read:

"(3) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services."

E. Section 48-39-280(F) of the 1976 Code, as last amended by Act 173 of 2018, is further amended to read:

"(F)~~(1)A landowner claiming ownership of property adversely affected by the establishment of a baseline or setback line, upon submittal of substantiating evidence, must be granted a review of the baseline or setback line. Alternatively, the municipality or county in which the property is situated, acting on behalf of the landowner with his written authorization, or an organization acting on behalf of the landowner with his written authorization, upon submittal of substantiating evidence, must be granted a review of the baseline and setback line. A review is initiated by filing a request for a review conference with the department board via certified mail within one year of the establishment of the baseline or setback line and must include a one hundred-dollar review fee per property.~~

~~(2) The initial decision to establish a baseline or setback line must be a department staff decision.~~

~~(3) No later than sixty calendar days after the receipt of a request for review, the board must:~~

~~(a) decline to schedule a review conference in writing; or~~

~~(b) conduct a review conference in accordance with the provisions of item (4).~~

~~(4) A review conference may be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. The board shall set the place, date, and time for the conference; give twenty calendar days' written notice of the conference; and advise the landowner or the county, municipality, or organization acting on behalf of the landowner that evidence may be presented at the conference. The review conference must be held as follows:~~

~~(a) Review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the landowner or the county, municipality, or organization acting on behalf of the landowner. During the course of the review conference, the staff must explain the staff decision and the materials relied upon to support its decision. The landowner or the county, municipality, or organization acting on behalf of the landowner shall state the reasons for contesting the staff decision and may provide evidence to support amending the staff decision. The staff may rebut information and arguments presented by the landowner or the county, municipality, or organization acting on behalf of the landowner, and the landowner or the county, municipality, or organization acting on behalf of the landowner may rebut information and arguments presented by the staff. Any review conference officer may request additional information~~

~~and may question the landowner or the county, municipality, or organization acting on behalf of the landowner and the staff.~~

~~(b) After the review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue, based upon the evidence presented, a written decision to the landowner or the county, municipality, or organization acting on behalf of the landowner via certified mail no later than thirty calendar days after the date of the review conference. The written decision must explain the basis for the decision and inform the landowner or the county, municipality, or organization acting on behalf of the landowner of the right to request a contested case hearing before the Administrative Law Court.~~

~~(5) The landowner or the county, municipality, or organization acting on behalf of the landowner may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1, for a contested case hearing within thirty calendar days after:~~

~~(a) written notice is received by the landowner or the county, municipality, or organization acting on behalf of the landowner that the board declines to hold a review conference;~~

~~(b) the sixty-calendar-day deadline to hold the review conference has lapsed and no conference has been held; or~~

~~(c) the final agency decision resulting from the review conference is received by the landowner or the county, municipality, or organization acting on behalf of the landowner~~ A landowner, or the county, municipality, or organization acting on the landowner's behalf, who claims ownership of property adversely affected by the establishment of a baseline or setback line, upon submittal of substantiating evidence, may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1, for a contested case hearing within thirty days after written notice is received by the landowner of the baseline or setback line decision."

F. Section 48-39-320(C) of the 1976 Code is amended to read:

"(C) Notwithstanding any other provision of law contained in this chapter, ~~the board, or the Office of Ocean and Coastal Resource~~ the Bureau of Coastal Management~~,~~ may allow the use in a pilot project of any technology, methodology, or structure, whether or not referenced in this chapter, if it is reasonably anticipated that the use will be successful in addressing an erosional issue in a beach or dune area. If success is demonstrated, ~~the board, or the Office of Ocean and Coastal Resource~~ the Bureau of Coastal Management~~,~~ may allow the continued use of the

technology, methodology, or structure used in the pilot project location and additional locations."

SECTION 45.A. Section 48-40-20(2) of the 1976 Code is amended to read:

"(2) '~~Office~~ Bureau' means the ~~Office of Ocean and Coastal Resource~~ Bureau of Coastal Management of the Department of ~~Health and Environment Control~~ Environmental Services."

B. Section 48-40-40(B) of the 1976 Code is amended to read:

"(B) The trust fund must be administered by the ~~Office of Ocean and Coastal Resource~~ Bureau of Coastal Management of the Department of ~~Health and Environmental Control~~ Environmental Services pursuant to this chapter and its regulations governing application, review, ranking, and approval procedures for grants."

SECTION 46. A. Section 48-43-10(B), (W), and (X) of the 1976 Code is amended to read:

"(B) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services.

(W) 'Sanitary landfill' means a solid waste disposal facility regulated by the Department of ~~Health and Environmental Control~~ Environmental Services.

~~(X) 'Board' means board of the department.~~"

B. Section 48-43-30(B)(5) and (B)(6)(ii) of the 1976 Code is amended to read:

"(5) To promulgate, after hearing and notice as hereinafter provided, such rules and regulations, and issue such orders reasonably necessary to prevent waste and oil discharges from drilling and production platforms, pipelines, gathering systems, processing facilities, storage facilities, refineries, port facilities, tankers, and other facilities and vessels that may be a source of oil spills and to protect correlative rights, to govern the practice and procedure before the ~~board~~ department, and to fulfill its duties and the purposes of this chapter.

(ii) furnish proof of insurance with the State of South Carolina as beneficiary. Before the issuance of drilling permits for methane gas recovery from sanitary landfills, the department must certify that the proposed activity is consistent with the Department of ~~Health and Environmental Control~~ Environmental Services regulations governing the operation, monitoring, and maintenance of the landfills and applicable permit conditions."

C. Section 48-43-40(D) of the 1976 Code is amended to read:

"(D) All rules, regulations and orders made by the Department of ~~Health and Environmental Control~~ Environmental Services shall be in

writing, shall be entered in full and indexed in books to be kept by the department for that purpose, and shall be public records open for inspection at all times during office hours. In addition, all rules and regulations shall be filed with the Secretary of State. A copy of any rule, regulation or order, certified by any member of the department or the department, under its seal, shall be received in evidence in all courts of this State with the same effect as the original."

D. Section 48-43-50 of the 1976 Code is amended to read:

"Section 48-43-50. (A) The ~~board~~ department or an Administrative Law Judge shall have the power to conduct hearings, to summon witnesses, to administer oaths and to require the production of records, books and documents for examination at any hearing or investigation.

(B) Upon failure or refusal on the part of any person to comply with a subpoena issued by the ~~board~~ department pursuant to this section, or upon the refusal of any witness to testify as to any matter regarding which he may be interrogated and which is pertinent to the hearing or investigation, any circuit court in the State, upon the application of the ~~board~~ department, may issue an order to compel such person to comply with such subpoena, and to attend before the ~~board~~ department and produce such records, books and documents for examination, and to give his testimony. Such court shall have the power to punish for contempt as in the case of disobedience to a like subpoena issued by the court, or for refusal to testify therein."

E. Section 48-43-60 of the 1976 Code is amended to read:

"Section 48-43-60. Any person, who is aggrieved and has a direct interest in the subject matter of any final order issued by the ~~board~~ department, may appeal such order to the circuit court."

F. Section 48-43-100 of the 1976 Code is amended to read:

"Section 48-43-100. All rules and regulations adopted by the Department of ~~Health and Environmental Control~~ Environmental Services, as provided for in this chapter, must be approved by the General Assembly before they shall be effective; provided, however, no regulation approved by the General Assembly shall conflict, at the time of approval, with any requirement or be in excess of any statute, rule or regulation of the Federal Government or any department or agency thereof."

G. Section 48-43-390(A) of the 1976 Code is amended to read:

"(A) The South Carolina State Fiscal Accountability Authority, upon review by the Joint Bond Review Committee as necessary, hereinafter referred to as the authority, is hereby designated as the State Agency with the authority, responsibility and power to lease all State lands to persons

for the purpose of drilling for and producing oil and gas. The Department of ~~Health and Environmental Control~~ Environmental Services is hereby designated as the exclusive agent for the authority in selecting lands to be leased, administering the competitive bidding for leases, administering the leases, receiving and compiling comments from other state agencies concerning the desirability of leasing the state lands proposed for leasing and such other activities that pertain to oil and gas leases as may be included herein as responsibilities of the authority."

H. Section 48-43-510 (1) and (13) of the 1976 Code is amended to read:

"(1) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services.

(13) ~~'Board' means the Department of Health and Environmental Control~~ Reserved."

I. Section 48-43-520(4) of the 1976 Code before the numbered items is amended to read:

"(4) The General Assembly intends by the enactment of this article to exercise the police power of the State by conferring upon the Department of ~~Health and Environmental Control~~ Environmental Services power to:"

J. Section 48-43-570(a) of the 1976 Code is amended to read:

"(a) The Department of Transportation, the Department of Natural Resources, and any other agency of this State, shall cooperate with and lend assistance to the Department of ~~Health and Environmental Control~~ Environmental Services by assigning, upon request, personnel, equipment and material to be utilized in any project or activity related to the containment, collection, dispersal or removal of oil discharged upon the land or into the waters of this State."

SECTION 47.A. Section 48-46-30(7), (10), (19), and (22) of the 1976 Code is amended to read:

"(7) 'Extended care maintenance fund' means the 'escrow fund for perpetual care' that is used for custodial, surveillance, and maintenance costs during the period of institutional control and any post-closure observation period specified by the Department of ~~Health and Environmental Control~~ Environmental Services and for activities associated with closure of the site as provided for in Section 13-7-30(4).

(10) 'Maintenance' means active maintenance activities as specified by the Department of ~~Health and Environmental Control~~ Environmental Services, including pumping and treatment of groundwater and the repair and replacement of disposal unit covers.

(19) 'Regional waste' means waste generated within a member state of the Atlantic Compact. Consistent with the regulatory position of the

Department of ~~Health and Environmental Control~~ Environmental Services, Bureau of Radiological Health, dated May 1, 1986, some waste byproducts shipped for disposal that are derived from wastes generated within the Atlantic Compact region, such as residues from recycling, processing, compacting, incineration, collection, and brokering facilities located outside the Atlantic Compact region may also be considered regional waste.

(22) 'Waste' means Class A, B, or C low-level radioactive waste, as defined in Title I of Public Law 99-240 and Department of ~~Health and Environmental Control~~ Environmental Services Regulation 61-63, 7.2.22, that is eligible for acceptance for disposal at a regional disposal facility."

B. Section 48-46-40(B)(7)(a) and (9) of the 1976 Code is amended to read:

"(a) If the office, upon the advice of the compact commission or the site operator, concludes based on information provided to the office, that the volume of waste to be disposed during a forthcoming period of time does not appear sufficient to generate receipts that will be adequate to reimburse the site operator for its costs of operating the facility and its operating margin, then the office shall direct the site operator to propose to the compact commission plans including, but not necessarily limited to, a proposal for discontinuing acceptance of waste until such time as there is sufficient waste to cover the site operator's operating costs and operating margin. Any proposal to suspend operations must detail plans of the site operator to minimize its costs during the suspension of operations. Any such proposal to suspend operations must be approved by the Department of ~~Health and Environmental Control~~ Environmental Services with respect to safety and environmental protection.

(9) In all proceedings held pursuant to this section, the office shall participate as a party representing the interests of the State of South Carolina, and the compact commission may participate as a party representing the interests of the compact states. The Executive Director of the Office of Regulatory Staff and the Attorney General of the State of South Carolina shall be parties to any such proceeding. Representatives from the Department of ~~Health and Environmental Control~~ Environmental Services shall participate in proceedings where necessary to determine or define the activities that a site operator must conduct in order to comply with the regulations and license conditions imposed by the department. Other parties may participate in the PSC's proceedings upon satisfaction of standing requirements and compliance with the PSC's procedures. Any site operator submitting records and

information to the PSC may request that the PSC treat such records and information as confidential and not subject to disclosure in accordance with the PSC's procedures."

C. Section 48-46-50(A) of the 1976 Code is amended to read:

"(A) The Governor shall appoint two commissioners to the Atlantic Compact Commission and may appoint up to two alternate commissioners. These alternate commissioners may participate in meetings of the compact commission in lieu of and upon the request of a South Carolina commissioner. Technical representatives from the Department of ~~Health and Environmental Control~~ Environmental Services, the office, the PSC, and other state agencies may participate in relevant portions of meetings of the compact commission upon the request of a commissioner, alternate commissioner, or staff of the compact commission, or as called for in the compact commission bylaws."

D. Section 48-46-80 of the 1976 Code is amended to read:

"Section 48-46-80. Pursuant to Section 48-2-10 et seq., the Department of ~~Health and Environmental Control~~ Environmental Services may adjust the radioactive materials license fee for Low-Level Radioactive Waste Shallow Land Disposal in Regulation 61-30 in an amount that will offset changes to its annual operating budget caused by projected increases or decreases in the number of permittees expected to pay fees for Radioactive Waste Transport Permits under the same regulation for shipment of low-level radioactive waste for disposal within the State."

E. Section 48-46-90 of the 1976 Code is amended to read:

"Section 48-46-90. (A) In accordance with Section 13-7-30, the office, or its designee, is responsible for extended custody and maintenance of the Barnwell site following closure and license transfer from the facility operator. The Department of ~~Health and Environmental Control~~ Environmental Services is responsible for continued site monitoring.

(B) Nothing in this chapter may be construed to alter or diminish the existing statutory authority of the Department of ~~Health and Environmental Control~~ Environmental Services to regulate activities involving radioactive materials and radioactive wastes."

SECTION 48.A. Section 48-52-810(10)(b)(v) of the 1976 Code is amended to read:

"(v) a building project funded by the Department of ~~Health and Environmental Control~~ Environmental Services in which the primary purpose of the building project is for the storage of archived documents."

B. Section 48-52-865(A)(1)(c) of the 1976 Code is amended to read:

"(c) the Director of the Department of ~~Health and Environmental Control~~ Environmental Services, or his designee;"

SECTION 49. Section 48-55-10(A)(1) and (7) of the 1976 Code is amended to read:

"(1) South Carolina Department of ~~Health and Environmental Control~~ Environmental Services by its ~~commissioner~~ director;

(7) Coastal Division of the Department of ~~Health and Environmental Control~~ Environmental Services by the ~~department's director~~ division's chief;"

SECTION 50. Section 48-56-20(3) of the 1976 Code is amended to read:

"(3) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

SECTION 51. Section 48-57-20(1) of the 1976 Code is amended to read:

"(1) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

SECTION 52.A. Section 48-60-20(10) of the 1976 Code is amended to read:

"(10) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services."

B. Section 48-60-55(E)(2) of the 1976 Code is amended to read:

"(2) If the department disapproves a plan submitted pursuant to item (1), and the representative organization chooses not to submit a revised plan or the department disapproves the revised plan, the representative organization shall have the right to appeal pursuant to Section ~~44-1-60~~ 49-3-40."

SECTION 53.A. Section 49-1-15(A) and (B) of the 1976 Code is amended to read:

"Section 49-1-15. (A) Except as otherwise provided herein, no person may erect, construct, or build any structure or works in order to dam or impound the waters of a navigable stream or any waters which are tributary to a navigable stream for the purpose of generating hydroelectricity without securing a permit from the Department of ~~Health and Environmental Control~~ Environmental Services. Any projects that are subject to Chapter 33, ~~of~~ Title 58 of the Utility Facility Siting and Environmental Protection Act are exempted from this section. Further exempted are projects where the project developer without exercising condemnation authority is the existing owner of the property

upon which the project is to be constructed and projects which do not exceed sixty acres including in both cases inundated land.

(B) The Department of ~~Health and Environmental Control~~ Environmental Services may issue a permit for the projects in this subsection after a thorough review of the proposed project and a finding that it meets any regulations of the ~~board~~ department and the following standards:

(1) The proposed project does not halt or prevent navigation by watercraft of the type ordinarily frequenting the reach of the watercourse in question.

(2) The projects proposed for shoaled areas of the watercourse provide a means of portage or bypass of the project structure.

(3) The need for the proposed project far outweighs the historical and current uses of the stream in question.

(4) The impact of the proposed project will not threaten or endanger plant or animal life.

(5) The recreational and aesthetic benefits or detriments caused by the proposed project do not alter the watercourse or damage riparian lands."

B. Section 49-1-16 of the 1976 Code is amended to read:

"Section 49-1-16. The Department of ~~Health and Environmental Control~~ Environmental Services may charge a fee to an applicant for a permit for any construction, alteration, dredging, filling, or other activity in navigable waters of the State. If the project is commercial or industrial and is in support of operations that charge for the production, distribution, or sale of goods or services, a fee of five hundred dollars must be charged, except if the aerial crossing of navigable waters by conductors or other wires supported solely by structures outside the navigable waters the fee shall be one hundred dollars. If the work is noncommercial in nature and provides personal benefits that have no connection with a commercial enterprise the fee must be fifty dollars. The department shall remit the fees to the State Treasurer and shall be issued a credit for any portion of the fees necessary to offset its costs in processing, investigating and taking final action on each permit application. Any remaining portion shall be credited to the general fund of the State."

C. Section 49-1-18 of the 1976 Code is amended to read:

"Section 49-1-18. The General Assembly, pursuant to Section 7, Article I of the South Carolina Constitution, 1895, suspends the authority of the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services, hereinafter the department, for all decisions

subsequent to 2007 related to all matters pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels, in particular the approval by the department of the application of the United States Army Corps of Engineers for a Construction in Navigable Waters Permit for the dredging of the South Carolina portion of the Savannah River, because the authority of the Savannah River Maritime Commission, hereinafter the Maritime Commission, superseded the responsibilities of the department for such approval, as established by Act 56 of 2007, and the approval by the department could present imminent and irreversible public health and environmental concerns for the South Carolina portion of the Savannah River. Until the effective date of this act, the Department of ~~Health and Environmental Control~~ Environmental Services retains authority for all matters pertaining to the Savannah River unrelated to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels. Beginning the effective date of this act, the authority for all matters pertaining to the Savannah River unrelated to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels are transferred to and devolved upon the Department of Environmental Services."

SECTION 54.A. Section 49-4-20(5) of the 1976 Code is amended to read:

"(5) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services."

B. Section 49-4-170(B)(1) of the 1976 Code is amended to read:

"(1) The department may, in consultation with the Department of Natural Resources, negotiate agreements, accords, or compacts on behalf of and in the name of the State with other states or the United States, or both, with any agency, department, or commission of either, or both, relating to transfers of water that impact waters of this State, or are connected to or flowing into waters of this State. Any agreements, accords, or compacts made by the ~~board~~ department pursuant to this section must be approved by concurrent resolution of the General Assembly prior to being implemented. The department also may represent the State in connection with water withdrawals, diversions, or transfers occurring in other states which may affect this State. The provisions in this section do not apply to the Office of Attorney General

or any pending or future criminal or civil actions, lawsuits, or causes in which the State is a party or interested."

SECTION 55.A. Section 49-5-30(3)and (5) of the 1976 Code is amended to read:

"(3) ~~'Board' means the Board of the Department of Health and Environmental Control.~~ Reserved.

(5) 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services."

B. Section 49-5-60 of the 1976 Code is amended to read:

"Section 49-5-60. (A) In the State where excessive groundwater withdrawal presents potential adverse effects to the natural resources or poses a threat to public health, safety, or economic welfare or where conditions pose a significant threat to the long-term integrity of a groundwater source, including salt water intrusion, the ~~board~~ department, after notice and public hearing, in accordance with the Administrative Procedures Act, shall designate a capacity use area. The department, local government authorities, other government agencies, or groundwater withdrawers may initiate the capacity use area designation process. The notice and public hearing must be conducted such that local government authorities, groundwater withdrawers, or the general public may provide comments concerning the capacity use area designation process. A capacity use area must be designated by the ~~board~~ department based on scientific studies and evaluation of groundwater resources and may or may not conform to political boundaries.

(B) After notice and public hearing, the department shall coordinate with the affected governing bodies and groundwater withdrawers to develop a groundwater management plan to achieve goals and objectives stated in Section 49-5-20. In those areas where the affected governing bodies and withdrawers are unable to develop a plan, the department shall take action to develop the plan. ~~The plan must be approved by the board before the department may issue groundwater withdrawal permits for the area.~~

(C) Once the ~~board approves the~~ groundwater management plan for a designated capacity use area is developed in accordance with subsection (A), each groundwater withdrawer shall make application for a groundwater withdrawal permit. The department shall issue groundwater withdrawal permits in accordance with the approved plan.

(D) A person or entity affected may appeal a decision of the ~~board~~ department on a capacity use area designation within thirty days after the filing of the decision to the court of common pleas of any county which is included in whole or in part within the disputed capacity use area. The

department shall certify to the court the record in the hearing. The court shall review the record and the regularity and the justification for the decision. The court may not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

(1) in violation of constitutional or statutory provisions;

(2) in excess of the statutory authority of the agency;

(3) made upon unlawful procedure;

(4) affected by other error of law;

(5) clearly erroneous in view of the reliable, probative, and substantial evidence on the record; or

(6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion."

SECTION 56. A. Section 43-6-10 of the 1976 Code is amended to read:

"Section 49-6-10. There is hereby created the South Carolina Aquatic Plant Management Program for the purpose of preventing, identifying, investigating, managing, and monitoring aquatic plant problems in public waters of South Carolina. The program will coordinate the receipt and distribution of available federal, state, and local funds for aquatic plant management activities and research in public waters.

The Department of ~~Natural Resources~~ Environmental Services (department) is designated as the state agency to administer the Aquatic Plant Management Program and to apply for and receive grants and loans from the federal government or such other public and private sources as may be available for the Aquatic Plant Management Program and to coordinate the expenditure of such funds."

B. Section 49-6-30 of the 1976 Code is amended to read:

"Section 49-6-30. There is hereby established the South Carolina Aquatic Plant Management Council, hereinafter referred to as the council, which shall be composed of ten members as follows:

~~1.~~(1)The council shall include one representative from each of the following agencies, to be appointed by the chief executive officer of each agency:

(a) Water Resources Division of the Department of ~~Natural Resources~~ Environmental Services;

(b) ~~South Carolina Department of Health and Environmental Control;~~

~~(c)~~ Wildlife and Freshwater ~~Fish~~ Fisheries Division of the Department of Natural Resources;

~~(d)~~(c) South Carolina Department of Agriculture;

~~(e)~~(d) Coastal Division of the Department of ~~Health and Environmental Control~~ Environmental Services;

~~(f)~~(e) South Carolina Public Service Authority;

~~(g)~~(f) Land ~~Resources~~ and Conservation Districts Division of the Department of Natural Resources;

~~(h)~~(g) South Carolina Department of Parks, Recreation and Tourism;

~~(i)~~(h) Clemson University, Department of Fertilizer and Pesticide Control.

~~2.~~(2)The council shall include one representative from the Governor's Office, to be appointed by the Governor.

~~3.~~(3)The representative of the Water Resources Division of the Department of ~~Natural Resources~~ Environmental Services shall serve as chairman of the council and shall be a voting member of the council.

The council shall provide interagency coordination and serve as the principal advisory body to the department on all aspects of aquatic plant management and research. The council shall establish management policies, approve all management plans, and advise the department on research priorities."

SECTION 57.A. Section 49-11-120(3) of the 1976 Code is amended to read:

"(3) 'Department' means the South Carolina Department of ~~Health and Environmental Control~~ Environmental Services or its staff or agents."

B. Section 49-11-170(E) of the 1976 Code is amended to read:

"(E) The owner of a dam or reservoir determined through a preliminary inspection not to be maintained in good repair or operating condition or to be unsafe and a danger to life or property may request a hearing before ~~the board of~~ the department within thirty days after notice of the findings are delivered. The owner may submit written or present oral evidence which must be considered by ~~the board of~~ the department in the issuance of the order."

C. Section 49-11-260(D) of the 1976 Code is amended to read:

"(D) A person against whom a final order or decision has been made, except for emergencies specified in Section 49-11-190, may appeal to the ~~board~~ circuit court under the Administrative Procedures Act. The

burden of proof is on the party attacking an order or a decision of the department to show that the order is unlawful or unreasonable."

SECTION 58. A. Section 13-7-10(11) and (12) of the 1976 Code is amended to read:

"(11) 'Extended care maintenance fund' means the 'escrow fund for perpetual care' that is used for custodial, surveillance, and maintenance costs during the period of institutional control and any post-closure observation period specified by the Department of ~~Health and Environmental Control~~ Environmental Services, and for activities associated with closure of the site as provided for in Section 13-7-30(4).

(12) 'Maintenance' means active maintenance activities as specified by the Department of ~~Health and Environmental Control~~ Environmental Services including pumping and treatment of groundwater and the repair and replacement of disposal unit covers."

B. The undesignated paragraph after Section 13-7-30(4) of the 1976 Code is amended to read:

"In order to finance such extended custody and maintenance as the board may undertake, the board may collect fees from private or public parties holding radioactive materials for custodial purposes. These fees must be sufficient in each individual case to defray the estimated cost of the board's custodial management activities for that individual case. The fees collected for such custodial management activities shall also be sufficient to provide additional funds for the purchase of insurance which shall be purchased for the protection of the State and the general public for the period such radioactive material considering its isotope and curie content together with other factors may present a possible danger to the general public in the event of migration or dispersal of such radioactivity. All such fees, when received by the board, must be transmitted to the State Treasurer. The Treasurer must place the money in a special account, in the nature of a revolving trust fund, which may be designated 'extended care maintenance fund', to be disbursed on authorization of the board. Monies in the extended care maintenance funds must be invested by the board in the manner as other state monies. However, any interest accruing as a result of investment must accrue to this extended care maintenance fund. Except as authorized in Section 48-46-40(B)(7)(b) and (D)(2), the extended care maintenance fund must be used exclusively for custodial, surveillance, and maintenance costs during the period of institutional control and during any post-closure and observation period specified by the Department of ~~Health and Environmental Control~~ Environmental Services, and for activities associated with closure of the site. Funds from the extended care

maintenance fund shall not be used for site closure activities or for custodial, surveillance, and maintenance performed during the post-closure observation period until all funds in the decommissioning trust account are exhausted."

C. Section 13-7-40(A) of the 1976 Code is amended to read:

"(A) The Department of ~~Health and Environmental Control~~ Environmental Services is designated as the agency of the State which is responsible for the control and regulation of radiation sources but, notwithstanding anything in this article, does not have the power to regulate, license, or control nuclear reactors of facilities or operations incident to them in duplication of an activity of the federal government which has not been discontinued by agreement pursuant to Section 13-7-60."

D. Section 13-7-45(A)(1) of the 1976 Code is amended to read:

"(A)(1) The ~~South Carolina~~ Department of ~~Health and Environmental Control~~ Environmental Services shall promulgate regulations and establish a schedule for the collection of annual fees for the licensing, registration, and certification of users of the sources of ionizing radiation. The fees collected must be sufficient, in the judgment of the department, to protect the public health and safety and the environment and to recover the costs incurred by the department in regulating the use of ionizing radiation and in performing emergency corrective measures intended to protect the public health and safety or the environment pursuant to the provisions of law."

E. Section 13-7-60(B) of the 1976 Code is amended to read:

"(B) Any person who on the effective date of an agreement under subsection (A) of this section possesses a license issued by the Federal Government authorizing activities, the regulation of which is assumed by the State under such agreement, shall be deemed to possess a license issued under this article, which shall expire either ninety days after receipt from the Department of ~~Health and Environmental Control~~ Environmental Services of a notice of expiration of such license, or upon the date of expiration specified in the Federal license; whichever is earlier."

F. Section 13-7-70(1) of the 1976 Code is amended to read:

"(1) The ~~South Carolina~~ Department of ~~Health and Environmental Control~~ Environmental Services (the department) shall adopt rules and regulations governing the transportation of radioactive materials in South Carolina which, in the judgment of the department, shall protect the public health and safety and protect the environment. Such rules and regulations shall include, but not be limited to, provisions for the use of

signs designating radioactive material cargo; for the packing, marking, loading and handling of radioactive materials and the precautions necessary to determine whether the material which is offered for transport is in proper condition. Nothing in this section shall be deemed applicable to the transportation of radioactive waste which is regulated by Article 2 of this chapter."

G. Section 13-7-90 of the 1976 Code is amended to read:

"Section 13-7-90. Any person who is practicing as an operator of sources of ionizing radiation on May 26, 1986 is exempt from the certification requirements promulgated by the Department of ~~Health and Environmental Control~~ Environmental Services provided that such person applies for certification as an operator within sixty days of May 26, 1986."

H.Section 13-7-120B. of the 1976 Code is amended to read:

"B. 'Department' means the Department of ~~Health and Environmental Control~~ Environmental Services, including personnel authorized to act on behalf of the Department."

I. The undesignated paragraph after Section 13-7-160B. of the 1976 Code is amended to read:

"In preparing its regulations, the Department of ~~Health and Environmental Control~~ Environmental Services is authorized to distinguish as to the radioactive isotope and its curie strength so as to protect the general public."

SECTION 59. Article 1, Chapter 62, Title 48 of the 1976 Code is amended by adding:

"Section 48-62-25. The office shall administer the state flood mitigation program, which includes administration of the national flood program for the State."

SECTION 60. A. Section 1-30-10(A) of the 1976 Code, as last amended by Act 26 of 2019, is further amended to read:

"(A) There are hereby created, within the executive branch of the state government, the following departments:

~~1.~~(1) Department of Administration

~~2.~~(2) Department of Agriculture

~~3.~~(3) Department of ~~Alcohol and Other Drug Abuse Services~~ Behavioral and Public Health

~~4.~~(4) Department of Commerce

~~5.~~(5) Department of Corrections

~~6.~~(6) Department of Disabilities and Special Needs

~~7.~~(7) Department of Education

~~8.~~(8) Department of ~~Health and Environmental Control~~ Environmental Services

~~9.~~(9) Department of Health and Human Services

~~10.~~(10) Department of Insurance

~~11.~~(11) Department of Juvenile Justice

~~12.~~(12) Department of Labor, Licensing and Regulation

~~13. Department of Mental Health~~

~~14~~(13) Department of Motor Vehicles

~~15.~~(14) Department of Natural Resources

~~16.~~(15) Department of Parks, Recreation and Tourism

~~17.~~(16) Department of Probation, Parole and Pardon Services

~~18.~~(17) Department of Public Safety

~~19.~~(18) Department of Revenue

~~20.~~(19) Department of Social Services

~~21.~~(20) Department of Transportation

~~22.~~(21) Department of Employment and Workforce

~~23.~~(22) Department on Aging

~~24.~~(23) Department of Veterans' Affairs."

B. Section 1-30-75 of the 1976 Code is amended to read:

Section 1-30-75. ~~Effective on July 1, 1994,~~ The following agencies, boards, and commissions, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with the agency, except for those subdivisions specifically included under another department~~, are transferred to and incorporated in, and~~ must be administered as part of the Department of Natural Resources. The department must be divided ~~initially~~ into divisions for Land Resources and Conservation Districts, ~~Water Resources,~~ Marine Resources, Wildlife and Freshwater Fisheries, and State Natural Resources Enforcement~~. The South Carolina Wildlife and Marine Resources Commission, as constituted on June 30, 1993, and after that time, under the provisions of Section 50-3-10 et seq. is the governing authority for the department~~:

(1) Geological Survey of the Research and Statistical Services Division of the Budget and Control Board, to include the State Geologist, formerly provided for at Section 1-11-10, et seq.;

(2) State Land Resources Conservation Commission, less the regulatory division, formerly provided for at Section 48-9-10, et seq.;

(3) South Carolina Migratory Waterfowl Commission, formerly provided for at Section 50-11-20, et seq.;

~~(4) Water Resources Commission, less the regulatory division, formerly provided for at Section 49-3-10, et seq.;~~

~~(5)~~(4) South Carolina Wildlife and Marine Resources Commission, formerly provided for at Section 50-3-10, et seq."

C. Chapter 30, Title 1 of the 1976 Code is amended by adding:

"Section 1-30-140.(A) There is hereby created, within the executive branch of the state government, the Department of Behavioral and Public Health, headed by a director appointed by the Governor pursuant to Section 44-1-20. The divisions, offices, and programs of the Department of Health and Environmental Control performing functions, related to regulation and protection of the health prior to the effective date of this act, the Department of Mental Health, and the Department of Alcohol and Other Drug Abuse Services, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with these divisions, offices, programs, and other related entities, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Behavioral and Public Health.

(B) There is hereby created, within the executive branch of the state government, the Department of Environmental Services, headed by a director appointed by the Governor pursuant to Section 49-3-20. The divisions, offices, and programs of the Department of Health and Environmental Control performing functions related to regulation and protection of the environment prior to the effective date of this act, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property and all contractual rights and obligations associated with these divisions, offices, programs, and other related entities, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Environmental Services."

SECTION 61. Sections 1-30-20, 1-30-45, 1-30-70, 44-11-30, and 44-11-40 of the 1976 Code are repealed.

SECTION 62. The Code Commissioner is directed to change all references to the "Department of Health and Environmental Control" in Chapters 3, 5, 6, 7, 8, 9, 20, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 49, 52, 53, 61, 63, 69, 70, 74, 78, 80, 81, 99, 113, 115, 117, 122, 125, 128, and 130 of Title 44 of the 1976 Code to the "Department of Behavioral and Public Health".

SECTION 63. (A)(1) Beginning July 1, 2022, and until the initial director of the Department of Behavioral and Public Health is appointed and qualifies, the Director of the Department of Health and

Environmental Control shall serve as the Director of the Department of Behavioral and Public Health.

(2) Beginning July 1, 2022, and until the initial director of the Department of Environmental Services is appointed and qualifies, the Director of the Division of Environmental Affairs of the Department of Health and Environmental Control shall serve as the Director of the Department of Environmental Services.

(B) When the provisions of this act transfer particular state agencies, departments, boards, commissions, committees, or entities, or sections, divisions, or portions thereof (transferring departments), to another state agency, department, division, or entity or make them a part of another department or division (receiving departments), the employees, authorized appropriations, bonded indebtedness if applicable, and real and personal property of the transferring department also are transferred to and become part of the receiving department or division unless otherwise specifically provided. All classified or unclassified personnel of the affected agency, department, board, commission, committee, entity, section, division, or position employed by these transferring departments on the effective date of this act, either by contract or by employment at will, shall become employees of the receiving department or division, with the same compensation, classification, and grade level, as applicable. The Department of Administration shall cause all necessary actions to be taken to accomplish this transfer and shall in consultation with the agency head of the transferring and receiving agencies prescribe the manner in which the transfer provided for in this section shall be accomplished. The board's action in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers.

(C)(1) When an agency, department, entity, or official is transferred to or consolidated with another agency, department, division, entity, or official, regulations promulgated by that transferred agency, department, entity or official under the authority of former provisions of law pertaining to it are continued and are considered to be promulgated under the authority of present provisions of law pertaining to it.

(2) When powers and duties of the Department of Health and Environmental Control are transferred to and devolved upon another department, agency, or subdivision thereof, the power and duty to promulgate regulations is also transferred to and devolved upon that department, agency, or subdivision thereof.

(D) References to the names of agencies, departments, entities, or public officials changed by this act, to their duties or functions herein

devolved upon other agencies, departments, entities, or officials, or to provisions of law consolidated with or transferred to other parts of the 1976 Code are considered to be and must be construed to mean appropriate references.

(E) Employees or personnel of agencies, departments, entities, or public officials, or sections, divisions, or portions thereof, transferred to or made a part of another agency, department, division, or official pursuant to the terms of this act shall continue to occupy the same office locations and facilities which they now occupy to the greatest extent possible. The rent and physical plant operating costs of these offices and facilities, if any, shall continue to be paid by the transferring agency, department, entity, or official formerly employing these personnel to the greatest extent possible. The records and files of the agencies that formerly employed these personnel shall continue to remain the property of these transferring agencies, except that these personnel shall have complete access to these records and files in the performance of their duties as new employees of the receiving agency.

(F) Unless otherwise provided herein or by law, all fines, fees, forfeitures, or revenues imposed or levied by agencies, personnel, or portions thereof, so transferred to other agencies or departments must continue to be used and expended for those purposes provided prior to the effective date of this act. If a portion of these fines, fees, forfeitures, or revenues were required to be used for the support, benefit, or expense of personnel transferred, these funds must continue to be used for these purposes.

(G) When the functions of former agencies have been devolved on more than one department or departmental division, the general support services of the former agency must be transferred to the restructured departments or departmental divisions as provided by the General Assembly in the annual general appropriations act.

(H)(1) The Code Commissioner of the Legislative Council is directed to change or correct all references to the agencies, divisions, and programs thereof in the 1976 Code to reflect the transfers of authority and responsibility as provided in this act. References to the agencies, divisions, and programs thereof in the 1976 Code or other provisions of law are considered to be and must be construed to mean appropriate references.

(2) By July 1, 2023, the Code Commissioner shall prepare and deliver a report to the President of the Senate and the Speaker of the House of Representatives concerning appropriate and conforming changes to the 1976 Code Laws reflecting the provisions of this act

relating to the government restructuring described in item (1). The affected agencies shall coordinate with the Code Commissioner for purposes of preparing the report.

(I) The Code Commissioner of the Legislative Council shall cause the changes to the 1976 Code as contained in this act to be printed in replacement volumes or in cumulative supplements as he considers practical and economical.

SECTION 64. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 65. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 66. Upon the act's approval, the Department of Administration shall commence its duties as specified in SECTION 63. Monthly progress reports shall be issued to the Chairmen of the Senate Finance Committee, Senate Medical Affairs Committee, Senate Agriculture and Natural Resources Committee, House Ways and Means Committee, House Medical, Military, Public and Municipal Affairs Committee, and House Agriculture, Natural Resources and Environmental Affairs Committee. Reports must include a summation of material progress and the expenditures made relevant to the current report, an overview of tasks yet to be accomplished, the associated estimated expenditures, and a projected timeline for completion of those tasks and the entire transfer and consolidation of state agencies as

directed by this act. The report also must include information from the receiving agencies regarding the absorption of the transferring agencies and their organization within the receiving agencies. Notwithstanding any of the above, final completion, as directed by this act, shall occur no later than June 30, 2023.

SECTION 67. This act takes effect on July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the committee amendment.

The committee amendment was adopted.

Amendment No. 1

Senator PEELER proposed the following amendment (VR\ 2C006.RT.VR22), which was adopted:

Amend the bill, as and if amended, SECTION 1, page [2-3], by striking item (8) and inserting:

/ (8) the flood mitigation program of the Department of Natural Resources shall become a program of the Office of Resilience and all relevant powers and duties assigned to the Department of Natural Resources being transferred to and devolved upon the Office of Resilience; and /

Amend the bill further, as and if amended, SECTION 2, page [2-21], by striking Section 44-1-210 and inserting:

/ "Section 44-1-210. All fees and charges collected pursuant to Sections 44-1-180 to 44-1-200, including vital statistics fees as now provided by law, shall be deposited in the State Treasury and shall be used in the operation of the public health program of the bureau, division, district health unit or local county health department which performed the services for which the fees and charges were collected. An annual report shall be made to the State Fiscal Accountability Authority, Executive Budget Office and the Revenue and Fiscal Affairs Office of the receipts and expenditures made under the provisions of Sections 44-1-180 to 44-1-200." /

Amend the bill further, as and if amended, beginning on page [2-48], by striking SECTION 16 and inserting:

/ SECTION 16. Chapter 3, Title 49 of the 1976 Code is amended to read:

"CHAPTER 3

~~Water Resources Planning and Coordination Act~~ Department of Environmental Services

~~Section 49-3-10. This chapter may be cited as the South Carolina Water Resources Planning and Coordination Act.~~

~~Section 49-3-20. As used in this chapter:~~

~~(1) 'Board' means the governing body of the Department of Natural Resources.~~

~~(2) 'Department' means the Department of Natural Resources.~~

~~Section 49-3-30. The former Water Resources Commission without its regulatory functions is hereby transferred to the Water Resources Division of the Department of Natural Resources and is directly accountable to and subject to the board of the Department of Natural Resources. The Water Resources Division shall be directly accountable to and subject to the Department of Natural Resources. The regulatory functions of the former Water Resources Commission are transferred to the Department of Health and Environmental Control.~~

Section 49-3-10. (A) There is created the Department of Environmental Services comprised of:

(1) the Bureau of Air Quality;

(2) the Bureau of Land and Waste Management;

(3) the Bureau of Water;

(4) the Bureau of Regional and Laboratory Services, which includes the Division of Emergency Response and the Division of Onsite Wastewater and Enforcement; and

(5) the Bureau of Coastal Management.

The Director of the Department of Environmental Services may realign the bureaus, divisions, offices, and programs to gain additional efficiencies or to better align resources with changes in environmental statutes or regulation.

(B) The department is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of the Department of Health and Environmental Control on the effective date of this act, including, but not limited to, functions, powers, and duties provided for in this chapter; in Chapters 2, 55, 56, 93, 95, and 96 of Title 44; in Chapters 2, 14, 18, 20, 21, 40, 41, 43, 46, 55, 56, 57, and 60 of Title 48; and in Chapter 5 of Title 49.

Section 49-3-20. (A) The Governor shall appoint a Director of the Department of Environmental Services pursuant to Section 1-30-10(B)(1) with the advice and consent of the Senate who manages the department and who may appoint deputies for the divisions pursuant to Section 1-30-10(E).

(B) If a vacancy occurs in the department when the Senate is not in session, the Governor may appoint a director to fill the vacancy until the Senate acts on the appointment.

(C) The director is subject to removal by the Governor as provided for in Section 1-3-240.

Section 49-3-30. The director shall have all authority and duties as provided for in Chapter 30, Title 1.

Section 49-3-40. ~~(a)~~(A) The department shall advise and assist the Governor and the General Assembly in:

(1) formulating and establishing a comprehensive water resources policy for the State, such as a State Water Plan, including coordination of policies and activities among the state departments and agencies;

(2) developing and establishing policies and proposals designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;

(3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and to recommend appropriate action where deemed necessary;

(4) reviewing any project, plan, or program of federal aid affecting the use or control of any waters within the State and to recommend appropriate action where deemed necessary;

(5) developing policies and recommendations to assure that the long range interests of all groups, urban, suburban, and rural, are provided for in the state's representation on interstate water issues;

(6) recommending to the General Assembly any changes of law or regulation required to implement the policy declared in this chapter; and

(7) such other water resources planning, policy formulation, and coordinating functions as the Governor and the General Assembly may designate.

~~(b)~~(B) The department is authorized to conduct or arrange for such studies, inquiries, surveys, or analyses as may be relevant to its duties in assisting the Governor and the General Assembly in the implementation of the policy declared in this chapter, and in developing recommendations for the General Assembly. For these purposes, the department shall have full access to the relevant records of other state departments and agencies and political subdivisions of the State, and may hold public hearings, and may cooperate with or contract with any public or private agency, including educational, civic, and research organizations. The studies, inquiries, surveys, or analyses shall

incorporate and integrate, to the maximum extent feasible, plans, programs, reports, research, and studies of federal, state, interstate, regional, metropolitan and local units, agencies, and departments of government.

~~(c)~~(C) In developing recommendations for the Governor and the General Assembly relating to the use and control of the water resources of the State, the department shall:

(1) coordinate its activities by distribution of copies of its notices of meetings with agenda, minutes and reports of all state agencies concerned with water resources;

(2) consult with representatives of any federal, state, interstate, or local units of government which would be affected by such recommendations; and

(3) be authorized to appoint such interdepartmental and public advisory boards as necessary to advise them in developing policies for recommendations to the Governor and the General Assembly.

~~(d)~~(D) The department shall encourage, assist and advise regional, metropolitan, and local governmental agencies, officials or bodies responsible for planning in relation to water aspects of their programs, and shall assist in coordinating local and regional water resources activities, programs, and plans.

~~(e)~~(E) The department may publish reports, including the results of such studies, inquiries, surveys, and analyses as may be of general interest, and shall make an annual report of its activities to the Governor and the General Assembly within ten days after the convening of each session of the General Assembly.

~~(f)~~(F) The department may receive and expend grants, gifts, and monies donated or given by any state, federal, or private agency, person, corporation, water or sewer authority, or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.

~~(g)~~(G) The department is authorized and required to review and approve the expenditure of funds derived from the United States Army Corps of Engineers when any funds are authorized and appropriated for any water resources related projects or purposes~~,~~ including, but not limited to, the following:

(1) navigation,

(2) irrigation,

(3) water storage,

(4) aquatic weed management,

(5) flood control,

(6) salinity control,

(7) interstate water concerns, and

(8) any studies, surveys, or analyses performed by the Corps of Engineers.

The review and approval required by this subsection is not applicable to any Corps of Engineers funds which must be expended in a different manner pursuant to express statutory direction.

Section 49-3-50. In exercising its responsibilities under this chapter, the department shall take into consideration the need for:

~~(a)~~(1) adequate supplies of surface and groundwaters of suitable quality for all uses, including domestic, municipal, agricultural, and industrial~~.~~;

~~(b)~~(2) water of suitable quality for all purposes~~.~~;

~~(c)~~(3) water availability for recreational and commercial needs~~.~~;

~~(d)~~(4) hydroelectric power~~.~~;

~~(e)~~(5) flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses~~.~~;

~~(f)~~(6) land stabilization measures~~.~~;

~~(g)~~(7) drainage measures, including salinity control~~.~~;

~~(h)~~(8) watershed protection and management measures~~.~~;

~~(i)~~(9) outdoor recreational and fish and wildlife opportunities~~.~~;

~~(j)~~(10) studies on saltwater intrusion into groundwater and surface water~~.~~;

~~(k)~~(11) measures to protect the state's fisheries and other aquatic resources~~.~~;

~~(l)~~(12) any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State~~.~~; and

Section 49-3-60. (A) All decisions of the Department of Environmental Services involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case, except a decision to establish a baseline or setback line, must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 49-3-65.

(B) The department shall comply with all requirements for public notice, receipt of public comments, and public hearings before making a decision. To the maximum extent possible, the department shall use a

uniform system of public notice of permit applications, opportunity for public comment, and public hearings.

(C) In making a decision about a permit, license, certification, or other approval, the department shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition a permit, license, certification, or other approval. At the time that a decision is made, the department shall issue a written decision and shall base its decision on the administrative record, which must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification, or other approval. The administrative record also may include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department is not required to issue a written decision for issuance of routine permits for which the department has not received adverse public comments.

(D)(1) The department shall send a notice of a decision by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of decisions for which a written decision is not required pursuant to subsection (C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

(2) Within thirty calendar days after the receipt of the decision pursuant to item (1) an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.

(E) If a deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

Section 49-3-65. (A) In making a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 49-3-60(C), the department shall base its decision solely on whether the permit complies

with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.

(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:

(1) only an applicant, permittee, licensee, or affected person may request a contested case hearing pursuant to Section 49-3-60(D)(2);

(2) only an applicant, permittee, licensee, or affected person may become a party to a contested case hearing; and

(3) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the Administrative Procedures Act.

(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant's complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application including, but not limited to, the construction of a residence.

(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy-two hours to provide in writing a withdrawal or rescission of the waiver.

(D)(1) An applicant, permittee, licensee, or affected person who is aggrieved by a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.

(2) Notwithstanding any other provision of law, a decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner's property line or located one thousand feet or more from an adjacent property owner's residence.

(E) For purposes of this section, 'affected person' means a property owner with standing within a one-mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.

Section 49-3-70. (A) The Department of Environmental Services may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats, and other vehicles of transportation in this State and all correctional facilities, jails, hotels, schools, and other places used by or open to the public;

(2) the control of industrial plants, including the protection of workers from fumes, gases, and dust, whether obnoxious or toxic;

(3) the use of water in air humidifiers;

(4) the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town, or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction, or otherwise; and

(5) the alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes.

(B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the environment and public life and health.

Section 49-3-75. (A) There is established within the Department of Environmental Services an Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary, and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The department shall determine the project applications to review, and the process may be applied to any one or all of the permit programs administered by the department.

(B)(1) Before January 1, 2009, the Department of Health and Environmental Control was directed to promulgate regulations necessary to carry out the provisions of this section. The regulations were to

include, but are not limited to, definitions of 'completeness' for applications submitted, consideration of joint federal-state permitting activities, standards for applications submitted that advance environmental protection, and expedited process application review fees. Beginning the effective date of this act, the Department of Environmental Services shall promulgate regulations it determines necessary to carry out the purposes of this section.

(2) Regulations promulgated pursuant to this section must not alter public notice requirements for permits, certifications, or licenses issued by the Department of Environmental Services.

(C) Until the Department of Health and Environmental Control promulgated regulations pursuant to subsection (B)(1), it was directed to conduct a pilot expedited review program to determine the most environmentally sound, cost efficient, and economically beneficial process for implementation of a statewide expedited review program and to determine which permit programs, or subcomponents of a program, to include in the pilot program and also was authorized to establish pilot program expedited process application fees.

(D) There was created the Expedited Review Fund that is separate and distinct from the general fund of the State and all other funds. Fees established in regulation pursuant to subsection (B) and assessed pursuant to subsection (C) must be credited to the fund and used for the costs of implementing the Expedited Review Program. Interest accruing to the fund must be retained by the fund and used for the same purposes. Revenue in the fund not expended during a fiscal year, including fees generated pursuant to subsection (C), must be carried forward to the succeeding fiscal year and must be used for the same purposes.

Section 49-3-80. A corporation or person whose only purpose is furnishing, supplying, marketing, or selling treated effluent for irrigation purposes, is not a public utility for purposes of Title 58 by virtue of the furnishing, supplying, marketing, or selling of the treated effluent, provided that the effluent has not been permitted for consumption by the Department of Environmental Services or other regulatory agency.

Section 49-3-85. (A) A person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Environmental Services, made by the department pursuant to Section 49-3-70, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

(B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued

pursuant to Section 49-3-70 is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

(C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

(D) The term 'notice' as used in this section means either actual notice or constructive notice.

(E) This section does not apply to fines levied pursuant to Section 49-3-70(2) or any other areas regulated by the South Carolina Occupational Health and Safety Act, Section 41-12-10, et seq.

Section 49-3-90. Nothing contained in Section 49-3-70 in any way abridges or limits the right of a person to maintain or prosecute a civil or criminal proceeding against a person maintaining a nuisance.

Section 49-3-95. (A) For purposes of the section, 'impacted location' means any facility issued or otherwise subject to a permit, license, or approval from the North Carolina Department of Environment and Natural Resources that has now been determined to be located within the jurisdiction of the South Carolina Department of Environmental Services as a result of the amendments to Section 1-1-10, effective January 1, 2017.

(B) Notwithstanding any other provision of law, the South Carolina Department of Environmental Services, in issuing any environmental permit, license, or approval to an impacted location shall provide a schedule of compliance that allows the permittee a reasonable period of time to be no greater than five years to come into compliance with any South Carolina environmental rule, regulation, or standard established by the department or by law that has no corresponding rule, regulation, or standard under North Carolina law or regulation, or is more stringent than the corresponding rule, regulation, or standard established under North Carolina law or regulation. The department may include increments of progress applicable in each year of the schedule established under this subsection, and may shorten the period of compliance as necessary to prevent an imminent threat to the public health and environment. The department may extend a permittee's compliance schedule under this section beyond five years upon written application by the permittee only if the department determines that circumstances reasonably require such an extension, and the extension of time would pose no threat to public health or the environment.

Section 49-3-100. (A) Notwithstanding any other provision of law, shellfish that is the subject of a violation of law, including regulations, may be confiscated and disposed of at the discretion of the arresting officer.

(B) A person convicted of a second offense of harvesting shellfish in a polluted area, upon conviction, must be fined not less than two hundred dollars and not more than five hundred dollars or imprisoned for not less than thirty days and not more than sixty days.

(C) A person convicted of a third or subsequent offense of harvesting shellfish in a polluted area, upon conviction, must be fined not less than five hundred dollars and not more than one thousand dollars or imprisoned for not less than sixty days and not more than ninety days.

(D) All equipment including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a first offense of harvesting shellfish in any polluted area, may be impounded at the discretion of the arresting officer. The equipment impounded must be delivered to the sheriff of the county in which the arrest was made and must be retained by the sheriff. The equipment may not be returned to the owner until the case has been finally disposed of. All equipment including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a second, third, or subsequent offense of harvesting shellfish in a polluted area, must be confiscated. All confiscated equipment must be sold at auction by the sheriff of the county in which the second, third, or subsequent offense took place and by a representative of the Department of Environmental Services, except for weapons, which, following confiscation, must be disposed of in the manner set forth in Sections 16-23-50, 16-23-460, and 16-23-500.

Section 49-3-105. Notwithstanding any other provision of law, all revenue from a fine or a forfeiture of bond for a violation of a shellfish law or regulation provided by this title must be deposited monthly with the treasurer of the county in which the arrest for the violation was made. One-third of the revenue must be retained by the county treasurer to be used for the general operating needs of the county pursuant to the direction of the governing body of the county. Two-thirds of the revenue must be remitted quarterly to the Department of Environmental Services of which one-half is to be used in enforcing shellfish laws and regulations and one-half is to be remitted quarterly to the state general fund. All monies derived from auction sales of confiscated equipment pursuant to Section 49-3-100 must be deposited, retained, remitted, and used in the same manner as provided in this section for all revenue derived from a fine or a violation of a shellfish law or regulation. A report of fines for forfeitures of bonds regarding shellfish violations must be sent to the department monthly by each magistrate and clerk of court in this State.

A report of monies derived from auction of sales of confiscated equipment must be sent to the department monthly by each sheriff.

Section 49-3-110. When a person is apprehended by a shellfish patrolman upon a charge of violating the health and sanitary aspects of shellfish, crab, and shrimp laws or regulations, the person upon being served with a summons by the patrolman in lieu of being immediately brought before the proper judicial officer may enter into a formal recognizance or deposit a proper sum of money in lieu of a recognizance or incarceration with the patrolman as bail which must not be less than the minimum or more than the maximum fine, but in no case exceed one hundred dollars. The bail must be turned over to the proper judicial officer. A receipt for the sum deposited must be given to the person by the patrolman. The summons duly served must give the judicial officer jurisdiction to dispose of the matter. Upon receipt of bail the patrolman shall release the person so charged, and the person may appear in court at the time stated in and required by the summons." /

Amend the bill further, as and if amended, SECTION 34. G., page [2-92], by striking Section 48-1-130 and inserting:

/ "Section 48-1-130. A person discharging sewage, industrial waste, or other waste or air contaminant into the environment of the State, in such manner or quantity as to cause pollution, without regard to the time that the discharge began or whether or not the continued discharge has been by virtue of a permit issued by the department, shall discontinue the discharge upon receipt of an order of the department. An order is subject to review pursuant to Section ~~44-1-60~~ 49-3-60 and the Administrative Procedures Act. This section does not abrogate any of the department's emergency powers." /

Amend the bill further, as and if amended, SECTION 52. B., page [2-106], by striking Section 48-60-55(E)(2) and inserting:

/ "(2) If the department disapproves a plan submitted pursuant to item (1), and the representative organization chooses not to submit a revised plan or the department disapproves the revised plan, the representative organization shall have the right to appeal pursuant to Section ~~44-1-60~~ 49-3-60." /

Amend the bill further, as and if amended, beginning on page [2-116], by striking SECTION 63(A) and (B) and inserting:

/ (A)(1) Beginning July 1, 2022, and until the initial director of the Department of Behavioral and Public Health is appointed and qualifies, the Director of the Department of Health and Environmental Control shall serve as the Director of the Department of Behavioral and Public

Health. The interim director is subject to removal by the Governor pursuant to Section 1-3-240.

(2) Beginning July 1, 2022, and until the initial director of the Department of Environmental Services is appointed and qualifies, the Director of the Division of Environmental Affairs of the Department of Health and Environmental Control shall serve as the Director of the Department of Environmental Services. The interim director is subject to removal by the Governor pursuant to Section 1-3-240.

(B) When the provisions of this act transfer particular state agencies, departments, boards, commissions, committees, or entities, or sections, divisions, or portions thereof (transferring departments), to another state agency, department, division, or entity or make them a part of another department or division (receiving departments), the employees, authorized appropriations, bonded indebtedness if applicable, and real and personal property of the transferring department also are transferred to and become part of the receiving department or division unless otherwise specifically provided. All classified or unclassified personnel of the affected agency, department, board, commission, committee, entity, section, division, or position employed by these transferring departments on the effective date of this act, either by contract or by employment at will, shall become employees of the receiving department or division, with the same compensation, classification, and grade level, as applicable. The Department of Administration shall cause all necessary actions to be taken to accomplish this transfer and shall in consultation with the agency head of the transferring and receiving agencies prescribe the manner in which the transfer provided for in this section shall be accomplished. The Department of Administration's action in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator CAMPSEN proposed the following amendment (2R001.GEC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 44(E) and inserting:

/ E. Section 48-39-280(F) of the 1976 Code, as last amended by Act 173 of 2018, is further amended to read:

"(F)~~(1) A landowner claiming ownership of property adversely affected by the establishment of a baseline or setback line, upon submittal of substantiating evidence, must be granted a review of the baseline or setback line. Alternatively, the municipality or county in which the property is situated, acting on behalf of the landowner with his written authorization, or an organization acting on behalf of the landowner with his written authorization, upon submittal of substantiating evidence, must be granted a review of the baseline and setback line. A review is initiated by filing a request for a review conference with the department board via certified mail within one year of the establishment of the baseline or setback line and must include a one hundred dollar review fee per property.~~

~~(2) The initial decision to establish a baseline or setback line must be a department staff decision.~~

~~(3) No later than sixty calendar days after the receipt of a request for review, the board must:~~

~~(a) decline to schedule a review conference in writing; or~~

~~(b) conduct a review conference in accordance with the provisions of item (4).~~

~~(4) A review conference may be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. The board shall set the place, date, and time for the conference; give twenty calendar days' written notice of the conference; and advise the landowner or the county, municipality, or organization acting on behalf of the landowner that evidence may be presented at the conference. The review conference must be held as follows:~~

~~(a) Review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the landowner or the county, municipality, or organization acting on behalf of the landowner. During the course of the review conference, the staff must explain the staff decision and the materials relied upon to support its decision. The landowner or the county, municipality, or organization acting on behalf of the landowner~~

~~shall state the reasons for contesting the staff decision and may provide evidence to support amending the staff decision. The staff may rebut information and arguments presented by the landowner or the county, municipality, or organization acting on behalf of the landowner, and the landowner or the county, municipality, or organization acting on behalf of the landowner may rebut information and arguments presented by the staff. Any review conference officer may request additional information and may question the landowner or the county, municipality, or organization acting on behalf of the landowner and the staff.~~

~~(b) After the review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue, based upon the evidence presented, a written decision to the landowner or the county, municipality, or organization acting on behalf of the landowner via certified mail no later than thirty calendar days after the date of the review conference. The written decision must explain the basis for the decision and inform the landowner or the county, municipality, or organization acting on behalf of the landowner of the right to request a contested case hearing before the Administrative Law Court.~~

~~(5) The landowner or the county, municipality, or organization acting on behalf of the landowner may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1, for a contested case hearing within thirty calendar days after:~~

~~(a) written notice is received by the landowner or the county, municipality, or organization acting on behalf of the landowner that the board declines to hold a review conference;~~

~~(b) the sixty-calendar-day deadline to hold the review conference has lapsed and no conference has been held; or~~

~~(c) the final agency decision resulting from the review conference is received by the landowner or the county, municipality, or organization acting on behalf of the landowner~~ A landowner who claims ownership of property adversely affected by the establishment of a baseline or setback line may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1 for a contested case hearing within one year of the establishment of the baseline or setback line. Alternatively, the municipality or county in which the property is situated, acting on behalf of the landowner with his written authorization, or an organization acting on behalf of the landowner with his written authorization, may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1 for a contested case hearing within one year of the establishment of the baseline or setback line." /

Renumber sections to conform.
Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator HUTTO proposed the following amendment (2CBH1), which was withdrawn:

Amend the bill, as and if amended, by inserting an appropriately numbered SECTION to read:

/ SECTION __. Section 1-23-600(H)(1) is amended to read:

"(H)(1) This subsection applies to timely requests for a contested case hearing pursuant to this section of decisions by departments governed by a board or commission authorized to exercise the sovereignty of the State or decisions by the Department of Environmental Services." /

Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

Senator HUTTO asked unanimous consent to withdraw the amendment and proceed to Amendment No. 5.

The amendment was withdrawn.

Amendment No. 5

Senators HUTTO and CAMPSEN proposed the following amendment (2R001.SP.CBH), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 1-23-600(H) of the 1976 Code is amended to read:

"(H)(1) This subsection applies to timely requests for ~~a~~ contested case ~~hearing pursuant to this section of~~ hearings for decisions by ~~departments governed by a board or commission authorized to exercise the sovereignty of the State~~ the Department of Environmental Services. Emergency actions taken by the Department of Environmental Services pursuant to an applicable statute or regulation are not subject to the provisions of this subsection.

(2) All decisions by the Department of Environmental Services are automatically stayed for thirty days. A party seeking to continue the automatic stay must file a motion to continue the automatic stay together with a request for a contested case hearing ~~for an agency order stays the order~~. A ~~request for a contested case hearing for~~ ~~an order~~ decision to revoke or suspend a license stays the revocation or suspension. A ~~request for a contested case hearing for~~ a decision to renew a license for an ongoing activity stays the renewed license, the previous license remaining in effect pending completion of administrative review. A ~~request for a contested case hearing for~~ a decision to issue a new license stays all actions for which the license is a prerequisite; however, matters not affected by the request ~~may~~ are not be stayed ~~by the filing of the request~~. If the ~~request is filed for a~~ decision is concerning a subsequent license related to issues substantially similar to those considered in a previously licensed matter, then the license ~~may~~ is not ~~be~~ automatically stayed ~~by the filing of the request. If the requesting party asserts in the request that the issues are not substantially similar to those considered in a previously licensed matter, then the license must be stayed until further order of the Administrative Law Court.~~ Requests for contested case hearings challenging only the amount of fines or penalties must be considered not to affect those portions of such orders imposing substantive requirements.

~~(3) The general rule of item (2) does not stay emergency actions taken by an agency pursuant to an applicable statute or regulation.~~

~~(4)~~(3)(a) ~~Ninety days after a contested case is initiated before the Administrative Law Court,~~ If a party ~~may move before the presiding administrative law judge to lift~~ moves to continue the automatic stay imposed pursuant to this subsection ~~or for a determination of the applicability of the automatic stay. A~~ then a hearing must be held within thirty days after ~~any party files a~~ the motion is filed with the court and ~~serves the motion~~ served upon the parties. The automatic stay shall remain in effect until the Administrative Law Court makes a determination about whether to the continue the automatic stay. The court shall ~~lift~~ continue the automatic stay ~~unless~~ if the moving party ~~that requested a contested case hearing proves~~ shows: (i) the likelihood of irreparable harm if the automatic stay is lifted, (ii) the substantial likelihood that the moving party ~~requesting the contested case and stay~~ will succeed on the merits of the case, (iii) the balance of equities weigh in favor of continuing the automatic stay, and (iv) continuing the automatic stay serves the public interest. The judge must issue an order no later than fifteen business days after the hearing is concluded. If the

automatic stay is lifted, action undertaken by the permittee or licensee does not moot and is not otherwise considered an adjudication of the issues raised by the request for a contested case hearing. Notwithstanding the provisions of this item, the process to ~~lift~~ continue a stay as provided in this item does not apply to a contested case concerning a permit or license involving hazardous waste as defined in Section 44-56-20(6)~~,~~. ~~and a~~ An automatic stay in ~~such~~ a contested case concerning a permit or license involving hazardous waste must ~~not~~ be ~~lifted~~ continued until the contested case is concluded and the Administrative Law Court has filed its final order in the matter.

(b) Notwithstanding any other provision of law, in a contested case arising under this subsection, the Administrative Law Court shall file a final decision on the merits of the case no later than twelve months after the contested case is filed with the Clerk of the Administrative Law Court, unless all parties to the contested case consent to an extension or the court finds substantial cause otherwise.

~~(5)~~(4) A final decision issued by the Administrative Law Court in a contested case may not be stayed except by order of the Administrative Law Court, ~~or~~ the Court of Appeals, or the Supreme Court.

~~(6)~~(5) Nothing contained in this subsection constitutes a limitation on the authority of the Administrative Law Court to impose a stay as otherwise provided by statute or by rule of court." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, the amendment was carried over.

Amendment No. 4

Senator FANNING proposed the following amendment (VR\ 2C014.RT.VR22), which was carried over:

Amend the bill, as and if amended, SECTION 1, beginning on page [2-1], by striking items (1) and (5) and inserting:

/ (1) there is created the Department of Behavioral and Public Health, governed by a Board of Behavioral and Public Health;

(5) there is created the Department of Environmental Services, governed by a Board of Environmental Services;/

Amend the bill, as and if amended, SECTION 2, beginning on page [2-3], by striking Article 1, Chapter 1, Title 44 and inserting:

/ Article 1

General Provisions

Section 44-1-10. There is created the Department of Behavioral and Public Health comprised of:

(1) the Division of Public Health;

(2) the Division of Alcohol and Other Drug Abuse Services; and

(3) the Division of Mental Health.

Section 44-1-20. ~~There is created the South Carolina Department of Health and Environmental Control which~~ The department shall be administered under the supervision of the South Carolina Board of Behavioral and Public Health ~~and Environmental Control~~. The board shall consist of ~~eight~~ ten members, one from each congressional district, and ~~one~~ three from the State at large to be appointed by the Governor, upon the advice and consent of the Senate, one of whom must have expertise in mental health and one of whom must have expertise in substance use disorders. The member who is appointed at large, not based on expertise in mental health or substance use disorders, shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.

Section 44-1-30. The Board shall meet at least quarterly and the members shall receive such compensation for their services as is provided by law for members of boards and commissions.

Section 44-1-40. The board shall select a director for the department who shall serve a four-year term and who shall have such authority and perform such duties as may be directed by the board. The salary of the director shall be fixed by the board, upon approval of the State Budget and Control Board. For any vacancy occurring in the office of director on or after February 1, 1995, the board, after consultation with and approval by the Governor, must submit the name of its appointee to the Senate for the Senate's advice and consent. On or after February 1, 1995,

the board may remove a director only after consultation with and approval by the Governor.

Section 44-1-50. The board may conduct such administrative reviews as may be required by law, as considered necessary by the board to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.

The board shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the board may appoint such advisory boards as it considers necessary to carry out the functions of Sections 44-1-10 to 44-1-70, and there shall be provided a compensation for their services as provided by the law for members of boards and commissions.

Section 44-1-60. (A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case~~, except a decision to establish a baseline or setback line,~~ must be made using the procedures set forth in this section. ~~A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 44-1-65.~~

(B) The department staff shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

(C) The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.

(D) In making a staff decision on any permit, license, certification or other approval, the department staff shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition ~~such~~ a permit, license, certification or other approval. At the time that such staff decision is made, the department shall issue a department decision~~,~~ and shall base its department decision on the administrative record, which shall consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for

the permit, license, certification or other approval. The administrative record may also include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department decision need not be issued for routine permits for which no adverse public comments have been received.

(E)(1) Notice of a department decision must be sent by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of staff decisions for which a department decision is not required pursuant to subsection (D) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

(2) The staff decision becomes the final agency decision fifteen calendar days after notice of the staff decision has been mailed to the applicant, unless a written request for final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person.

(3) The filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses.

(F) No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days' written notice of the conference; and advise the applicant that evidence may be presented at the conference. The final review conference must be held as follows:

(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to

deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.

(2) After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference. Within thirty calendar days after the receipt of the decision, an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the final agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.

(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.

(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:

(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or

(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or

(3) the final agency decision resulting from the final review conference is received by the parties.

(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.

(I) The department may promulgate regulations providing for procedures for final reviews.

(J) Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process. If any deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

~~Section 44-1-65. (A) In making a staff decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(D), or if the department conducts a final review conference related to a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(F), the department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.~~

~~(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:~~

~~(1) only an applicant, permittee, licensee, or affected person may request a final review conference pursuant to Section 44-1-60(F);~~

~~(2) only an affected person may request a contested case hearing pursuant to Section 44-1-60(G);~~

~~(3) only an applicant, permittee, licensee, or affected person may become a party to a final review conference;~~

~~(4) only an affected person may become a party to a contested case hearing; and~~

~~(5) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the Administrative Procedures Act.~~

~~(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an~~

~~affected person on the date the department receives the applicant's complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application, including, but not limited to, the construction of a residence.~~

~~(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy-two hours to provide in writing a withdrawal or rescission of the waiver.~~

~~(D)(1) An applicant, permittee, licensee, or affected person who has exhausted all administrative remedies within the department relating to a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, and who is aggrieved by a final decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.~~

~~(2) Notwithstanding any other provision of law, a final decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner's property line or located one thousand feet or more from an adjacent property owner's residence.~~

~~(E) For purposes of this section, "affected person" means a property owner with standing within a one mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.~~

Section 44-1-70. All ~~rules and~~ regulations promulgated by the Board shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation. /

Amend the bill further, as and if amended, SECTION 2, page [2-52], by striking Sections 49-3-20 and 49-3-30 and inserting:

/ Section 49-3-20. (A) There Department of Environmental Services shall be administered under the supervision of the South

Carolina Board of Environmental Services. The board shall consist of eight members, one from each congressional district, and one from the State at large to be appointed by the Governor, upon the advice and consent of the Senate. The member who is appointed at large shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.

(B) The Board shall meet at least quarterly and the members shall receive such compensation for their services as is provided by law for members of boards and commissions.

(C) The board shall select a director for the department who shall serve a four-year term and who shall have such authority and perform such duties as may be directed by the board. The salary of the director shall be fixed by the board, upon approval of the State Fiscal Accountability Authority. For any vacancy, the board, after consultation with and approval by the Governor, must submit the name of its appointee to the Senate for the Senate's advice and consent. The board may remove a director only after consultation with and approval by the Governor.

(D) The board may conduct such administrative reviews as may be required by law, as considered necessary by the board to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.

(E) The board shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the board may appoint such advisory boards as it considers necessary to carry out the functions of this chapter, and there shall be provided a compensation for

their services as provided by the law for members of boards and commissions. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

On motion of Senator FANNING, the amendment was carried over.

Amendment No. 6

Senator CAMPSEN proposed the following amendment (2R006.GEC):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. On the effective date of this act:

(1) there is created the Department of Behavioral and Public Health;

(2) the divisions, offices, and programs of the Department of Health and Environmental Control that perform health-related functions shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Behavioral and Public Health;

(3) the divisions, offices, and programs of the Department of Alcohol and Other Drug Abuse Services shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Alcohol and Other Drug Abuse Services being transferred to and devolved upon the Department of Behavioral and Public Health;

(4)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Mental Health shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Mental Health being transferred to and devolved upon the Department of Behavioral and Public Health;

(b) the authority to establish, manage, and operate veterans homes shall be transferred to the Department of Veterans' Affairs, and all powers and duties assigned to the Department of Mental Health

regarding veterans homes being transferred to and devolved upon the Department of Veterans' Affairs. To the extent, the Department of Mental Health owns the grounds upon which these veterans homes are located, title shall be transferred to the Department of Veterans' Affairs;

(5) there is created the Department of Environmental Services;

(6)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Health and Environmental Control that perform functions related to regulation and protection of the environment shall become divisions, offices, and programs of the Department of Environmental Services with the director of the department being deemed the head of the divisions, offices, and programs unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Environmental Services;

(b) the food safety program in the Division of Food and Lead Risk Assessment and the Milk and Dairy Lab of the Department of Health and Environmental Control shall become a division of the Department of Agriculture with the director of that department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Agriculture;

(7) the flood mitigation program of the Department and Natural Resources shall become a program of the Office of Resilience and all relevant powers and duties assigned to the Department of Natural Resources being transferred to and devolved upon the Office of Resilience; and

(8) the South Carolina Department of Alcohol and Other Drug Abuse Services, South Carolina Mental Health Commission, the South Carolina Department of Mental Health, the South Carolina Department of Health and Environmental Control, and the South Carolina Board of Health and Environmental Control shall be abolished. /

Amend the bill further, as and if amended, by striking SECTION 37.

Amend the bill further, as and if amended, by striking SECTION 56 and inserting:

/ Section 49-6-30 of the 1976 Code is amended to read:

"Section 49-6-30. There is hereby established the South Carolina Aquatic Plant Management Council, hereinafter referred to as the council, which shall be composed of ~~ten~~ nine members as follows:

~~1.~~(1)The council shall include one representative from each of the following agencies, to be appointed by the chief executive officer of each agency:

(a) Water Resources Division of the Department of Natural Resources;

(b) ~~South Carolina Department of Health and Environmental Control;~~

~~(c)~~ Wildlife and Freshwater ~~Fish~~ Fisheries Division of the Department of Natural Resources;

~~(d)~~(c) South Carolina Department of Agriculture;

~~(e)~~(d) Coastal Division of the Department of ~~Health and Environmental Control~~ Environmental Services;

~~(f)~~(e) South Carolina Public Service Authority;

~~(g)~~(f) Land ~~Resources~~ and Conservation Districts Division of the Department of Natural Resources;

~~(h)~~(g) South Carolina Department of Parks, Recreation and Tourism; and

~~(i)~~(h) Clemson University, Department of Fertilizer and Pesticide Control.

~~2.~~(2)The council shall include one representative from the Governor's Office, to be appointed by the Governor.

~~3.~~(3)The representative of the Water Resources Division of the Department of Natural Resources shall serve as chairman of the council and shall be a voting member of the council.

The council shall provide interagency coordination and serve as the principal advisory body to the department on all aspects of aquatic plant management and research. The council shall establish management policies, approve all management plans, and advise the department on research priorities." /

Amend the bill further, as and if amended, by striking SECTION 60(B).

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). Title 49 of the 1976 Code is amended by adding:

"CHAPTER 8

Water Resources Planning and Coordination Act

Section 49-8-10. This chapter may be cited as the South Carolina Water Resources Planning and Coordination Act.

Section 49-8-20. (A) As used in this chapter:

(1) 'Department' means the Department of Natural Resources.

Section 49-8-30. (A) The department shall advise and assist the Governor and the General Assembly in:

(1) formulating and establishing a comprehensive water resources policy for the State, such as a State Water Plan, including coordination of policies and activities among the state departments and agencies;

(2) developing and establishing policies and proposals designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;

(3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and recommending appropriate action where deemed necessary;

(4) reviewing any project, plan, or program of federal aid affecting the use or control of any waters within the State and recommending appropriate action where deemed necessary;

(5) developing policies and recommendations to assure that the long-range interests of all urban, suburban, and rural groups are provided for in the State's representation of interstate water issues;

(6) recommending to the General Assembly any changes of law or regulation required to implement the policy declared in this chapter; and

(7) such other water resources planning, policy formulation, and coordinating functions as the Governor and the General Assembly may designate.

(B) The department is authorized to conduct or arrange for such studies, inquiries, surveys, or analyses as may be relevant to its duties in assisting the Governor and the General Assembly in the implementation of the policy declared in this chapter and in developing recommendations for the General Assembly. For these purposes, the department shall have full access to the relevant records of other state departments, agencies, and political subdivisions of the State, may hold public hearings, and may cooperate with or contract with any public or private agency, including educational, civic, and research organizations. The studies, inquiries, surveys, or analyses shall incorporate and integrate, to the maximum extent feasible, plans, programs, reports, research, and studies of federal, state, interstate, regional, metropolitan, and local units, agencies, and departments of government.

(C) In developing recommendations for the Governor and the General Assembly relating to the use and control of the water resources of the State, the department shall:

(1) coordinate its activities by distribution of copies of its notices of meetings with agenda, minutes, and reports of all state agencies concerned with water resources;

(2) consult with representatives of any federal, state, interstate, or local units of government that would be affected by such recommendations; and

(3) be authorized to appoint such interdepartmental and public advisory boards as necessary to advise them in developing policies for recommendations to the Governor and the General Assembly.

(D) The department shall encourage, assist, and advise regional, metropolitan, and local governmental agencies, officials, or bodies responsible for planning in relation to water aspects of their programs and shall assist in coordinating local and regional water resources activities, programs, and plans.

(E) The department may publish reports, including the results of such studies, inquiries, surveys, and analyses as may be of general interest, and shall make an annual report of its activities to the Governor and the General Assembly within ten days after the convening of each session of the General Assembly.

(F) The department may receive and expend grants, gifts, and monies donated or given by any state, federal, or private agency, person, corporation, water, or sewer authority or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.

(G)(1) The department is authorized and required to review and approve the expenditure of funds derived from the United States Army Corps of Engineers when any funds are authorized and appropriated for any water resource-related projects or purposes, including, but not limited to:

(a) navigation;

(b) irrigation;

(c) water storage;

(d) aquatic weed management;

(e) flood control;

(f) salinity control;

(g) interstate water concerns; and

(h) any studies, surveys, or analyses performed by the Corps of Engineers.

(2) The review and approval required by this subsection is not applicable to any Corps of Engineers funds, which must be expended in a different manner pursuant to express statutory direction.

Section 49-8-40. (A) In exercising its responsibilities under this chapter, the department shall take into consideration the need for:

(1) adequate supplies of surface water and groundwater of suitable quality for all uses, including domestic, municipal, agricultural, and industrial;

(2) water of suitable quality for all purposes;

(3) water availability for recreational and commercial needs;

(4) hydroelectric power;

(5) flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses;

(6) land stabilization measures;

(7) drainage measures, including salinity control;

(8) watershed protection and management measures;

(9) outdoor recreational and fish and wildlife opportunities;

(10) studies on saltwater intrusion into groundwater and surface water;

(11) measures to protect the State's fisheries and other aquatic resources; and

(12) any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator PEELER spoke on the amendment.

Motion Under Rule 26B Waived

Senator PEELER asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:39 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 17, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Philippians 4:8

In Philippians we read: "Finally, beloved, whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence, and if there is anything worthy of praise, think about these things."

Let us pray: The pressures, O Lord -- The pressures and demands. How great indeed are the forces that rest upon the shoulders of these servants of the people, dear God. How unending are the get this done and soon lists each one carries in his or her head -- and likely also on paper -- all the time. There is always too much to be done, too few available resources, too many individuals to try to please. Nonetheless, loving Lord, we pray that You grant each one of these servants the gift of being able to focus upon what really matters most, as well as those things that are indeed true and honorable and just and genuinely worthy of praise. And may the end results, O God, always bring blessings to the people of South Carolina. To You be the glory, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Grooms

Harpootlian	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	McElveen	Peeler
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Rhonda Yvonne Edwards, DSL, 22 Maple Street, Ridgeland, SC 29936-6114 *VICE* Sidney J. McDonald

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Rhonda Yvonne Edwards, DSL, 22 Maple Street, Ridgeland, SC 29936-6114

Doctor of the Day

Senator MARTIN introduced Dr. Helen Stockinger of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CLIMER, at 12:17 P.M., Senators GOLDFINCH and GUSTAFSON were granted a leave of absence for today.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

THURSDAY, MARCH 17, 2022

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 141 Sen. Garrett
S. 923 Sen. Kimbrell
S. 1032 Sens. Verdin and Garrett

RECALLED

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1172 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE MINNIE SUE BROWN CRAIG ON THE OCCASION OF HER NINETY-SEVENTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1173 -- Senator Turner: A SENATE RESOLUTION TO CONGRATULATE DIRK R. PIEPER FOR BEING THE RECIPIENT OF THE SOUTH CAROLINA MANUFACTURERS ALLIANCE'S 2022 ROGER MILLIKEN DEFENDER OF MANUFACTURING AWARD.
l:\s-res\rt\008dirk.kmm.rt.docx

The Senate Resolution was adopted.

S. 1174 -- Senators Hutto, K. Johnson, Williams and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 11 SO AS TO ESTABLISH THE "I-95 CORRIDOR AUTHORITY ACT" AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.
l:\council\bills\jn\3554sa22.docx
Read the first time and referred to the Committee on Finance.

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
l:\council\bills\dbs\31611wab22.docx
Read the first time and ordered placed on the Calendar without reference.

S. 1176 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND LANDER UNIVERSITY FOR THE TRANSFORMATIVE IMPACT THE INSTITUTION HAS HAD ON LEGIONS OF STUDENTS AND ALUMNI, THE COMMUNITY, THE STATE OF SOUTH CAROLINA, AND BEYOND FOR A CENTURY AND A HALF AND TO CONGRATULATE LANDER'S STUDENTS, ALUMNI, FACULTY, AND ADMINISTRATION AS THE SCHOOL CELEBRATES ITS SESQUICENTENNIAL ANNIVERSARY.
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The Senate Resolution was adopted.

S. 1177 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE JANN MOORE FOR BEING NAMED THE 2022 SOUTH CAROLINA MANUFACTURERS ALLIANCE WOMAN OF THE YEAR.
l:\s-res\jtm\021jann.kmm.jtm.docx
The Senate Resolution was adopted.

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.
l:\council\bills\rt\17118wab22.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1180 -- Senator Fanning: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 721 -- Senators Alexander and Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF

SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE

REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES

RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2018, and to expire April 1, 2022

Piedmont - organ and tissue recipient, family of tissue recipient and family of donor:

Jason R. Chesney, 115 Summerville Place, Simpsonville, SC 29681-4649 *VICE* Lewis Cooley

Received as information.

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2022, and to expire April 1, 2026

Piedmont - organ and tissue recipient, family of tissue recipient and family of donor:

Jason R. Chesney, 115 Summerville Place, Simpsonville, SC 29681-4649

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

2nd Congressional District:

L. Gregory Pearce, Jr., 810 Hampton Hill Road, Columbia, SC 29209-1024

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 1157 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

OBJECTION

S. 712 -- Senators Davis, Hutto and Garrett: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

Senator CASH objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

"(A) The General Assembly shall provide for a General Reserve Fund of ~~five~~ no less than eight percent of the general fund revenue of the latest completed fiscal year. ~~The five percent~~ This requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent requirement applied until the percentage of revenue in the General Reserve Fund equals at least the ~~five~~ eight percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until ~~the five~~ at least eight percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until ~~the five~~ at least eight percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(A), Article III of the Constitution of this State be amended so as to increase from five to at least eight percent in increments of one-half of one percent over six fiscal years the amount of state general fund revenue in the latest completed fiscal year required to be held in the General Reserve Fund?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

"(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to two percent of the general fund revenue of the latest completed fiscal year.

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction~~ The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations.

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund."

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(B), Article III of the Constitution of this State be amended so as to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY proposed the following amendment (1106R003.SP.ASM), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting and inserting:

/ SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

"(A) The General Assembly shall provide for a General Reserve Fund of ~~five~~ no less than eight percent of the general fund revenue of the latest completed fiscal year. ~~The five percent~~ This requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent requirement applied until the percentage of revenue in the General Reserve Fund equals at least the ~~five~~ eight percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of

funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until ~~the five~~ at least eight percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until ~~the five~~ at least eight percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(A), Article III of the Constitution of this State be amended so as to increase from five to at least eight percent in increments of one-half of one percent over six fiscal years the amount of state general fund revenue in the latest completed fiscal year required to be held in the General Reserve Fund?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

"(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to two percent of the general fund revenue of the latest completed fiscal year.

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the~~

~~replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction~~ The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations.

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund."

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(B), Article III of the Constitution of this State be amended so as to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes ☐
No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (3346R002.SP.ASM), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 23 through 30 and inserting:

/ (D) For purposes of this section 'applicable percentage amount' means ~~five~~ <u>at least ten</u> percent of general fund revenue of the latest completed fiscal year. ~~The five~~ <u>This</u> percent requirement shall be reached by adding a cumulative one-half of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ <u>five</u> percent limit applied until the percentage of such revenue equals ~~five~~ <u>at least ten</u> percent which then and thereafter shall apply."

Amend the bill further, as and if amended, on page 2, by striking line 40 and inserting:

/ equal to two percent of the general /

Amend the bill further, as and if amended, on page 4, by striking lines 11 through 17.

Amend the bill further, as and if amended, on page 5, by striking SECTION 3 and inserting:

/SECTION 3. (A) The provisions of SECTION 1 of this act take effect upon the ratification of an amendment to Section 36(A), Article III of the Constitution of this State raising the general reserve fund from five percent of general fund revenue of the latest completed fiscal year to at least ten percent of such revenues in the manner provided in the section.

(B) The provisions of SECTION 2 of this act take effect upon the ratification of an amendment to Section 36(B), Article III of the Constitution of this State to allow the Capital Reserve Fund to be used first to offset midyear budget reductions. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb

Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, OBJECTION

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander, Young and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\923C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

"Section 59-1-465. (A) As used in this section:

(1) 'Youth patriotic society' means a youth membership organization with an educational purpose aligned with state standards located in South Carolina and listed herein, intended to promote patriotism and kindred virtues among elementary, middle, and high school students:

(a) Big Brothers – Big Sisters of America;

(b) Boy Scouts of America;

(c) Boys and Girls Clubs of America;

(d) Future Farmers of America;

(e) Girl Scouts of the United States of America; or

(f) other organizations also intended to promote patriotism and kindred virtues among elementary, middle, or high school students as may be included upon the organization's request and subsequent approval by a majority vote of the State Board of Education.

(2) 'Patriot Day' means the eleventh day of September as provided in Section 53-3-160.

(3) 'Constitution Day' means the seventeenth day of September, as designated by the United States Congress in 2005.

(4) 'Patriotism Week' means the annual Patriotism Week observation in the week that includes the eleventh day of November provided in Section 53-3-150.

(B) The principal of each elementary school, middle school, and high school shall allow representatives of youth patriotic societies, providing notice to the principal and approved pursuant to subsection (C), the opportunity to speak with students during the week of Patriot Day, the week of Constitution Day, or Patriotism Week events to inform the students of how their involvement in the youth patriotic society may further the student's educational interest and civic involvement to improve their schools, communities, and themselves. A youth patriotic society allowed to speak with students pursuant to this section may speak to students for at least ten minutes. A school may observe Constitution Day and Patriot Day during a single event and is not required to:

(1) allocate more than thirty minutes during any one of the above referenced weeks for use by youth patriotic societies under the provisions of this section annually, allocated equally among the requesting youth patriotic societies; or

(2) allow a youth patriotic society to speak pursuant to this section more than once each school year.

(C) A youth patriotic society shall provide thirty days written or verbal notice to the principal of the society's intent to address students pursuant to subsection (B). The principal shall provide verbal or written approval indicating the specific date and time for the society to address the students and the location where the address may occur. Only if no patriotic youth societies request the opportunity to address students during any of the above-referenced weeks shall a school be considered to have fulfilled the requirements of this section if it incorporates the curricula pursuant to Section 53-3-150(B)(2) into lesson plans for all students during the applicable week."

SECTION 2. Section 53-3-150(B) of the 1976 Code is amended to read:

"(B) The State Superintendent of Education shall ~~encourage~~ require school districts to:

(1) observe 'Patriot Day', 'Constitution Day', and 'Patriotism Week' by holding appropriate ceremonies, events, and assemblies on school grounds, including time allotted for youth patriotic society addresses to students as provided in Section 59-1-465; and

(2) develop appropriate curricula that focus on the purposes of 'Patriot Day', 'Constitution Day', and 'Patriotism Week'.

SECTION 3. The provisions of this act take effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

Senator FANNING proposed the following amendment (923MF1):

Amend the bill, as and if amended, SECTION 1, by adding an appropriately numbered subitem to Section 59-1-465 (B) to read:

/ ( ) Nothing in this section requires events to occur during the school day. /

Amend the bill further, as and if amended, SECTION 2, by adding an appropriately numbered subitem to Section 53-3-150(B) to read:

/ ( ) Nothing in this section requires events to occur during the school day. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HUTTO spoke on the amendment.

Senator WILLIAMS objected to further consideration of the Bill.

CARRIED OVER

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

On motion of Senator CLIMER, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (888R002.SP.MJ), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 11, Title 40 of the 1976 Code is amended by adding:

"Section 40-11-40. (A)(1) An applicant for a new, reinstatement, or renewal contractor's license must be given an opportunity in writing to make a voluntary contribution to be distributed to an accredited public institution of higher learning offering degrees in construction science, building science, or civil engineering. The applicant may designate a specific accredited institution to receive the contribution. Undesignated contributions shall be distributed to accredited institutions in a pro rata manner based on the number of full-time equivalent students enrolled in each program at each institution. Any voluntary contribution must be added to the contractor's license fee and must be transferred to the State Treasurer and credited to the appropriate institution.

(2) By June first of each year, the State Commission on Higher Education shall provide to the department a list of accredited public institutions of higher learning offering degrees in construction science, building science, or civil engineering, and include in the annual report the number of students enrolled in each of these programs for the prior academic year.

(B)(1) Each institution receiving funds pursuant to this section shall utilize the funds to provide or enhance programs related to building science or civil engineering, which shall include, but is not limited to, scholarships, fellowships, research, faculty development, and continuing education programs.

(2) Each institution receiving funds pursuant to this section shall provide an annual report to the department by January thirty-first disclosing the amount of funds received during the prior fiscal year and an accounting of how the funds were utilized.

(C) The department shall retain five percent of the amount to be distributed for administrative expenses associated with the collection and distribution of funds."

SECTION 2. This act takes effect sixty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Cash	Rice

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin and Senn: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE

AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Senator HEMBREE objected to consideration of the Bill.

AMENDED, CARRIED OVER

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

The Senate proceeded to a consideration of the Bill.

Senator JACKSON proposed the following amendment (976DJ1), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 36 and inserting the following:

/ collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and /

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

The amendment was adopted.

On motion of Senator JACKSON, the Bill was carried over.

CARRIED OVER

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE

ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the amendment.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1159 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5087, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1160 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5088, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1161 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL PLUMBING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5098, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1162 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5086, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1163 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5085, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1164 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5084, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1165 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5074, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1166 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF COSMETOLOGY, RELATING TO EMERGENCY TEMPORARY WORK PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5034, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was carried over.

POINT OF ORDER

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 366 -- Senators Talley, Hutto and Malloy: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE

WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 471 -- Senators Rankin and Sabb: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON

CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR

PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1032 -- Senators Martin, Verdin, Kimbrell and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 1137 -- Senator Hembree: A SENATE RESOLUTION TO COMMEND THE ROTARY CLUB OF LITTLE RIVER FOR ITS EXEMPLARY EFFORTS TO EDUCATE CHILDREN AND THEIR PARENTS ABOUT WATER SAFETY, TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO BECOME BETTER INFORMED ABOUT PREVENTION OF CHILD DROWNINGS AND THE PRACTICE OF WATER SAFETY, AND TO DECLARE SATURDAY, APRIL 2, 2022, AS "JOSH THE OTTER WATER SAFETY DAY" IN SOUTH CAROLINA.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The Resolution was adopted.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:40 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 947 -- Senators Grooms, Climer and Garrett: A BILL TO AMEND SECTION 56-23-20 OF THE 1976 CODE, RELATING TO DRIVER TRAINING SCHOOLS, TO PROVIDE THAT ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES PURSUANT TO SECTION 33-49-160 ARE PERMITTED TO PROVIDE DRIVER EDUCATION TRAINING.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator RICE explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

On motion of Senator RICE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CARRIED OVER

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST

ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn and Fanning: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution, the question being the third reading of the Resolution.

There being no further amendments, the Resolution was read the third time, passed and ordered sent to the House of Representatives with amendments.

Recorded Vote

Senator MARTIN desired to be recorded as voting against the third reading of the Resolution.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn, Kimbrell and Turner: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 6

Senator CAMPSEN proposed the following amendment (2R006.GEC), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. On the effective date of this act:

(1) there is created the Department of Behavioral and Public Health;

(2) the divisions, offices, and programs of the Department of Health and Environmental Control that perform health-related functions shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Behavioral and Public Health;

(3) the divisions, offices, and programs of the Department of Alcohol and Other Drug Abuse Services shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Alcohol and Other Drug Abuse Services being transferred to and devolved upon the Department of Behavioral and Public Health;

(4)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Mental Health shall become a division of the Department of Behavioral and Public Health with the director of the department being deemed the head of the division unless otherwise specified, and all powers and duties assigned to the Department of Mental Health being transferred to and devolved upon the Department of Behavioral and Public Health;

(b) the authority to establish, manage, and operate veterans homes shall be transferred to the Department of Veterans' Affairs, and all powers and duties assigned to the Department of Mental Health regarding veterans homes being transferred to and devolved upon the Department of Veterans' Affairs. To the extent, the Department of Mental Health owns the grounds upon which these veterans homes are located, title shall be transferred to the Department of Veterans' Affairs;

(5) there is created the Department of Environmental Services;

(6)(a) except as provided in subitem (b), the divisions, offices, and programs of the Department of Health and Environmental Control that perform functions related to regulation and protection of the environment shall become divisions, offices, and programs of the Department of Environmental Services with the director of the department being deemed the head of the divisions, offices, and programs unless otherwise specified, and all relevant powers and duties assigned to the Department

of Health and Environmental Control being transferred to and devolved upon the Department of Environmental Services;

(b) the food safety program in the Division of Food and Lead Risk Assessment and the Milk and Dairy Lab of the Department of Health and Environmental Control shall become a division of the Department of Agriculture with the director of that department being deemed the head of the division unless otherwise specified, and all relevant powers and duties assigned to the Department of Health and Environmental Control being transferred to and devolved upon the Department of Agriculture;

(7) the flood mitigation program of the Department and Natural Resources shall become a program of the Office of Resilience and all relevant powers and duties assigned to the Department of Natural Resources being transferred to and devolved upon the Office of Resilience; and

(8) the South Carolina Department of Alcohol and Other Drug Abuse Services, South Carolina Mental Health Commission, the South Carolina Department of Mental Health, the South Carolina Department of Health and Environmental Control, and the South Carolina Board of Health and Environmental Control shall be abolished. /

Amend the bill further, as and if amended, by striking SECTION 37.

Amend the bill further, as and if amended, by striking SECTION 56 and inserting:

/ Section 49-6-30 of the 1976 Code is amended to read:

"Section 49-6-30. There is hereby established the South Carolina Aquatic Plant Management Council, hereinafter referred to as the council, which shall be composed of ~~ten~~ nine members as follows:

~~1.~~(1)The council shall include one representative from each of the following agencies, to be appointed by the chief executive officer of each agency:

(a) Water Resources Division of the Department of Natural Resources;

(b) ~~South Carolina Department of Health and Environmental Control;~~

~~(c)~~ Wildlife and Freshwater ~~Fish~~ Fisheries Division of the Department of Natural Resources;

~~(d)~~(c) South Carolina Department of Agriculture;

~~(e)~~(d) Coastal Division of the Department of ~~Health and Environmental Control~~ Environmental Services;

~~(f)~~(e) South Carolina Public Service Authority;

~~(g)~~(f) Land ~~Resources~~ and Conservation Districts Division of the Department of Natural Resources;

~~(h)~~(g) South Carolina Department of Parks, Recreation and Tourism; and

~~(i)~~(h) Clemson University, Department of Fertilizer and Pesticide Control.

~~2.~~(2)The council shall include one representative from the Governor's Office, to be appointed by the Governor.

~~3.~~(3)The representative of the Water Resources Division of the Department of Natural Resources shall serve as chairman of the council and shall be a voting member of the council.

The council shall provide interagency coordination and serve as the principal advisory body to the department on all aspects of aquatic plant management and research. The council shall establish management policies, approve all management plans, and advise the department on research priorities." /

Amend the bill further, as and if amended, by striking SECTION 60(B).

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION ( ). Title 49 of the 1976 Code is amended by adding:

"CHAPTER 8

Water Resources Planning and Coordination Act

Section 49-8-10. This chapter may be cited as the South Carolina Water Resources Planning and Coordination Act.

Section 49-8-20. (A) As used in this chapter:

(1) 'Department' means the Department of Natural Resources.

Section 49-8-30. (A) The department shall advise and assist the Governor and the General Assembly in:

(1) formulating and establishing a comprehensive water resources policy for the State, such as a State Water Plan, including coordination of policies and activities among the state departments and agencies;

(2) developing and establishing policies and proposals designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;

(3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and recommending appropriate action where deemed necessary;

(4) reviewing any project, plan, or program of federal aid affecting the use or control of any waters within the State and recommending appropriate action where deemed necessary;

(5) developing policies and recommendations to assure that the long-range interests of all urban, suburban, and rural groups are provided for in the State's representation of interstate water issues;

(6) recommending to the General Assembly any changes of law or regulation required to implement the policy declared in this chapter; and

(7) such other water resources planning, policy formulation, and coordinating functions as the Governor and the General Assembly may designate.

(B) The department is authorized to conduct or arrange for such studies, inquiries, surveys, or analyses as may be relevant to its duties in assisting the Governor and the General Assembly in the implementation of the policy declared in this chapter and in developing recommendations for the General Assembly. For these purposes, the department shall have full access to the relevant records of other state departments, agencies, and political subdivisions of the State, may hold public hearings, and may cooperate with or contract with any public or private agency, including educational, civic, and research organizations. The studies, inquiries, surveys, or analyses shall incorporate and integrate, to the maximum extent feasible, plans, programs, reports, research, and studies of federal, state, interstate, regional, metropolitan, and local units, agencies, and departments of government.

(C) In developing recommendations for the Governor and the General Assembly relating to the use and control of the water resources of the State, the department shall:

(1) coordinate its activities by distribution of copies of its notices of meetings with agenda, minutes, and reports of all state agencies concerned with water resources;

(2) consult with representatives of any federal, state, interstate, or local units of government that would be affected by such recommendations; and

(3) be authorized to appoint such interdepartmental and public advisory boards as necessary to advise them in developing policies for recommendations to the Governor and the General Assembly.

(D) The department shall encourage, assist, and advise regional, metropolitan, and local governmental agencies, officials, or bodies responsible for planning in relation to water aspects of their programs and shall assist in coordinating local and regional water resources activities, programs, and plans.

(E) The department may publish reports, including the results of such studies, inquiries, surveys, and analyses as may be of general interest, and shall make an annual report of its activities to the Governor and the General Assembly within ten days after the convening of each session of the General Assembly.

(F) The department may receive and expend grants, gifts, and monies donated or given by any state, federal, or private agency, person, corporation, water, or sewer authority or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.

(G)(1) The department is authorized and required to review and approve the expenditure of funds derived from the United States Army Corps of Engineers when any funds are authorized and appropriated for any water resource-related projects or purposes, including, but not limited to:

(a) navigation;

(b) irrigation;

(c) water storage;

(d) aquatic weed management;

(e) flood control;

(f) salinity control;

(g) interstate water concerns; and

(h) any studies, surveys, or analyses performed by the Corps of Engineers.

(2) The review and approval required by this subsection is not applicable to any Corps of Engineers funds, which must be expended in a different manner pursuant to express statutory direction.

Section 49-8-40. (A) In exercising its responsibilities under this chapter, the department shall take into consideration the need for:

(1) adequate supplies of surface water and groundwater of suitable quality for all uses, including domestic, municipal, agricultural, and industrial;

(2) water of suitable quality for all purposes;

(3) water availability for recreational and commercial needs;

(4) hydroelectric power;

(5) flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses;

(6) land stabilization measures;

(7) drainage measures, including salinity control;

(8) watershed protection and management measures;

(9) outdoor recreational and fish and wildlife opportunities;

(10) studies on saltwater intrusion into groundwater and surface water;

(11) measures to protect the State's fisheries and other aquatic resources; and

(12) any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State." /

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator CAMPSEN with unanimous consent, Amendment No. 6 was withdrawn.

Amendment No. 8

Senator DAVIS proposed the following amendment (2R003.SP.TD), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 44-1-70 and inserting:

/ Section 44-1-70. All ~~rules and~~ regulations promulgated by the ~~Board~~ department in accordance with this chapter are subject to the provisions of the Administrative Procedures Act ~~shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation~~.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 11A

Senators HUTTO and MASSEY proposed the following amendment (2R007.SP.CBH), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 1-23-600(H) of the 1976 Code is amended to read:

"(H)(1) This subsection applies to ~~timely requests for a contested case hearing pursuant to this section of~~ decisions by ~~departments~~

~~governed by a board or commission authorized to exercise the sovereignty of the State~~ the Department of Environmental Services. Emergency actions taken by the Department of Environmental Services pursuant to an applicable statute or regulation are not subject to the provisions of this subsection.

(2) Any decisions requiring a public hearing by the Department of Environmental Services are automatically stayed for five days. A party seeking to continue the automatic stay must file a motion to continue the automatic stay together with a request for a contested case hearing ~~for an agency order stays the order~~ prior to the automatic stay's expiration. A ~~request for a contested case hearing for~~ ~~an order~~ decision to revoke or suspend a license stays the revocation or suspension. A ~~request for a contested case hearing for~~ a decision to renew a license for an ongoing activity stays the renewed license, the previous license remaining in effect pending completion of administrative review. A ~~request for a contested case hearing for a~~ decision to issue a new license stays all actions for which the license is a prerequisite; however, matters not affected by the request ~~may~~ are not be stayed ~~by the filing of the request~~. If the ~~request is filed for a~~ decision is concerning a subsequent license related to issues substantially similar to those considered in a previously licensed matter, then the license ~~may~~ is not ~~be~~ automatically stayed ~~by the filing of the request. If the requesting party asserts in the request that the issues are not substantially similar to those considered in a previously licensed matter, then the license must be stayed until further order of the Administrative Law Court.~~ Requests for contested case hearings challenging only the amount of fines or penalties must be considered not to affect those portions of such orders imposing substantive requirements.

~~(3) The general rule of item (2) does not stay emergency actions taken by an agency pursuant to an applicable statute or regulation.~~

~~(4)~~(3)(a) ~~Ninety days after a contested case is initiated before the Administrative Law Court,~~ If a party ~~may move before the presiding administrative law judge to lift~~ moves to continue the automatic stay imposed pursuant to this subsection ~~or for a determination of the applicability of the automatic stay. A~~ then a hearing must be held within thirty days after ~~any party files a~~ the motion is filed with the court and ~~serves the motion~~ served upon the parties. The automatic stay shall remain in effect until the Administrative Law Court makes a determination about whether to continue the automatic stay. The court shall ~~lift~~ continue the automatic stay ~~unless~~ if the moving party ~~that requested a contested case hearing proves~~ shows: (i) the likelihood of

irreparable harm if the automatic stay is lifted, (ii) the substantial likelihood that the moving party ~~requesting the contested case and stay~~ will succeed on the merits of the case, (iii) the balance of equities weigh in favor of continuing the automatic stay, and (iv) continuing the automatic stay serves the public interest. The judge must issue an order no later than fifteen business days after the hearing is concluded. If the automatic stay is lifted, action undertaken by the permittee or licensee does not moot and is not otherwise considered an adjudication of the issues raised by the request for a contested case hearing. Notwithstanding the provisions of this item, the process to ~~lift~~ continue a stay as provided in this item does not apply to a contested case concerning a permit or license involving hazardous waste as defined in Section 44-56-20(6)~~,~~. ~~and a~~ An automatic stay in ~~such~~ a contested case concerning a permit or license involving hazardous waste must ~~not~~ be ~~lifted~~ continued until the contested case is concluded and the Administrative Law Court has filed its final order in the matter.

(b) Notwithstanding any other provision of law, in a contested case arising under this subsection, the Administrative Law Court shall file a final decision on the merits of the case no later than twelve months after the contested case is filed with the Clerk of the Administrative Law Court, unless all parties to the contested case consent to an extension or the court finds substantial cause otherwise.

~~(5)~~(4) A final decision issued by the Administrative Law Court in a contested case may not be stayed except by order of the Administrative Law Court, ~~or~~ the Court of Appeals, or the Supreme Court.

~~(6)~~(5) Nothing contained in this subsection constitutes a limitation on the authority of the Administrative Law Court to impose a stay as otherwise provided by statute or by rule of court." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator HUTTO proposed the following amendment (2R001.SP.CBH), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 1-23-600(H) of the 1976 Code is amended to read:

"(H)(1) This subsection applies to timely requests for ~~a~~ contested case ~~hearing pursuant to this section of~~ hearings for decisions by ~~departments governed by a board or commission authorized to exercise the sovereignty of the State~~ the Department of Environmental Services. Emergency actions taken by the Department of Environmental Services pursuant to an applicable statute or regulation are not subject to the provisions of this subsection.

(2) All decisions by the Department of Environmental Services are automatically stayed for thirty days. A party seeking to continue the automatic stay must file a motion to continue the automatic stay together with a request for a contested case hearing ~~for an agency order stays the order~~. A ~~request for a contested case hearing for an order~~ decision to revoke or suspend a license stays the revocation or suspension. A ~~request for a contested case hearing for~~ a decision to renew a license for an ongoing activity stays the renewed license, the previous license remaining in effect pending completion of administrative review. A ~~request for a contested case hearing for~~ a decision to issue a new license stays all actions for which the license is a prerequisite; however, matters not affected by the request ~~may~~ are not be stayed ~~by the filing of the request~~. If the ~~request is filed for a~~ decision is concerning a subsequent license related to issues substantially similar to those considered in a previously licensed matter, then the license ~~may~~ is not ~~be~~ automatically stayed ~~by the filing of the request. If the requesting party asserts in the request that the issues are not substantially similar to those considered in a previously licensed matter, then the license must be stayed until further order of the Administrative Law Court.~~ Requests for contested case hearings challenging only the amount of fines or penalties must be considered not to affect those portions of such orders imposing substantive requirements.

~~(3) The general rule of item (2) does not stay emergency actions taken by an agency pursuant to an applicable statute or regulation.~~

~~(4)~~(3)(a) ~~Ninety days after a contested case is initiated before the Administrative Law Court,~~ If a party ~~may move before the presiding administrative law judge to lift~~ moves to continue the automatic stay imposed pursuant to this subsection ~~or for a determination of the applicability of the automatic stay. A~~ then a hearing must be held within thirty days after ~~any party files a~~ the motion is filed with the court and ~~serves the motion~~ served upon the parties. The automatic stay shall remain in effect until the Administrative Law Court makes a

determination about whether to continue the automatic stay. The court shall ~~lift~~ continue the automatic stay ~~unless~~ if the moving party ~~that requested a contested case hearing proves~~ shows: (i) the likelihood of irreparable harm if the automatic stay is lifted, (ii) the substantial likelihood that the moving party ~~requesting the contested case and stay~~ will succeed on the merits of the case, (iii) the balance of equities weigh in favor of continuing the automatic stay, and (iv) continuing the automatic stay serves the public interest. The judge must issue an order no later than fifteen business days after the hearing is concluded. If the automatic stay is lifted, action undertaken by the permittee or licensee does not moot and is not otherwise considered an adjudication of the issues raised by the request for a contested case hearing. Notwithstanding the provisions of this item, the process to ~~lift~~ continue a stay as provided in this item does not apply to a contested case concerning a permit or license involving hazardous waste as defined in Section 44-56-20(6)~~,~~. ~~and a~~ An automatic stay in ~~such~~ a contested case concerning a permit or license involving hazardous waste must ~~not~~ be ~~lifted~~ continued until the contested case is concluded and the Administrative Law Court has filed its final order in the matter.

(b) Notwithstanding any other provision of law, in a contested case arising under this subsection, the Administrative Law Court shall file a final decision on the merits of the case no later than twelve months after the contested case is filed with the Clerk of the Administrative Law Court, unless all parties to the contested case consent to an extension or the court finds substantial cause otherwise.

~~(5)~~(4) A final decision issued by the Administrative Law Court in a contested case may not be stayed except by order of the Administrative Law Court, ~~or~~ the Court of Appeals, or the Supreme Court.

~~(6)~~(5) Nothing contained in this subsection constitutes a limitation on the authority of the Administrative Law Court to impose a stay as otherwise provided by statute or by rule of court." /

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator HUTTO with unanimous consent, Amendment No. 5 was withdrawn.

Amendment No. 4

Senator FANNING proposed the following amendment (VR\ 2C014.RT.VR22), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, beginning on page [2-1], by striking items (1) and (5) and inserting:

/ (1) there is created the Department of Behavioral and Public Health, governed by a Board of Behavioral and Public Health;

(5) there is created the Department of Environmental Services, governed by a Board of Environmental Services;/

Amend the bill, as and if amended, SECTION 2, beginning on page [2-3], by striking Article 1, Chapter 1, Title 44 and inserting:

/ Article 1

General Provisions

Section 44-1-10. There is created the Department of Behavioral and Public Health comprised of:

(1) the Division of Public Health;

(2) the Division of Alcohol and Other Drug Abuse Services; and

(3) the Division of Mental Health.

Section 44-1-20. ~~There is created the South Carolina Department of Health and Environmental Control which~~ The department shall be administered under the supervision of the South Carolina Board of Behavioral and Public Health ~~and Environmental Control~~. The board shall consist of ~~eight~~ ten members, one from each congressional district, and ~~one~~ three from the State at large to be appointed by the Governor, upon the advice and consent of the Senate, one of whom must have expertise in mental health and one of whom must have expertise in substance use disorders. The member who is appointed at large, not based on expertise in mental health or substance use disorders, shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.

Section 44-1-30. The board shall meet at least quarterly and the members shall receive such compensation for their services as is provided by law for members of boards and commissions.

Section 44-1-40. The board shall select a director for the department who shall serve a four-year term and who shall have such authority and perform such duties as may be directed by the board. The salary of the director shall be fixed by the board, upon approval of the State Budget and Control Board. For any vacancy occurring in the office of director on or after February 1, 1995, the board, after consultation with and approval by the Governor, must submit the name of its appointee to the Senate for the Senate's advice and consent. On or after February 1, 1995, the board may remove a director only after consultation with and approval by the Governor.

Section 44-1-50. The board may conduct such administrative reviews as may be required by law, as considered necessary by the board to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.

The board shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the board may appoint such advisory boards as it considers necessary to carry out the functions of Sections 44-1-10 to 44-1-70, and there shall be provided a compensation for their services as provided by the law for members of boards and commissions.

Section 44-1-60. (A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case~~, except a decision to establish a baseline or setback line,~~ must be made using the procedures set forth in this section. ~~A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 44-1-65.~~

(B) The department staff shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

(C) The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.

(D) In making a staff decision on any permit, license, certification or other approval, the department staff shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition ~~such~~ a permit, license, certification or other approval. At the time that such staff decision is made, the department shall issue a department decision~~,~~ and shall base its department decision on the administrative record, which shall consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification or other approval. The administrative record may also include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department decision need not be issued for routine permits for which no adverse public comments have been received.

(E)(1) Notice of a department decision must be sent by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of staff decisions for which a department decision is not required pursuant to subsection (D) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

(2) The staff decision becomes the final agency decision fifteen calendar days after notice of the staff decision has been mailed to the applicant, unless a written request for final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person.

(3) The filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses.

(F) No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board

appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days' written notice of the conference; and advise the applicant that evidence may be presented at the conference. The final review conference must be held as follows:

(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.

(2) After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference. Within thirty calendar days after the receipt of the decision, an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the final agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.

(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.

(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:

(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or

(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or

(3) the final agency decision resulting from the final review conference is received by the parties.

(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.

(I) The department may promulgate regulations providing for procedures for final reviews.

(J) Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process. If any deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

~~Section 44-1-65. (A) In making a staff decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(D), or if the department conducts a final review conference related to a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 44-1-60(F), the department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.~~

~~(B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:~~

~~(1) only an applicant, permittee, licensee, or affected person may request a final review conference pursuant to Section 44-1-60(F);~~

~~(2) only an affected person may request a contested case hearing pursuant to Section 44-1-60(G);~~

~~(3) only an applicant, permittee, licensee, or affected person may become a party to a final review conference;~~

~~(4) only an affected person may become a party to a contested case hearing; and~~

~~(5) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1-23-310(5) of the Administrative Procedures Act.~~

~~(C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant's complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application, including, but not limited to, the construction of a residence.~~

~~(2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy-two hours to provide in writing a withdrawal or rescission of the waiver.~~

~~(D)(1) An applicant, permittee, licensee, or affected person who has exhausted all administrative remedies within the department relating to a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, and who is aggrieved by a final decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.~~

~~(2) Notwithstanding any other provision of law, a final decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner's property line or located one thousand feet or more from an adjacent property owner's residence.~~

~~(E) For purposes of this section, "affected person" means a property owner with standing within a one mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific~~

~~grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.~~

Section 44-1-70. All ~~rules and~~ regulations promulgated by the Board shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation. /

Amend the bill further, as and if amended, SECTION 2, page [2-52], by striking Sections 49-3-20 and 49-3-30 and inserting:

/ Section 49-3-20. (A) There Department of Environmental Services shall be administered under the supervision of the South Carolina Board of Environmental Services. The board shall consist of eight members, one from each congressional district, and one from the State at large to be appointed by the Governor, upon the advice and consent of the Senate. The member who is appointed at large shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.

(B) The Board shall meet at least quarterly and the members shall receive such compensation for their services as is provided by law for members of boards and commissions.

(C) The board shall select a director for the department who shall serve a four-year term and who shall have such authority and perform such duties as may be directed by the board. The salary of the director shall be fixed by the board, upon approval of the State Fiscal Accountability Authority. For any vacancy, the board, after consultation with and approval by the Governor, must submit the name of its appointee to the Senate for the Senate's advice and consent. The board may remove a director only after consultation with and approval by the Governor.

(D) The board may conduct such administrative reviews as may be required by law, as considered necessary by the board to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.

(E) The board shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the board may appoint such advisory boards as it considers necessary to carry out the functions of this chapter, and there shall be provided a compensation for their services as provided by the law for members of boards and commissions. /

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator FANNING with unanimous consent, Amendment No. 4 was withdrawn.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Rhonda Yvonne Edwards, DSL, 22 Maple Street, Ridgeland, SC 29936-6114 *VICE* Sidney J. McDonald

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Rhonda Yvonne Edwards, DSL, 22 Maple Street, Ridgeland, SC 29936-6114

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Theresa W. Cleveland of Seneca, S.C. Theresa was a retired administrative assistant with Clemson University where she proudly worked for 29 years. She was a member of St. Mark United Methodist Church and a member of the Tri-County Advisory Board. Theresa was a loving wife and devoted sister who will be dearly missed.

THURSDAY, MARCH 17, 2022

ADJOURNMENT

At 1:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 18, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN.

ADJOURNMENT

At 11:05 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, March 22, 2022, at 12:00 Noon.

* * *

Tuesday, March 22, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Luke 15:21

We read in the familiar story of the prodigal son: "The son said to him, 'Father, I have sinned against heaven and against you. I am no longer worthy to be called your son.' "

Please join me as we pray: Dear God, the age-old story of the prodigal continues to speak to each and every one of us in telling fashion. After all, how typical it is for us to say and do things that we know we ought not say or do. Again and again we -- just like the prodigal -- cave in to pressures surrounding us; how we sometimes get ourselves wrapped up in pridefulness; even perhaps how we -- again, in our very humanness -- simply fail to act in those very moments when we know so well that we should do just that: act. Therefore, today we ask for Your loving forgiveness, O Father. Embrace us afresh. Lead us by Your grace to be the women and men You truly want us to be, so that in this Senate we all might prove to be a blessing to the people of this State. In Your wondrous name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Garrett
Goldfinch	Grooms	Gustafson

Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Martin
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4993
Agency: South Carolina Jobs-Economic Development Authority
Chapter: 68
Statutory Authority: 1976 Code Section 41-43-90
SUBJECT: South Carolina Jobs-Economic Development Authority
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted March 21, 2022

Leave of Absence

On motion of Senator CROMER, at 12:15 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 12:18 P.M., Senator MATTHEWS was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator KIMPSON, at 12:20 P.M., Senator McLEOD was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator MASSEY, at 12:21 P.M., Senator MALLOY was granted a leave of absence for today.

TUESDAY, MARCH 22, 2022

Leave of Absence

On motion of Senator HUTTO, at 12:34 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1181 -- Senator McElveen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SINGER LEE BRICE FOR AN EXCEPTIONAL MUSICAL CAREER AND TO WELCOME HIM TO SUMTER COUNTY.
l:\s-res\jtm\022lee .kmm.jtm.docx

The Senate Resolution was adopted.

S. 1182 -- Senator Scott: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JEFFREY B. SMOAK AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
l:\s-res\js\002smoa.kmm.js.docx

The Senate Resolution was adopted.

S. 1183 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE LAURENS COMMISSION OF PUBLIC WORKS UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LAURENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
l:\s-res\dbv\021laur.kmm.dbv.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1184 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR HEATHER DANLEY, THE NATIONAL PRESIDENT OF THE JAYCEES, AND TO CONGRATULATE HER FOR OUTSTANDING SERVICE TO THE JAYCEES.
l:\council\bills\gm\24699wab22.docx

The Senate Resolution was adopted.

S. 1185 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ALLEN HUTTO FOR HIS HEROIC ACTIONS.
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The Senate Resolution was adopted.

Message from the House

Columbia, S.C., March 22, 2022

Mr. President and Senators:
The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Appointment, State Ethics Commission, with term to commence April 1, 2020, and to expire April 1, 2026:

Mr. Xavier Starkes, PO Box 1497, Columbia, SC 29202 *VICE* Ashleigh R. Wilson

Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., March 22, 2022

Mr. President and Senators:
The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Appointment, House Majority Party Appointment, with term to commence April 1, 2022, and to expire April 1, 2027:

State Ethics Commission

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE* Donald H. Jackson

Very respectfully,
Speaker of the House
Received as information.

TUESDAY, MARCH 22, 2022

Message from the House

Columbia, S.C., March 22, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Appointment, State Ethics Commission, with term to commence April 1, 2022, and to expire April 1, 2027:

Governor's Party

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 22, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Appointment, Governor's Party, with term to commence April 1, 2022, and to expire April 1, 2027:

Governor's Appointee

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

TUESDAY, MARCH 22, 2022

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION

11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

CARRIED OVER

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

On motion of Senator CLIMER, the Bill was carried over.

OBJECTION

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING

SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (1095R002.KMM.ASM), which was adopted:

Amend the bill, as and if amended, on page 1, line 40 by adding:

/ (C) The division may promulgate emergency regulations pursuant to Section 1-23-130 if warranted under the circumstances. However, notwithstanding the provisions contained in Section 1-23-130(C), emergency regulations filed pursuant to this section will expire in one hundred and eighty days unless the filed emergency regulation expires while the General Assembly is not in session. If the filed emergency regulation expires while the General Assembly is not in session, then the division may refile the emergency regulation. A refiled emergency regulation expires ninety days after the date upon which it was refiled. An emergency regulation that has been refiled once may not be refiled again. /

Amend the bill further, as and if amended, on page 2, by striking line 26 and inserting:

/ contained in Article 1, Chapter 23, Title 1 and Section 59-119-170(C). /

Amend the bill further, as and if amended, on page 2, by striking line 42 and inserting:

/ Article 1, Chapter 23, Title 1 and Section 59-119-170(C) designating plant pests. ~~In the~~ /

Amend the bill further, as and if amended, on page 3, by striking line 14 and inserting:

/ accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C) as are necessary for /

Amend the bill further, as and if amended, on page 3, by striking line 42 and inserting:

/ accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C) for carrying out the /

Amend the bill further, as and if amended, on page 4, by striking line 36 and inserting:

/ Article 1, Chapter 23, Title 1 and Section 59-119-170(C) in conformity with the primary /

Amend the bill further, as and if amended, on page 5, by striking line 13 and inserting:

/ 23, Title 1 and Section 59-119-170(C). ~~The director is the final decision authority in the~~ /

Amend the bill further, as and if amended, on page 5, by striking line 26 and inserting:

/ Chapter 23, Title 1 and Section 59-119-170(C) regarding the inspection, analysis, distribution, /

Amend the bill further, as and if amended, on page 5, by striking line 38 and inserting:

/ with Article 1, Chapter 23, Title 1 and Section 59-119-170(C). /

Amend the bill further, as and if amended, on page 6, by striking line 3 and inserting:

/ Title 1 and Section 59-119-170(C) ~~regard to~~ regarding the inspection, analysis, distribution, and /

Amend the bill further, as and if amended, on page 6, by striking line 29 and inserting:

/ Title 1 and Section 59-119-170(C) to implement the provisions of this chapter. /

Amend the bill further, as and if amended, on page 6, by striking line 39 and inserting:

/ be promulgated in accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C). /

Amend the bill further, as and if amended, on page 7, by striking line 6 and inserting:

/ Chapter 23, Title 1 and Section 59-119-170(C). /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

On motion of Senator SABB, the Resolution was carried over.

CARRIED OVER

S. 366 -- Senators Talley, Hutto and Malloy: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 471 -- Senators Rankin and Sabb: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO

AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

On motion of Senator MASSEY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO

STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF

CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0659.001), which was adopted:

Amend the bill, as and if amended, by striking line 21 through line 23 on page 6, in Section 44-48-90(B), as contained in SECTION 6, and inserting therein the following:

/ only if the respondent will not be substantially prejudiced. The Attorney General must /

Amend the bill further, as and if amended, by striking line 34 on page 6, in Section 44-48-90(C), as contained in SECTION 6, and inserting therein the following:

/ ~~expert~~ to perform a subsequent ~~examination~~ evaluation. If the court-appointed /

Amend the bill further, as and if amended, by striking line 15 on page 7, in Section 44-48-90(C), as contained in SECTION 6, and inserting therein the following:

/ access to the person for the purpose of the evaluation, as well as/

Amend the bill further, as and if amended, by striking lines 11 and 12 on page 12, in Section 44-48-115(J), as contained in SECTION 9, and inserting therein the following:

/ (J) Upon receipt by the Supreme Court of the findings and conclusions of the designated judge, the /

Amend the bill further, as and if amended, beginning on page 12 and ending on page 13, by striking SECTION 10 in its entirety, and inserting therein the following:

/ SECTION 10. Section 44-48-120 of the 1976 Code is amended to read:

"(A) If the Director of the Department of Mental Health determines that the ~~person's~~ resident's mental abnormality or personality disorder has so changed that the ~~person~~ resident is safe to be at large and, if released, is not likely to commit acts of sexual violence, the director must certify such determination in writing with the specific basis thereof, authorize the ~~person~~ resident to petition the court for release, and notify the Attorney General of the certification and authorization. ~~The petition must be served upon the court and the Attorney General.~~ Upon receipt of the certification and authorization, the resident or the Attorney General may file a petition for release, which must be served upon the

court and the Attorney General, or on opposing counsel if filed by the Attorney General. The Attorney General must notify the victim of the proceeding.

(B) The court, upon receipt of the petition for release filed pursuant to subsection (A), must order a hearing within thirty days unless the Attorney General, with notice to the resident, requests an ~~examination~~ evaluation by a qualified ~~expert~~ evaluator as to whether the ~~petitioner's~~ resident's mental abnormality or personality disorder has so changed that the resident ~~petitioner~~ is safe to be at large and, if released, is not likely to commit acts of sexual violence, or the resident ~~petitioner~~ or the Attorney General requests a trial before a jury. The Attorney General must represent the State and has the right to have the ~~petitioner~~ resident examined by a qualified ~~experts~~ evaluator chosen by the State. If the petition is filed with the authorization of the Department of Mental Health as provided by in subsection (A), then the Department of Mental Health's-designated qualified evaluator must appear as a witness at the hearing or trial. If the Attorney General's qualified evaluator determines that the resident still meets the criteria for confinement as a sexually violent predator, then the resident may seek another evaluation at the resident's personal expense. No public funds shall be authorized for the subsequent evaluation sought by the resident or for the testimony provided by this evaluator. All qualified evaluators are permitted to have reasonable access to the resident for the purpose of the examination, as well as reasonable access to all relevant medical, psychological, criminal offense, and disciplinary records and reports, and the court shall order the resident to comply with any testing and assessments deemed necessary by a qualified evaluator. ~~Attorney General retains a qualified expert who concludes that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and, if released, is likely to commit acts of sexual violence, the petitioner may retain a qualified expert of his own choosing to perform a subsequent examination. In the case of an indigent petitioner who would like an expert of his own choosing, the court must determine whether the services are necessary. If the court determines that the services are necessary and the expert's requested compensation for the services is reasonable, the court must assist the petitioner in obtaining the expert to perform an examination or participate in the hearing or trial on the petitioner's behalf. The court must approve payment for the services upon the filing of a certified claim for compensation supported by a written statement specifying the time expended, services rendered,~~

~~expenses incurred on behalf of the petitioner, and compensation received in the case or for the same services from any other source.~~ The burden of proof is upon the Attorney General to show beyond a reasonable doubt that the resident's ~~petitioner's~~ mental abnormality or personality disorder remains such that the resident ~~petitioner~~ is not safe to be at large and, that if released, is likely to commit acts of sexual violence." /

Amend the bill further, as and if amended, page 14, line 14, by adding an appropriately numbered SECTION to read:

/ SECTION __. Chapter 48 of Title 44 of the 1976 Code is amended by adding:

"Section 44-48-180. All cases pursuant to this chapter shall be given priority status for the purposes of scheduling any hearings or trials." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 1032 -- Senators Martin, Verdin, Kimbrell and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT

CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD1092.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 31-34 and inserting therein:

/ (8) evidence satisfactory to the director that the candidate's present age is ~~not~~ no less than twenty-one years. However, if the person is a candidate for detention or correctional officer, not to include officers for the Department of Juvenile Justice, then the candidate's present age must be no less than eighteen years of age. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 721 -- Senators Alexander and Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION

56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN

RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY

SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL

IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin and Senn: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO

PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Senator MASSEY moved that the Bill be made a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 12

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Kimpson
McElveen	Sabb	Scott
Setzler	Stephens	Williams

Total--12

The Bill was made a Special Order.

MOTION ADOPTED

At 12:35 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

HOUSE AMENDMENT AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MASSEY explained the House amendment.

Senator MASSEY proposed the following amendment (1090R005.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, it is the policy of the State of South Carolina that its unemployment benefits are intended to lighten the burden of economic insecurity for unemployed workers and their families; and

Whereas, the rate of inflation is increasing at a pace not seen in the United States for at least forty years, making it more difficult for individuals and families to make ends meet; and

Whereas, the spike in inflation has been particularly difficult to absorb by unemployed workers receiving unemployment benefits; and

Whereas, increasing the maximum weekly unemployment benefit amount in order to account for inflation is necessary to lighten the burden of economic insecurity for unemployed workers and their families; and

Whereas, Section 41-35-40 sets the weekly benefit amounts that an employee may receive and allows the Department of Employment and Workforce to set a maximum weekly benefit amount; and

Whereas, there have been questions raised concerning the Department of Employment and Workforce's execution of, and the General Assembly's intent regarding, Section 41-35-40; and

Whereas, the General Assembly believes that any questions concerning the application of Section 41-35-40 need to be resolved in order to provide certainty to workers and employers; and

Whereas, the interpretation of Section 41-35-40 espoused by those critical of the Department of Employment and Workforce's execution would lead to the absurd result of allowing for weekly benefit amounts higher than those found in states like California and New York, much less our neighbors in North Carolina and Georgia; and

Whereas, the General Assembly finds that the long-standing interpretation of this statute by the Department of Employment and Workforce is in complete accordance with the unambiguous language contained in Section 41-35-40 and the policy intended by the legislature; and

Whereas, the General Assembly finds that its ratification of the interpretation of the statute given by the Department of Employment and Workforce is important so as to provide certainty that the actions of the department on behalf of our state's workers and businesses have been in accordance with the intent of the legislature; Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A. Section 41-35-40 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"(B) The department must annually adjust the maximum weekly benefit amount set pursuant to the department's authority as provided in subsection (A) by an amount at least equal to the rate of inflation as measured by the national consumer price index published by the Bureau of Labor Statistics for the most recently completed calendar year prior to the date that the maximum weekly benefit amount goes into effect."

B. This SECTION takes effect July 1, 2022.

SECTION 2. A.The General Assembly ratifies and affirms that the Department of Employment of Workforce has faithfully executed the provisions contained in Section 41-35-40 in accordance with the clear language of the statute and the General Assembly's intent and that this resolution be applied affirming the intent of the General Assembly be retroactive July 1, 2007.

B. The provisions contained in this SECTION are retroactive to July 1, 2007.

SECTION 3. Section 41-31-60(A) of the 1976 Code is amended to read:

"Section 41-31-60. (A) If on the computation date upon which an employer's tax rate is to be computed as provided in Section 41-31-40 there is a delinquent report, the tax class twenty rate must be assigned to the employer ~~for the period to which the computation applies~~ until the next computation date or until all outstanding tax reports have been filed."

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 7; Abstain 1

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Hutto	*Johnson, Kevin*
Kimpson	McElveen	Scott
Stephens		

Total--7

ABSTAIN

Sabb

Total--1

The amendment was adopted.

There being no further amendments, the Bill, as amended, was ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Yvonne C. Knight Carter, 1349 Old Cherry Hill Road, Monks Corner, SC 29461-4571 *VICE* Melissa A. Tilden

On motion of Senator HEMBREE, the question was confirmation of Yvonne C. Knight Carter.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Yvonne C. Knight Carter was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

David E. Finley, 419 Woodfield Dr., Piedmont, SC 29673-8373

On motion of Senator SHEALY, the question was confirmation of David E. Finley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of David E. Finley was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Stephen L. Jones, DHA, 6815 Back Bay Drive, Isle of Palms, SC 29451-2837

On motion of Senator SHEALY, the question was confirmation of Stephen L. Jones, DHA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Stephen L. Jones, DHA was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nikki Wooten, 465 Endenhall Dr., Columbia, SC 29229 *VICE* Bevin G. Studstill

On motion of Senator SHEALY, the question was confirmation of Nikki Wooten.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett

Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Nikki Wooten was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nancy B. Dunn, 116 Wizard Way, Inman, SC 29349-7098 *VICE* John D. Wilcox, Jr.

On motion of Senator SHEALY, the question was confirmation of Nancy B. Dunn.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Nancy B. Dunn was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Shawn T. Pinkston, 184 Scott Street, Charleston, SC 29492-7539 *VICE* Valerie A. Brunson

On motion of Senator SHEALY, the question was confirmation of Shawn T. Pinkston.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Shawn T. Pinkston was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

On motion of Senator RANKIN, the question was confirmation of Mary Hunter B. Tomlinson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Hutto	Young

Total--2

The appointment of Mary Hunter B. Tomlinson was confirmed.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

House - Majority:

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE* Donald H. Jackson

On motion of Senator RANKIN, the question was confirmation of Matthew N. Tyler.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Hutto	Young

Total--2

The appointment of Matthew N. Tyler was confirmed.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Governor:

F. Xavier Starkes, PO Box 1497, Columbia, SC 29202-1497 *VICE* Ashleigh R. Wilson

On motion of Senator RANKIN, the question was confirmation of F. Xavier Starkes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Hutto	Young

Total--2

The appointment of F. Xavier Starkes was confirmed.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

On motion of Senator RANKIN, the question was confirmation of Neal D. Truslow.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Hutto	Young

Total--2

The appointment of Neal D. Truslow was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2021, and to expire July 1, 2024

1st Congressional District:

Henry B. Fishburn, Jr., 105 Waterfront Plantation Drive, Charleston, SC 29412-2100 *VICE* William "Warner" Peacock

On motion of Senator DAVIS, the question was confirmation of Henry B. Fishburn, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson

Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Henry B. Fishburn, Jr. was confirmed.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2020, and to expire March 31, 2024

Cosmetologist:

Patricia C. Walters, 360 Canal Place Dr., Columbia, SC 29201

On motion of Senator DAVIS, the question was confirmation of Patricia C. Walters.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Patricia C. Walters was confirmed.

Reappointment, Board of Directors of the Jobs-Economic Development Authority, with the term to commence July 27, 2019, and to expire July 27, 2022

At-Large/Chairman:

Michael W. Nix, 108 White Oak Lane, Greenwood, SC 29646-9087

On motion of Senator DAVIS, the question was confirmation of Michael W. Nix.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Michael W. Nix was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

On motion of Senator VERDIN, the question was confirmation of Lesly Wilson James.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Lesly Wilson James was confirmed.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2022, and to expire June 30, 2026

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611

On motion of Senator VERDIN, the question was confirmation of Michelle M. Woodhead.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 1

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Allen

Total--1

The appointment of Michelle M. Woodhead was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

General Public:

Lindsey K. Mitcham, 332 Clay Road, Camden, SC 29020-1622

On motion of Senator VERDIN, the question was confirmation of Lindsey K. Mitcham.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Hutto	Setzler

Total--2

The appointment of Lindsey K. Mitcham was confirmed.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

2nd Congressional District:

L. Gregory Pearce, Jr., 810 Hampton Hill Road, Columbia, SC 29209-1024

On motion of Senator VERDIN, the question was confirmation of L. Gregory Pearce, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of L. Gregory Pearce, Jr. was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024
Civic Organization:
Abbi Mason, 1126 Ambling Way, Mt. Pleasant, SC 29464

On motion of Senator VERDIN, the question was confirmation of Abbi Mason.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Abbi Mason was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2018, and to expire April 1, 2022

Piedmont - organ and tissue recipient, family of tissue recipient, and family of donor:

Jason R. Chesney, 115 Summerwalk Place, Simpsonville, SC 29681-4649 *VICE* Lewis Cooley

On motion of Senator VERDIN, the question was confirmation of Jason R. Chesney.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Jason R. Chesney was confirmed.

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2022, and to expire April 1, 2026

Piedmont - organ and tissue recipient, family of tissue recipient, and family of donor:

Jason R. Chesney, 115 Summerwalk Place, Simpsonville, SC 29681-4649

On motion of Senator VERDIN, the question was confirmation of Jason R. Chesney.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Jason R. Chesney was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

TUESDAY, MARCH 22, 2022

ADJOURNMENT

At 1:13 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 23, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Amos 5:24

Amos the prophet tells us: "But let justice roll down like waters, and righteousness like an ever flowing stream."

Let us pray, my friends: Holy God, here on this day and in this season we ask a special blessing upon all who serve You here in this governmental complex: these Senators themselves of course, each one of their gifted aides, and all others who might be engaged in the work of this Senate. May all of these servants continually reflect upon the fact that justice and righteousness must always be at the heart of all that they do for the people whom they are here to serve, and that it is always You Yourself, Lord, to whom any glory is to be accorded. And as always here in this troubling period worldwide, we join our hearts in praying for peace around the globe, dear God. By Your grace may it be so. All this we humbly pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Kimpson	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rice	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator PEELER introduced Dr. Brinda Chokshi of Florence, S.C., Doctor of the Day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 11 Sen. Cash
S. 531 Sens. Bennett, Corbin and Campsen
S. 935 Sen. Gustafson
S. 1077 Sen. Adams
S. 1144 Sen. Talley

RECALLED

H. 5090 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY AS "LUPUS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA AND TO

RECOGNIZE THE IMPACT OF LUPUS ON MILLIONS OF INDIVIDUALS AFFECTED BY LUPUS WORLDWIDE AND IN THE STATE OF SOUTH CAROLINA, AS WELL AS THE IMPORTANCE OF EFFORTS FOR FINDING THE CAUSES OF AND A CURE FOR THE DISEASE.

Senator VERDIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

The Concurrent Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5106 -- Reps. Sandifer, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 30, 2022, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

Senator SHEALY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Family and Veterans' Services.

The Concurrent Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1186 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE MEMBERS OF THE NEWCOMER CLUB OF THE FOOTHILLS UPON THE OCCASION OF THEIR FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE FOOTHILLS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1187 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE SCOTT KREIN FOR BEING NAMED SOUTH CAROLINA EMERGENCY MANAGER OF THE YEAR.
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The Senate Resolution was adopted.

S. 1188 -- Senators Garrett, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE DIXIE YOUTH SOFTBALL ANGELS TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA DIXIE YOUTH STATE CHAMPIONSHIP TITLE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1189 -- Senators Goldfinch and Gambrell: A BILL TO AMEND SECTION 12-20-105(E) AND (F) OF THE 1976 CODE, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS,

ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.
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Read the first time and referred to the Committee on Finance.

S. 1190 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 43, TITLE 40 SO AS TO TRANSFER CERTAIN RESPONSIBILITIES AND AUTHORITY OVER THE REGULATION OF CONTROLLED SUBSTANCES FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO THE STATE BOARD OF PHARMACY; TO AMEND SECTIONS 44-53-1630, 44-53-1640, AS AMENDED, AND 44-130-60, AS AMENDED, ALL RELATING TO CONTROLLED SUBSTANCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTIONS 44-53-280, 44-53-290, 44-53-300, 44-53-310, 44-53-320, 44-53-330, 44-53-340, 44-53-350, 44-53-360, 44-53-361, 44-53-362, 44-53-363, AND 44-53-365, ALL RELATING TO CONTROLLED SUBSTANCE REGULATION BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1191 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. MATILDA ARABELLA EVANS FOR HER MANY CONTRIBUTIONS TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1192 -- Senators McLeod and Jackson: A SENATE RESOLUTION TO CONGRATULATE BISHOP FREDERICK C. JAMES ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 22, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS

BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Very respectfully,

Speaker of the House

Received as information.

H. 3590--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

On motion of Senator MALLOY, the Senate insisted upon its amendments to H. 3590 and asked for a Committee of Conference.

Whereupon, Senators HUTTO, HEMBREE and TURNER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED REENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE,

RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A

QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

AMENDMENT PROPOSED, OBJECTION

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander, Young and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND

REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

The Senate proceeded to a consideration of the Bill.

Senator FANNING proposed the following amendment (923MF1):

Amend the bill, as and if amended, SECTION 1, by adding an appropriately numbered subitem to Section 59-1-465 (B) to read:

/ ( ) Nothing in this section requires events to occur during the school day. /

Amend the bill further, as and if amended, SECTION 2, by adding an appropriately numbered subitem to Section 53-3-150(B) to read:

/ <u>( )</u> <u>Nothing in this section requires events to occur during the school day.</u> /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator MASSEY objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM

LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (295R002.KMM.TD), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words an inserting:

/ SECTION 1. Article 1, Chapter 1, Title 40 of the 1976 Code is amended by adding:

"Section 40-1-75. (A)(1) A regulatory board or commission may not solely or in part deny a license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties and responsibilities of the occupation or profession for which the applicant is seeking a license. Regulatory boards and commissions are prohibited from using vague or generic terms including, but not limited to, 'moral turpitude' or 'good character', and from considering arrests without a subsequent conviction as a justification for denying an applicant a license.

(2) An applicant who has completed relevant pre-licensing requirements may not be denied a license unless the appropriate regulatory board or commission has given the applicant an opportunity to appear at a hearing to determine the applicant's fitness for the occupation or profession. The hearing must be scheduled within ninety days of the appropriate board or commission receiving notice that all relevant pre-licensing requirements have been completed.

(B)(1) In determining whether an applicant with a directly related criminal conviction shall be denied a license, the relevant regulatory board or commission shall apply a preponderance of the evidence standard that the applicant would pose a threat to public safety. The board or commission shall make its determination based upon the following factors:

(a) the nature and severity of the crime for which the applicant was convicted;

(b) the length of time since his conviction;

(c) the direct relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation or profession;

(d) evidence of rehabilitation or treatment undertaken by the applicant that may mitigate the relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation or profession; and

(e) any combination of the relevant factors identified in this subsection that the regulatory board or commission determines is necessary considering the totality of the circumstances.

(2) If a regulatory board or commission denies a license application solely or in part because of the applicant's prior conviction of a crime, then the regulatory board or commission must notify the applicant in writing of its decision. The notice shall provide:

(a) the grounds for the denial;

(b) notice that the individual has the right to a hearing to challenge the denial;

(c) the earliest date that the applicant may again apply for licensure; and

(d) a statement that evidence of rehabilitation may be considered upon reapplication."

SECTION 2. Chapter 1, Title 40 of the 1976 Code is amended by adding:

"Section 40-1-77. (A) This section may be cited and referred to as the 'Earn and Learn Act of 2022'.

(B) The purpose of this section is to expand economic opportunities and build a skilled workforce according to industry standards by allowing a worker to earn a paycheck while he fulfills applicable licensing requirements.

(C) For the purposes of this section:

(1) 'Apprenticeship' means a United States Department of Labor approved registered apprenticeship or industry recognized apprenticeship that encompasses an occupation or profession licensed by a South Carolina regulatory board or commission.

(2) 'Board' means a government board, agency, department, or other governmental entity that regulates a profession or occupation and issues a license to an individual. This definition of 'board' does not include boards and commissions established and operating pursuant to Chapter 15, Title 54.

(3) 'License' means a license, certificate, registration, permit, or other evidence that an individual is qualified to engage in an occupation or profession before that person may engage in or represent himself as a member of an occupation or profession.

(4) 'Scope of practice' means the procedures, actions, processes, and work that a person may perform pursuant to a license issued by an occupation's or profession's regulatory board.

(D) A board shall issue a license to an applicant, if the applicant:

(1) completes an apprenticeship in an occupation or profession that has a similar scope of practice, as determined by the board, to an occupation or profession regulated by this State through license requirements;

(2) successfully passes requisite examinations; and

(3) pays all applicable fees.

(E) A license issued pursuant to this section is subject to the same provisions of law governing a license for the occupation or profession.

(F) A board shall not require an applicant pursuant to this section to complete an apprenticeship for a greater duration of time than that is required pursuant to federal law.

(G) A board may require an applicant pursuant to this section to successfully pass an examination only if the board imposes the same examination requirement on other license applicants. A board shall not require an applicant pursuant to this section to receive a higher score on an examination than the score required of other license applicants.

(H) A board may require an applicant pursuant to this section to pay a licensing fee only if the board imposes a licensing fee on other license applicants. A board shall not impose on an applicant pursuant to this section a licensing fee greater than the licensing fee imposed on other applicants.

(I) A board shall promulgate regulations necessary for the implementation of this act."

SECTION 3. Section 40-1-140 of the 1976 Code, relating to the effect of prior convictions on license applications for professions and occupations, is repealed.

SECTION 4. This act takes effect January 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator CLIMER proposed the following amendment (295R003.KMM.WC), which was adopted:

Amend the bill, as and if amended, by striking Section 40-1-75(A) and inserting:

/ "Section 40-1-75. (A)(1) A regulatory board or commission may not solely or in part deny a license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties and responsibilities of the occupation or profession for which the applicant is seeking a license. Regulatory boards and commissions are prohibited from using vague or generic terms including, but not limited to, 'moral turpitude' or 'good character', and from considering arrests without a subsequent conviction as a justification for denying an applicant a license.

(2) An applicant who has completed relevant pre-licensing requirements may not be denied a license unless the appropriate regulatory board or commission has given the applicant an opportunity to appear at a hearing to determine the applicant's fitness for the occupation or profession. <u>The hearing must include specific references to which crimes, if any, the board or commission is considering in relation to the applicant's fitness.</u> The hearing must be scheduled within ninety days of the appropriate board or commission receiving notice that all relevant pre-licensing requirements have been completed. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY spoke on the Bill.

Senator JACKSON spoke on the Bill.

On motion of Senator JACKSON, the Bill was carried over.

CARRIED OVER

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE

THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

The Senate proceeded to a consideration of the Resolution.

Senator MALLOY explained the Resolution.

On motion of Senator SENN, the Resolution was carried over.

CARRIED OVER

S. 366 -- Senators Talley, Hutto and Malloy: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 471 -- Senators Rankin and Sabb: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE

REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

On motion of Senator CAMPSEN, the Bill was carried over.

OBJECTION

S. 1032 -- Senators Martin, Verdin, Kimbrell and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Senator MATTHEWS objected to consideration of the Bill.

OBJECTION

S. 721 -- Senators Alexander and Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE

COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

Senator SABB objected to consideration of the Bill.

CARRIED OVER

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (3037R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Section 56-1-80(A) of the 1976 Code is amended to read:

"Section 56-1-80. (A) An application for a driver's license or permit must:

(1) be made upon the form furnished by the department;

(2) be accompanied by the proper fee and acceptable proof of date and place of birth;

(3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;

(4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

(5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

(6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. ~~which~~ The medical condition must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record~~;~~. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless subitem (A)(8) applies;

(7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record; ~~and~~

(8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40-47-20(35)~~.~~; and

(9) include a statement that state and federal law may require the department to release certain driver's license and driver's record information, including medical conditions, under certain circumstances."

B. This SECTION takes effect July 1, 2022.

SECTION 2. A. Section 56-1-3350(A) of the 1976 Code is amended to read:

"Section 56-1-3350. (A) Upon application by a person five years of age or older, who is a resident of South Carolina, the department shall issue a special identification card ~~as long as~~ provided that the:

(1) application is made on a form approved and furnished by the department;

(2) applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth; ~~and~~

(3) applicant, who wishes to obtain a special identification card that indicates the applicant is autistic, complies with subsections (A)(1) and (2) and provides documentation that he is autistic from a physician licensed in this State, as defined in ~~Section 40-47-20(35)~~ Chapter 47, Title 40. The special identification requested must be indicated by a symbol designated by the department on the person's special identification card~~.~~; and

(4) applicant, who wishes to obtain a special identification card that indicates the applicant has voluntarily disclosed a permanent medical condition, complies with subsection (A)(1) and (2), and provides documentation of the medical condition from a physician licensed in this State, as defined in Chapter 47, Title 40. The record of an identification card holder may not contain more than three permanent medical conditions unless subitem (A)(3) applies. The record of an identification card holder, including medical conditions, may be released under certain circumstances in accordance with state and federal law."

B. This SECTION takes effect one year after the approval by the Governor.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

On motion of Senator BENNETT, the Bill was carried over.

CARRIED OVER

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE

OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator BENNETT, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (3730R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO

PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.
Senator GOLDFINCH spoke on the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

On motion of Senator CAMPSEN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (4319R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 3, by adding appropriately numbered new SECTIONS to read:

/ SECTION __. Section 56-1-50(D) of the 1976 Code is amended to read:

"(D) A beginner's permit may be renewed or a new permit issued for additional periods of twelve months. However, the department may refuse to renew or issue a new permit where the examining officer has reason to believe the applicant has not made a bona fide effort to pass the required driver's road test or does not appear to the examining officer to have the aptitude to pass the road test. The fee for every beginner's or renewal permit is two dollars and fifty cents, and the permit must bear the full name, date of birth, and residence address and a brief description and ~~color~~ unobstructed photograph of the permittee and a facsimile of the signature of the permittee or a space upon which the permittee shall write his usual signature with pen and ink immediately upon receipt of the permit. A permit is not valid until it has been signed by the permittee."

SECTION __. Section 56-1-2100(A)(2) of the 1976 Code is amended to read:

"(2) the person's ~~color~~ unobstructed photograph;"

SECTION __. Section 56-1-3370 of the 1976 Code is amended to read:

"Section 56-1-3370. The special identification card issued pursuant to this article shall be similar in size, shape, and design to a motor vehicle driver's license, including a ~~color~~ unobstructed photograph of the person to whom it is issued. Provided, however, that the card shall be readily distinguishable from a driver's license by a difference in color, and there shall be printed on the face of such card a statement that the card does not enable the person to whom it is issued to operate a motor vehicle."

SECTION __. This act takes effect on the first Wednesday occurring two weeks after the Governor's approval. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

On motion of Senator BENNETT, the Bill was carried over.

READ THE SECOND TIME

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:39 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

WEDNESDAY, MARCH 23, 2022

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDMENT PROPOSED
DEBATE INTERRUPTED

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (935R001.KMM.GH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited and referred to as the "Put Parents in Charge Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

"CHAPTER 8

Education Scholarship Accounts

Section 59-8-110. For purposes of this chapter:

(1) 'Department' means the South Carolina Department of Education.

(2) 'Education Scholarship Account', 'ESA', or 'account' means the individual account that is administered by the department to which funds are allocated to the parent of an ESA student to pay for qualifying expenses.

(3) 'Eligible student' means a student who:

(a) is a resident of this State;

(b)(i) attended a public school in this State during the previous school year;

(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or

(iii) received an ESA scholarship pursuant to this chapter for the previous school year; and

(c)(i) has a statement of Medicaid eligibility;

(ii) has an IEP; or

(iii) has a sibling living in the same household who receives an ESA scholarship.

(4) 'ESA student' means an eligible student who is participating in the Education Scholarship Account program.

(5) 'IDEA' means the Individuals with Disabilities Education Act found in 20 U.S.C. Section 1400, et seq.

(6) 'Parent' means a resident of this State who is the natural or adoptive parent, legal guardian, custodian, or other person with legal authority to act on behalf of an eligible student.

(7) 'Education service provider' means a person or organization approved by the department that receives payments from education savings accounts to provide educational goods and services to ESA students.

(8) 'Program' means the ESA program created by this chapter.

(9) 'Resident school district' means the public school district in which the student is domiciled.

(10) 'Scholarship' means education funding allocated from an account established pursuant to this chapter.

(11) 'Substantial misuse' means willfully and knowingly receiving or spending any portion of a scholarship for any purpose other than a qualifying expense.

(12) 'Qualifying expense' means:

(a) tuition and fees of an education service provider;

(b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;

(c) tutoring services approved by the department;

(d) computer hardware or other technological devices that are used primarily for an ESA student's educational needs and approved by the department or a licensed physician;

(e) tuition and fees for an approved nonpublic online education service provider or course;

(f) fees for approved:

(1) national norm-referenced examinations, advanced placement examinations, or similar assessments;

(2) industry certification exams; or

(3) examinations related to college or university admission;

(g) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies;

(h) approved contracted services from a public school district, including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities;

(i) contracted teaching services and education classes approved by the department;

(j) fees for transportation paid to a fee-for-service transportation provider for the ESA student to travel to and from an eligible provider as defined in this section, but not to exceed seven hundred fifty dollars for each school year;

(k) fees for ESA account management by private financial management firms approved by the department; or

(l) any other educational expense approved by the department.

Section 59-8-115. (A) The department shall create a standard application process and establish the timeline for parents of eligible students to establish the eligibility of their student for the Education Scholarship Account program. The application window established shall last at least forty-five days, opening no later earlier than January fifteenth and closing no later than April fifteenth each calendar year.

(B) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(1) process applications in the order in which they are received, after a preference has been extended to all prior-year participants and their respective siblings; and

(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(C) Before awarding a scholarship, the department shall have obtained evidence of the student's eligibility through the card issued in the student's name from the Department of Health and Human Services for Medicaid eligibility included as applicable with application documentation.

(D) The department shall approve an application for an ESA if:

(1) the parent submits an annual application for an ESA in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESA; and

(4) the parent signs an annual agreement with the department:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to ensure the ESA student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the ESA student does not receive full-time instruction from an education service provider;

(c) to use program funds for qualifying expenses only for an approved provider to educate the eligible student, subject to penalty;

(d) not to enroll their eligible student in a public school as a full-time student in the resident school district, as defined in this chapter;

(e) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(f) to comply with the conditions and requirements of the ESA program as established by the department; and

(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESA program is a parental placement of the ESA student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(E) The department shall make available on its website in a conspicuous location information in conformity with 34 C.F.R Sections 300.130 through 300.144, Assistance to States for the Education of Children with Disabilities, explaining to parents the rights of children with disabilities under IDEA both in public schools and as parentally placed students in private schools.

(F) A parent will be allowed to make payments for the cost of educational goods and services not covered by the funds in their student's ESA; however, personal deposits into an ESA are prohibited.

(G) Funds received pursuant to this section do not constitute taxable income to the parent of the ESA student or to the ESA student.

(H) A parent's signed agreement under subsection (D)(4) satisfies the state's compulsory attendance law pursuant to Section 59-65-10.

(I) The State Board of Education shall promulgate regulations for the administration of the program as may be applicable.

(J) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.

Section 59-8-120. (A) There is established, at the department, the 'South Carolina Education Scholarship Account Fund' that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to ESA students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section.

(B) The department shall administer the fund and is responsible for keeping records, managing accounts, and disbursing scholarships awarded pursuant to this section.

(C) Upon approval of an eligible student's application by the department, the State Treasurer shall transfer from the state appropriated monies allocated for the child's education in the prior school district of the child's domicile, or if the child is currently eligible to attend kindergarten, the State monies that would otherwise be allocated for the child's education in the expected school district of the child's domicile, to the department. The department shall deposit these monies into the South Carolina Education Scholarship Account Fund.

(D) The department shall create an individual online ESA account for each ESA student and transfer an amount that is equivalent to the state average of State funding per pupil in public schools for the current fiscal year as determined by the Revenue and Fiscal Affairs Office. The amount deposited shall not include federal or local funds.

(1) The parent must be able to access the online account for the ESA student using a secure portal.

(2) The ESA student account must be created within thirty days of the application approval.

(E) The department shall make payments to an ESA student's account on a quarterly basis with the first payment being distributed by July thirty-first of each year.

(F) For the purpose of funding calculations, each eligible student who participates in the program must be counted in the enrollment figures for the resident school district in which the student is zoned to attend.

(G) By September first of each school year and again on January fifteenth and March fifteenth of the school year, the department shall compare the list of ESA students with the public school enrollment lists to avoid duplicate payments.

(H) Education service providers may not refund, rebate, or share an ESA student's scholarship funds with a parent or the ESA student. The funds in an account may only be used for qualifying expenses as defined in this chapter and provided by the department.

(I) The department may contract with qualified organizations to administer the program.

Section 59-8-125. (A) The department shall develop an online electronic system for payment for services by participating parents. The department shall not adopt a system that requires parents to be reimbursed for out-of-pocket expenses.

(B) The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the department shall deduct an amount from the grants of all accounts to cover the costs of overseeing the accounts and administering the program up to a limit of three percent. Annually, on or before December thirty-first, the department shall notify the respective Chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous school year.

(C) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.

(D) The department may contract with qualified organizations to administer the program or specific functions of the program.

(E) Payments made by the department must remain in force until a parent or ESA student is proven to have participated in a prohibited activity specified in this chapter, an ESA student returns to a public school in his resident public school district, or an ESA student graduates from high school or attains twenty-two years of age, whichever occurs first. An ESA student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term.

(F) An account is active and usable until funds are revoked by the department for substantial misuse or the ESA student leaves the program for any reason, at which time any remaining funds must revert to the program fund.

(G) Unused funds must be rolled over to the following year for an ESA student who continues to meet eligibility requirements to participate in the program.

(H) An agreement terminates automatically if the ESA student is no longer domiciled in this State, and money remaining in the account reverts to the program fund.

(I) Only one account may be established for an eligible student.

Section 59-8-130. (A) If an ESA student's program of academic instruction is terminated for any reason before the end of the semester or school year and the ESA student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the ESA student's account must be credited to the program fund.

(B) Any funds not expended in an ESA student's scholarship account at the end of the school year will be carried forward into the next school year and expended for the same purposes.

Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESA students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to five thousand ESA students;

(2) in School Year 2024-2025, the program is limited to ten thousand ESA students; and

(3) in School Year 2025-2026, and for all subsequent school years, the program is limited to fifteen thousand ESA students.

(B) In 2026, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

Section 59-8-140. (A)(1) The department shall develop an application for education service providers desiring to participate in the program to submit according to the process established by the department.

(2) The department shall require an independent school that applies to be an education service provider to be located in the State, to have an educational curriculum that includes courses set forth in the state's diploma requirements and to meet the compulsory attendance and State Board of Education approval requirements in Section 59-65-10.

(3) An education service provider that participated in the program in the previous school year and which desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

(4) By March first of each year, the department will certify the list of approved education service providers for participation in the program that meet all program requirements. The department may waive the deadline requirement upon good cause shown by an education service provider.

(5) An education service provider that is denied certification pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(6) By March fifteenth of each year, the department shall publish on its website a comprehensive list of certified education service providers. The list must include the name, address, telephone number, and website address for each education service provider.

(B) The department shall establish the process for new education service providers to participate in the program which may be added on a rolling basis, subject to the department's approval, and will be published on its website.

(C) The department may bar an education service provider from the program if the department establishes that the education service provider has:

(1) failed to comply with the accountability standards established in this section; or

(2) failed to provide the ESA student with the educational services funded by the account.

(D) The department shall create procedures to ensure that a fair process exists to determine whether an education service provider may be barred from receiving payments from accounts.

(1) If the department decides to bar an education service provider from the program, it shall notify affected students and their parents of this decision as quickly as possible.

(2) Education service providers may appeal the department's decision to bar the education service provider from receiving payments from accounts pursuant to the Administrative Procedures Act.

(E) The State Board of Education shall promulgate regulations to allow ESA students to return to their resident school districts at any time, providing the least disruptive process, and as may be necessary for applicable administration of the program.

Section 59-8-145. (A) The department shall adopt procedures to inform students that are eligible for the program and their parents annually of their ability to participate in the program.

(B) The department shall adopt procedures to annually inform ESA students and their parents of which education service providers will be participating in the program.

(C) The department shall provide parents of an ESA student with a written explanation of the allowable uses of an account and the responsibilities of parents and the duties of the department.

(D) The department may declare that a parent is ineligible for the program due to the parent's substantial misuse of the funds in the account.

(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of accounts on an annual basis.

(F) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation if credible evidence of the fraudulent use of an account is obtained.

(G) The department may contract with one or more qualified organizations to administer some or all portions of this program.

(H) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each year, the number of students not accepted into the program each year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report the General Assembly by December thirty-first of each year.

Section 59-8-150. (A) To ensure equitable treatment and personal safety of all ESA students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not unlawfully discriminate on the basis of race, color, religion, or national origin; and

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries.

(B) To ensure that funds are spent appropriately, all education service providers shall:

(1) provide parents with a receipt for all qualifying expenses; and

(2) demonstrate their financial viability by showing they can repay funds received from parents that might be provided from accounts, if they are to receive fifty thousand dollars or more during the school year, by filing a surety bond with the department prior to the start of the school year.

(C) In order to allow parents and the public to measure the achievements of the program, academic progress must be documented annually for each ESA student. ESA students with an Individualized Education Plan that cannot be accommodated with standardized testing are excluded from the requirements of item (1). Education service providers that provide academic instruction, however, must monitor the progress of students with significant cognitive disabilities through alternative assessments including portfolios.

(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each ESA student in grades three through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(b) measure academic performance and annual learning gains of its ESA students by:

(i) requiring that each ESA student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of ESA students for reporting to the department as required in this section.

(2) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of an ESA student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English learner status.

(3) The department, or the appropriate organization chosen by the department, if any, must be informed of the ESA student's graduation from high school.

(D) The department shall:

(1) comply with all student privacy laws;

(2) collect all test results;

(3) annually provide individual student assessment results and information to the Education Oversight Committee. The transmission of the information must be made in a manner that safeguards the data to ensure student privacy.

(E) The Education Oversight Committee shall:

(1) comply with all student privacy laws;

(2) report on and publish associated learning gains and graduation rates to the public by means of a state website with data aggregated by grade level, gender, family income level, number of years participating in the program, and race and a report for any participating school if at least fifty-one percent of the total enrolled students in the private school participated in the ESA program in the prior school year or if there are at least thirty participating students who have scores for tests administered. If the Education Oversight Committee determines that the thirty participating-student cell size may be reduced without disclosing the personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size may not be reduced to fewer than ten participating students;

(3) evaluate and report the academic performance of ESA students compared to similar public school populations;

(4) collaborate with the department to develop and administer an annual parental satisfaction survey for all parents of ESA students to express their satisfaction with the program and their opinions on issues relevant to the ESA program that the State finds would elicit information about the effectiveness of the program, including the number of years the child has participated in it. Results of this survey must be provided to the General Assembly by December thirty-first of each year.

(E) An education service provider that is not a public school is autonomous and not an agent of the State or federal government, therefore:

(1) the department or any other state agency may not regulate the educational program of a certified education provider that accepts funds from an account;

(2) the creation of the program does not expand the regulatory authority of the State, its officers, or a school district to impose regulation of education service providers beyond those necessary to enforce the requirements of the program;

(3) the freedom of education service providers to provide for the educational needs of ESA students without governmental control must not be abridged;

(4) an education service provider that accepts payment from a parent using funds from an ESA pursuant to this chapter is not an agent of the State or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policy, or curriculum in order to accept payments from a parent using funds from an ESA.

Section 59-8-155. The ESA student's resident school district shall provide a parent and the education service providers that provide academic services to an ESA student with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232(g).

Section 59-8-160. (A) There is created the 'ESA Review Panel' that shall serve as an advisory panel to the department.

(B) The review panel shall consist of ten members, pursuant to the following:

(1) the Governor or his designee, who shall serve as the chair of the panel;

(2) three members to be appointed by the Governor;

(3) one member appointed by the Speaker of the House of Representatives;

(4) one member appointed by the President of the Senate;

(5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;

(6) one member appointed by the Chairman of the Senate Education Committee; and

(7) two parents of ESA students to be appointed by the Governor.

(C) The review panel may advise the department on whether certain expenses meet the requirements to be considered a qualified expense under this chapter when requested by the department. The review panel periodically may make recommendations to the General Assembly about improving the program.

(D) Members shall serve at the pleasure of their appointing authority. In making appointments to the panel, the appointing authorities, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.

(E) Members may not receive mileage or per diem."

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the

constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect thirty days after approval by the Governor, provided that upon approval of this act by the Governor, the Department of Education shall begin undertaking and executing responsibilities incident to the implementation of this act so that the provisions of this act may be fully implemented thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate proceeded to consideration Amendment No. 1B.

Amendment No. 1B

Senator HEMBREE proposed the following amendment (935R006.SP.GH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited and referred to as the "Put Parents in Charge Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

"CHAPTER 8

Education Scholarship Trust Fund

Section 59-8-110. For purposes of this chapter:

(1) 'Department' means the South Carolina Department of Education.

(2) 'Education Scholarship Trust Fund ', 'ESTF', or 'fund' means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.

(3) 'Eligible student' means a student who:

(a) is a resident of this State;

(b)(i) attended a public school in this State during the previous school year;

(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or

(iii) received a scholarship pursuant to this chapter for the previous school year; and

(c)(i) has a statement of Medicaid eligibility;

(ii) has an IEP; or

(iii) has a sibling living in the same household who receives a scholarship pursuant to this chapter.

(4) 'IDEA' means the Individuals with Disabilities Education Act found in 20 U.S.C. Section 1400, et seq.

(5) 'Parent' means a resident of this State who is the natural or adoptive parent, legal guardian, custodian, or other person with legal authority to act on behalf of an eligible student.

(6) 'Education service provider' means a person or organization approved by the department that receives payments from ESTF to provide educational goods and services to scholarship students.

(7) 'Program' means the ESTF program created by this chapter.

(8) 'Resident school district' means the public school district in which the student is domiciled.

(9) 'Scholarship' means education funding allocated from an account established pursuant to this chapter.

(10) 'Scholarship student' means an eligible student who is participating in the Education Scholarship Trust Fund program

(11) 'Substantial misuse' means willfully and knowingly receiving or spending any portion of a scholarship for any purpose other than a qualifying expense.

(12) 'Qualifying expense' means:

(a) tuition and fees of an education service provider;

(b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;

(c) tutoring services approved by the department;

(d) computer hardware or other technological devices that are used primarily for a scholarship student's educational needs and approved by the department or a licensed physician;

(e) tuition and fees for an approved nonpublic online education service provider or course;

(f) fees for approved:

(1) national norm-referenced examinations, advanced placement examinations, or similar assessments;

(2) industry certification exams; or

(3) examinations related to college or university admission;

(g) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies;

(h) approved contracted services from a public school district, including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities;

(i) contracted teaching services and education classes approved by the department;

(j) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section, but not to exceed seven hundred fifty dollars for each school year;

(k) fees for ESTF account management by private financial management firms approved by the department; or

(l) any other educational expense approved by the department.

Section 59-8-115. (A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program. The application window established shall last at least forty-five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year.

(B) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(1) process applications in the order in which they are received, after a preference has been extended to all prior-year participants and their respective siblings; and

(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(C) Before awarding a scholarship, the department shall have obtained evidence of the student's eligibility through the card issued in the student's name from the Department of Health and Human Services for Medicaid eligibility included as applicable with application documentation.

(D) The department shall approve an application for scholarship if:

(1) the parent submits an annual application for an scholarship in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESTF; and

(4) the parent signs an annual agreement with the department:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(c) to use program funds for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(d) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

(e) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(f) to comply with the conditions and requirements of the ESTF program as established by the department; and

(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(E) The department shall make available on its website in a conspicuous location information in conformity with 34 C.F.R Sections 300.130 through 300.144, Assistance to States for the Education of Children with Disabilities, explaining to parents the rights of children with disabilities under IDEA both in public schools and as parentally placed students in private schools.

(F) A parent will be allowed to make payments for the cost of educational goods and services not covered by the funds in their student's ESTF; however, personal deposits into an ESTF account are prohibited.

(G) Funds received pursuant to this section do not constitute taxable income to the parent of the scholarship student or to the student.

(H) A parent's signed agreement under subsection (D)(4) satisfies the state's compulsory attendance law pursuant to Section 59-65-10.

(I) The State Board of Education shall promulgate regulations for the administration of the program as may be applicable.

(J) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.

Section 59-8-120. (A) There is established at the department, the 'South Carolina Education Scholarship Trust Fund' that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section.

(B) The department shall administer the fund and is responsible for keeping records, managing accounts, and disbursing scholarships awarded pursuant to this section and as directed by the parent.

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer six thousand dollars per scholarship student to the Education Scholarship Trust Fund as directed by the General Assembly. Each year this amount shall be adjusted to reflect the percentage increase in the actual state allocated revenue per pupil as calculated by the Revenue and Fiscal Affairs Office pursuant to the annual appropriations act.

(D) The department shall create an individual online ESTF account for each scholarship student.

(1) The parent must be able to access the individual online account for the scholarship student using a secure portal.

(2) The individual scholarship student's account must be created within thirty days of the application approval.

(E) The department shall make payments to an individual scholarship student's account from the ESTF on a quarterly basis with the first payment being distributed by July thirty-first of each year.

(F) By September first of each school year and again on January fifteenth and March fifteenth of the school year, the department shall compare the list of scholarship students with the public school enrollment lists to avoid duplicate payments.

(G) Education service providers may not refund, rebate, or share a student's scholarship funds directly with a parent or the scholarship

student. The funds in an account may only be used for qualifying expenses as defined in this chapter and provided by the department.

(H) The department may contract with qualified organizations to administer the program.

Section 59-8-125. (A) The department shall develop an online electronic system for payment for services authorized by participating parents pursuant to this chapter and the guidelines provided by the department. Parents may not be reimbursed for out-of-pocket expenses.

(B) The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the department shall deduct an amount from the ESTF to cover the costs of overseeing the accounts and administering the program up to a limit of three percent. Annually, on or before December thirty-first, the department shall notify the respective chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous school year.

(C) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.

(D) The department may contract with qualified organizations to administer the program or specific functions of the program.

(E) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school district, or scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term.

(F) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must revert to the ESTF.

(G) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

(H) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ESTF

(I) Only one account may be established for an scholarship student.

Section 59-8-130. If scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account reverts to the ESTF.

Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to five thousand scholarship students;

(2) in School Year 2024-2025, the program is limited to ten thousand scholarship students; and

(3) in School Year 2025-2026, and for all subsequent school years, the program is limited to fifteen thousand scholarship students.

(B) In 2026, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

Section 59-8-140. (A)(1) The department must develop an application approval process for participation in the ESTF program for education service providers.

(2) The department must require an independent school that applies to be an education service provider to be located in the State, to have an educational curriculum that includes courses set forth in the state's diploma requirements and to meet the compulsory attendance and State Board of Education approval requirements in Section 59-65-10.

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

(4) By February first of each year, the department will certify the list of approved education service providers for participation in the program that meet all program requirements. The department may waive the deadline requirement upon good cause shown by an education service provider.

(5) An education service provider that is denied approval pursuant to this section may seek review by filing a request for a contested case

hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(6) By February fifteenth of each year, the department shall publish on its website a comprehensive list of approved education service providers. The list must include the name, address, telephone number, and website address for each education service provider.

(B) If approved by the department, new education service providers may be added to the list of approved providers on a rolling basis. The providers will be added to the comprehensive list available on the departments website.

(C) The department may bar an education service provider from the program if the department establishes that the education service provider has:

(1) failed to comply with the accountability standards established in this section; or

(2) failed to provide the scholarship student with the educational services funded by the account.

(D) The department shall create procedures to ensure that a fair process exists to determine whether an education service provider should be barred from receiving payments from accounts.

(1) If the department decides to bar an education service provider from the program, it shall notify affected students and their parents of this decision as quickly as possible.

(2) Education service providers may appeal the department's decision to bar the education service provider from receiving payments from accounts pursuant to the Administrative Procedures Act.

(E) The State Board of Education shall promulgate regulations to allow scholarship students to return to their resident school districts during the course of their participation in the program .

Section 59-8-145. (A) The department shall adopt procedures to inform students and their parents annually of their eligibility for the program.

(B) The department shall adopt procedures to annually inform scholarship students and their parents of the approved education service providers.

(C) The department shall provide to parents of a scholarship student written instructions for the allowable uses of an account and the responsibilities of parents and the duties of the department.

(D) The department may declare that a parent is ineligible for continuation in the program due to substantial misuse of their account funds.

(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of accounts on an annual basis.

(F) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

(G) The department may contract with one or more qualified organizations to administer some or all portions of this program.

(H) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each year, and the number of students not accepted into the program each year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report the General Assembly by December thirty-first of each year.

Section 59-8-150. (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located;

(3) not unlawfully discriminate on the basis of race, color, religion, or national origin; and

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries.

(B) To ensure that funds are spent appropriately, all education service providers shall:

(1) provide parents with a receipt for all qualifying expenses; and

(2) demonstrate their financial viability by filing a surety bond with the department prior to the start of the school year if they are to receive fifty thousand dollars or more during the school year.

(C) In order to allow parents and the public to measure the achievements of the program, academic progress must be documented annually for each scholarship student. Students with an Individualized Education Plan that cannot be accommodated with standardized testing are excluded from the requirements of item (1). Education service providers that provide academic instruction must monitor the progress of students with significant cognitive disabilities through alternative assessments including portfolios.

(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(b) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section.

(2) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of a scholarship student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English learner status.

(3) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school.

(D) The department shall:

(1) comply with all student privacy laws;

(2) collect all test results;

(3) annually provide individual student assessment results and information to the Education Oversight Committee. The transmission of the information must be made in a manner that safeguards the data to ensure student privacy.

(E) The Education Oversight Committee shall:

(1) comply with all student privacy laws;

(2) report on and publish associated learning gains and graduation rates to the public by means of a state website with data aggregated by grade level, gender, family income level, number of years participating in the program, and race and a report for any participating school if at least fifty-one percent of the total enrolled students in the private school

participated in the ESTF program in the prior school year or if there are at least thirty participating students who have scores for tests administered. If the Education Oversight Committee determines that the thirty participating-student cell size may be reduced without disclosing the personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size may not be reduced to fewer than ten participating students;

(3) evaluate and report the academic performance of scholarship students compared to similar public school populations; and

(4) collaborate with the department to develop and administer an annual parental satisfaction survey for all parents of scholarship students on issues relevant to the ESTF program, to include effectiveness and length of the program participation. Results of this survey must be provided to the General Assembly by December thirty-first of each year.

(F) An education service provider, not a public school, is autonomous and not an agent of the state or federal government, therefore:

(1) the department or any other state agency may not regulate the educational program of an approved education provider that accepts funds from an account;

(2) the creation of the program does not expand the regulatory authority of the State, its officers, or a school district to impose regulation of education service providers beyond those necessary to enforce the requirements of the program;

(3) the freedom of education service providers to provide for the educational needs of scholarship students without governmental control must not be abridged;

(4) an education service provider that accepts payment by a parent from an ESTF account pursuant to this chapter is not an agent of the State or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policy, or curriculum in order to accept payments by a parent from an ESTF account.

Section 59-8-155. The scholarship student's resident school district shall provide a parent and the education service providers designated by the parent with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232(g).

Section 59-8-160. (A) There is created the 'ESTF Review Panel' that shall serve as an advisory panel to the department.

(B) The review panel shall consist of ten members, pursuant to the following:

(1) the Governor or his designee, who shall serve as the chair of the panel;

(2) three members to be appointed by the Governor;

(3) one member appointed by the Speaker of the House of Representatives;

(4) one member appointed by the President of the Senate;

(5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;

(6) one member appointed by the Chairman of the Senate Education Committee; and

(7) two parents of scholarship students to be appointed by the Governor.

(C) The review panel may advise the department on whether certain expenses meet the requirements to be considered a qualified expense under this chapter when requested by the department. The review panel periodically may make recommendations to the General Assembly about improving the program.

(D) Members shall serve at the pleasure of their appointing authority. In making appointments to the panel, the appointing authorities, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.

(E) Members may not receive mileage or per diem.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect thirty days after approval by the Governor, provided that upon approval of this act by the Governor, the Department of Education shall begin undertaking and executing responsibilities incidental to the implementation of this act so that the

provisions of this act may be fully implemented thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 24, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Ezekiel 37:2b,3

Ezekiel the prophet tells us:

". . . I saw a great many bones on the floor of the valley, bones that were very dry. He asked me, '. . . can these bones live?' "

Please join your heart with mine as we pray: Truly, loving God, those "dry bones" -- all of those still to be completed tasks, the multiples of questions awaiting answers -- every bit of those things and many dozens more continue to await resolution here in the South Carolina Senate. And so we pray today, Lord, that You grant to each of Your servants in this place the wisdom and the determination to continue wrestling with the many, many issues that are before them. And likewise bless all of our state's and our nation's other leaders, and even all of our women and men in uniform struggling against dark forces in so many places, that each of these individuals might also prove to be a true source of blessing for people everywhere. Indeed, may "these bones live" by Your grace. So we humbly pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Kimbrell	Kimpson	Martin
Massey	McElveen	Peeler

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senators HARPOOTLIAN and HUTTO introduced Drs. Patricia Witherspoon, Miles Scott and Bradley Tishman of Columbia, S.C., Doctors of the Day.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 531 Sen. Peeler

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1193 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ELECTROLUX HOME PRODUCTS, INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1194 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AMERICAN HONDA MOTOR CO., INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1195 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LOCKHEED MARTIN FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1196 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NUCOR STEEL BERKELEY FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1197 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE THE STROM THURMOND HIGH SCHOOL MOCK TRIAL TEAM ON WINNING THE 2022 SOUTH CAROLINA BAR HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1198 -- Senator Shealy: A BILL TO AMEND CHAPTER 130, TITLE 44 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA OVERDOSE PREVENTION ACT, TO PROVIDE THAT HOSPITALS MAY DISTRIBUTE OPIOID ANTIDOTES; AND TO PROVIDE FOR IMMUNITY FROM CRIMINAL OR CIVIL LIABILITY.
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Read the first time and referred to the Committee on Medical Affairs.

S. 1199 -- Senator Turner: A BILL TO AMEND CHAPTER 39, TITLE 40 OF THE 1976 CODE, RELATING TO PAWNBROKERS, BY ADDING ARTICLE 3 ENTITLED THE "ONLINE MARKETPLACE CONSUMER PROTECTION ACT" SO AS TO ESTABLISH THE DUTIES OF ONLINE MARKETPLACES WITH REGARDS TO THE COLLECTION, VERIFICATION, AND DISCLOSURE OF CERTAIN INFORMATION REGARDING HIGH-VOLUME THIRD-PARTY SELLERS, AND TO PROVIDE FOR EXCLUSIVE ENFORCEMENT BY THE ATTORNEY GENERAL.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1200 -- Senator Kimbrell: A BILL TO AMEND SECTION 50-25-1320 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, TO REVISE THE MOTOR RESTRICTIONS ON THE LAKE.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1201 -- Senator Turner: A SENATE RESOLUTION TO RECOGNIZE MARCH 30, 2022, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE STATE.
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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1202 -- Senator Kimbrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FORMER SOUTH CAROLINA GOVERNOR DAVID BEASLEY FOR HIS WORLD FOOD PROGRAMME AND TO WELCOME HIM TO SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1203 -- Senators Alexander and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 58 TO TITLE 11.
l:\council\bills\jn\3565sa22.docx
Read the first time and referred to the Committee on Finance.

S. 1204 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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Read the first time and referred to the Committee on Judiciary.

THURSDAY, MARCH 24, 2022

REPORT OF STANDING COMMITTEE

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 906 -- Senator Shealy: A BILL TO AMEND SECTION 43-35-10(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "EXPLOITATION" IN THE "OMNIBUS ADULT PROTECTION ACT", TO AMEND THE DEFINITION OF "EXPLOITATION" TO INCLUDE THE EXERCISE OF EXTREME UNDUE INFLUENCE OVER, COERCIVE PERSUASION OF, OR PSYCHOLOGICALLY DAMAGING MANIPULATION OF A VULNERABLE ADULT; AND TO FURTHER AMEND SECTION 43-35-10 BY ADDING A DEFINITION FOR "UNDUE INFLUENCE".

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, DEBATE INTERRUPTED

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1B

Senator HEMBREE proposed the following amendment (935R006.SP.GH), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited and referred to as the "Put Parents in Charge Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

"CHAPTER 8

Education Scholarship Trust Fund

Section 59-8-110. For purposes of this chapter:

(1) 'Department' means the South Carolina Department of Education.

(2) 'Education Scholarship Trust Fund', 'ESTF', or 'fund' means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.

(3) 'Eligible student' means a student who:

(a) is a resident of this State;

(b)(i) attended a public school in this State during the previous school year;

(ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or

(iii) received a scholarship pursuant to this chapter for the previous school year; and

(c)(i) has a statement of Medicaid eligibility;

(ii) has an IEP; or

(iii) has a sibling living in the same household who receives a scholarship pursuant to this chapter.

(4) 'IDEA' means the Individuals with Disabilities Education Act found in 20 U.S.C. Section 1400, et seq.

(5) 'Parent' means a resident of this State who is the natural or adoptive parent, legal guardian, custodian, or other person with legal authority to act on behalf of an eligible student.

(6) 'Education service provider' means a person or organization approved by the department that receives payments from ESTF to provide educational goods and services to scholarship students.

(7) 'Program' means the ESTF program created by this chapter.

(8) 'Resident school district' means the public school district in which the student is domiciled.

(9) 'Scholarship' means education funding allocated from an account established pursuant to this chapter.

(10) 'Scholarship student' means an eligible student who is participating in the Education Scholarship Trust Fund program.

(11) 'Substantial misuse' means willfully and knowingly receiving or spending any portion of a scholarship for any purpose other than a qualifying expense.

(12) 'Qualifying expense' means:

(a) tuition and fees of an education service provider;

(b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;

(c) tutoring services approved by the department;

(d) computer hardware or other technological devices that are used primarily for a scholarship student's educational needs and approved by the department or a licensed physician;

(e) tuition and fees for an approved nonpublic online education service provider or course;

(f) fees for approved:

(1) national norm-referenced examinations, advanced placement examinations, or similar assessments;

(2) industry certification exams; or

(3) examinations related to college or university admission;

(g) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies;

(h) approved contracted services from a public school district, including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities;

(i) contracted teaching services and education classes approved by the department;

(j) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section, but not to exceed seven hundred fifty dollars for each school year;

(k) fees for ESTF account management by private financial management firms approved by the department; or

(l) any other educational expense approved by the department.

Section 59-8-115. (A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program. The application window established shall last at least forty-five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year.

(B) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(1) process applications in the order in which they are received, after a preference has been extended to all prior-year participants and their respective siblings; and

(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(C) Before awarding a scholarship, the department shall have obtained evidence of the student's eligibility through the card issued in the student's name from the Department of Health and Human Services for Medicaid eligibility included as applicable with application documentation.

(D) The department shall approve an application for scholarship if:

(1) the parent submits an annual application for an scholarship in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESTF; and

(4) the parent signs an annual agreement with the department:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(c) to use program funds for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(d) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

(e) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(f) to comply with the conditions and requirements of the ESTF program as established by the department; and

(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(E) The department shall make available on its website in a conspicuous location information in conformity with 34 C.F.R Sections 300.130 through 300.144, Assistance to States for the Education of Children with Disabilities, explaining to parents the rights of children with disabilities under IDEA both in public schools and as parentally placed students in private schools.

(F) A parent will be allowed to make payments for the cost of educational goods and services not covered by the funds in their student's ESTF; however, personal deposits into an ESTF account are prohibited.

(G) Funds received pursuant to this section do not constitute taxable income to the parent of the scholarship student or to the student.

(H) A parent's signed agreement under subsection (D)(4) satisfies the state's compulsory attendance law pursuant to Section 59-65-10.

(I) The State Board of Education shall promulgate regulations for the administration of the program as may be applicable.

(J) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.

Section 59-8-120. (A) There is established at the department, the 'South Carolina Education Scholarship Trust Fund' that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section.

(B) The department shall administer the fund and is responsible for keeping records, managing accounts, and disbursing scholarships awarded pursuant to this section and as directed by the parent.

(C) Upon request of the parent and approval of an eligible student's application by the department, the State Treasurer shall transfer six thousand dollars per scholarship student to the Education Scholarship Trust Fund as directed by the General Assembly. Each year this amount shall be adjusted to reflect the percentage increase in the actual state allocated revenue per pupil as calculated by the Revenue and Fiscal Affairs Office pursuant to the annual appropriations act.

(D) The department shall create an individual online ESTF account for each scholarship student.

(1) The parent must be able to access the individual online account for the scholarship student using a secure portal.

(2) The individual scholarship student's account must be created within thirty days of the application approval.

(E) The department shall make payments to an individual scholarship student's account from the ETSF on a quarterly basis with the first payment being distributed by July thirty-first of each year.

(F) By September first of each school year and again on January fifteenth and March fifteenth of the school year, the department shall compare the list of scholarship students with the public school enrollment lists to avoid duplicate payments.

(G) Education service providers may not refund, rebate, or share a student's scholarship funds directly with a parent or the scholarship student. The funds in an account may only be used for qualifying expenses as defined in this chapter and provided by the department.

(H) The department may contract with qualified organizations to administer the program.

Section 59-8-125. (A) The department shall develop an online electronic system for payment for services authorized by participating parents pursuant to this chapter and the guidelines provided by the department. Parents may not be reimbursed for out-of-pocket expenses.

(B) The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the department shall deduct an amount from the ESTF to cover the costs of overseeing the accounts and administering the program up to a limit of three percent. Annually, on or before December thirty-first, the department shall notify the respective chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous school year.

(C) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.

(D) The department may contract with qualified organizations to administer the program or specific functions of the program.

(E) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school district, or scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school district is considered to have returned to a public school for the purpose of determining the end of the term.

(F) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must revert to the ESTF.

(G) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

(H) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ESTF.

(I) Only one account may be established for a scholarship student.

Section 59-8-130. If scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account reverts to the ESTF.

Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to five thousand scholarship students;

(2) in School Year 2024-2025, the program is limited to ten thousand scholarship students; and

(3) in School Year 2025-2026, and for all subsequent school years, the program is limited to fifteen thousand scholarship students.

(B) In 2026, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

Section 59-8-140. (A)(1) The department must develop an application approval process for participation in the ESTF program for education service providers.

(2) The department must require an independent school that applies to be an education service provider to be located in the State, to have an educational curriculum that includes courses set forth in the state's diploma requirements and to meet the compulsory attendance and State Board of Education approval requirements in Section 59-65-10.

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying shall certify to the department that it continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual

student test score data is not submitted, then the department shall remove the education service provider from the program.

(4) By February first of each year, the department will certify the list of approved education service providers for participation in the program that meet all program requirements. The department may waive the deadline requirement upon good cause shown by an education service provider.

(5) An education service provider that is denied approval pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(6) By February fifteenth of each year, the department shall publish on its website a comprehensive list of approved education service providers. The list must include the name, address, telephone number, and website address for each education service provider.

(B) If approved by the department, new education service providers may be added to the list of approved providers on a rolling basis. The providers will be added to the comprehensive list available on the departments website.

(C) The department may bar an education service provider from the program if the department establishes that the education service provider has:

(1) failed to comply with the accountability standards established in this section; or

(2) failed to provide the scholarship student with the educational services funded by the account.

(D) The department shall create procedures to ensure that a fair process exists to determine whether an education service provider should be barred from receiving payments from accounts.

(1) If the department decides to bar an education service provider from the program, it shall notify affected students and their parents of this decision as quickly as possible.

(2) Education service providers may appeal the department's decision to bar the education service provider from receiving payments from accounts pursuant to the Administrative Procedures Act.

(E) The State Board of Education shall promulgate regulations to allow scholarship students to return to their resident school districts during the course of their participation in the program.

Section 59-8-145. (A) The department shall adopt procedures to inform students and their parents annually of their eligibility for the program.

(B) The department shall adopt procedures to annually inform scholarship students and their parents of the approved education service providers.

(C) The department shall provide to parents of a scholarship student written instructions for the allowable uses of an account and the responsibilities of parents and the duties of the department.

(D) The department may declare that a parent is ineligible for continuation in the program due to substantial misuse of their account funds.

(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of accounts on an annual basis.

(F) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

(G) The department may contract with one or more qualified organizations to administer some or all portions of this program.

(H) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each year, and the number of students not accepted into the program each year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report to the General Assembly by December thirty-first of each year.

Section 59-8-150. (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located;

(3) not unlawfully discriminate on the basis of race, color, religion, or national origin; and

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries.

(B) To ensure that funds are spent appropriately, all education service providers shall:

(1) provide parents with a receipt for all qualifying expenses; and

(2) demonstrate their financial viability by filing a surety bond with the department prior to the start of the school year if they are to receive fifty thousand dollars or more during the school year.

(C) In order to allow parents and the public to measure the achievements of the program, academic progress must be documented annually for each scholarship student. Students with an Individualized Education Plan that cannot be accommodated with standardized testing are excluded from the requirements of item (1). Education service providers that provide academic instruction must monitor the progress of students with significant cognitive disabilities through alternative assessments including portfolios.

(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(b) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section.

(2) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of a scholarship student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English learner status.

(3) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school.

(D) The department shall:

(1) comply with all student privacy laws;

(2) collect all test results;

(3) annually provide individual student assessment results and information to the Education Oversight Committee. The transmission of the information must be made in a manner that safeguards the data to ensure student privacy.

(E) The Education Oversight Committee shall:

(1) comply with all student privacy laws;

(2) report on and publish associated learning gains and graduation rates to the public by means of a state website with data aggregated by grade level, gender, family income level, number of years participating in the program, and race and a report for any participating school if at least fifty-one percent of the total enrolled students in the private school participated in the ESTF program in the prior school year or if there are at least thirty participating students who have scores for tests administered. If the Education Oversight Committee determines that the thirty participating-student cell size may be reduced without disclosing the personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size may not be reduced to fewer than ten participating students;

(3) evaluate and report the academic performance of scholarship students compared to similar public school populations; and

(4) collaborate with the department to develop and administer an annual parental satisfaction survey for all parents of scholarship students on issues relevant to the ESTF program, to include effectiveness and length of the program participation. Results of this survey must be provided to the General Assembly by December thirty-first of each year.

(F) An education service provider, not a public school, is autonomous and not an agent of the state or federal government, therefore:

(1) the department or any other state agency may not regulate the educational program of an approved education provider that accepts funds from an account;

(2) the creation of the program does not expand the regulatory authority of the State, its officers, or a school district to impose regulation of education service providers beyond those necessary to enforce the requirements of the program;

(3) the freedom of education service providers to provide for the educational needs of scholarship students without governmental control must not be abridged;

(4) an education service provider that accepts payment by a parent from an ESTF account pursuant to this chapter is not an agent of the state or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policy, or curriculum in order to accept payments by a parent from an ESTF account.

Section 59-8-155. The scholarship student's resident school district shall provide a parent and the education service providers designated by the parent with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1232(g).

Section 59-8-160. (A) There is created the 'ESTF Review Panel' that shall serve as an advisory panel to the department.

(B) The review panel shall consist of ten members, pursuant to the following:

(1) the Governor or his designee, who shall serve as the chair of the panel;

(2) three members to be appointed by the Governor;

(3) one member appointed by the Speaker of the House of Representatives;

(4) one member appointed by the President of the Senate;

(5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;

(6) one member appointed by the Chairman of the Senate Education Committee; and

(7) two parents of scholarship students to be appointed by the Governor.

(C) The review panel may advise the department on whether certain expenses meet the requirements to be considered a qualified expense under this chapter when requested by the department. The review panel periodically may make recommendations to the General Assembly about improving the program.

(D) Members shall serve at the pleasure of their appointing authority. In making appointments to the panel, the appointing authorities, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.

(E) Members may not receive mileage or per diem.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be

unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect thirty days after approval by the Governor, provided that upon approval of this act by the Governor, the Department of Education shall begin undertaking and executing responsibilities incidental to the implementation of this act so that the provisions of this act may be fully implemented thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Senators SETZLER, WILLIAMS, CORBIN, SHEALY and GAMBRELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator FANNING resumed speaking on the amendment.

Point of Quorum

At 11:51 A.M., Senator K. JOHNSON made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator FANNING resumed speaking on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 2

Senator FANNING proposed the following amendment (WAB\ 935C004.RT.WAB22):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3791. (A) As used in this section:

(1) 'Eligible School' means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state's diploma requirements;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools, the American Montessori Society, the International Montessori Council, or the National Association of Private Schools or alternatively accredited by Cognia or the National Council for Private School Accreditation.

(2) 'Exceptional needs child' means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed as either permanently or within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized

instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) 'Disadvantaged child' means a child who is eligible for the federal free or reduced lunch program and whose family meets the qualifications for federal Medicaid benefits.

(4) 'PACE Scholarship child' means a child who is a South Carolina resident who, immediately before receiving a scholarship or tuition grant under this section and enrolling in an eligible school or program, was enrolled in a South Carolina secondary or primary public school or who is eligible to enroll in a qualified first grade, kindergarten, or prekindergarten program; provided, however, that if a student is considered to be an eligible student pursuant to this item, he shall continue to qualify as such until he graduates, reaches the age of twenty, or returns to a public school, whichever occurs first; and provided, further, that the enrollment requirement must be waived in the case of a student who, based on the school attendance zone of his primary residence, is or would be assigned to a public school that the South Carolina Department of Education determines to be a low-performing priority school, or who is the subject of an officially documented case of school-based physical or psychological violence or student-related verbal abuse threatening physical harm immediately before receiving a scholarship or tuition grant under this section.

(5) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the tax code;

(b) allocates at least ninety-five percent of its annual contributions received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this section and grants for home school curriculum fees, and incurs administrative expenses annually of not more than five percent of its annual contributions for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs, disadvantaged, PACE Scholarship children, or for home school curriculum fees;

(d) does not provide grants only for the benefit of one school, and if the Treasurer determines that the nonprofit scholarship funding

organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser, or member of its governing board, any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain; and

(h) does not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

(6) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(7) 'Person' means an individual, partnership, corporation, or other similar entity.

(8) 'Qualifying student' means a student who is either (i) an exceptional needs child, (ii) a disadvantaged child, or (iii) a PACE Scholarship child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the prekindergarten or later-year level for the applicable school year.

(9) 'Resident public school district' means the public school district in which a student resides.

(10) 'Transportation' means transportation to and from school only.

(11) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an eligible school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(12) 'School year' means July first through June thirtieth each year.

(13) 'Home school' means a home, residence, or location where a parent or legal guardian teaches one or more children as authorized pursuant to Section 59-65-40, 59-65-45, or 59-65-47.

(14) 'Home school child' means any child attending an eligible home school.

(15) 'Treasurer' means the Office of the State Treasurer.

(16) 'Home school curriculum fees' means the total amount of money charged for instruction-related expenditures of a home school child to attend an eligible home school including, but not limited to, curriculum packages, textbooks, digital education, and testing materials.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to disadvantaged children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(3) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to PACE Scholarship children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(4) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for home school curriculum fees to home school children attending a home school who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or home school as the beneficiary of the contribution.

(C)(1) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding eleven thousand dollars or the total cost of tuition, whichever is less, for qualifying students who are either (i) exceptional needs or (ii) disadvantaged at an eligible school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs or disadvantaged child. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(2) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding the average state expenditures for each student in fall enrollment in public elementary and secondary education for this State or the total cost of tuition, whichever is less, for qualifying students who are PACE Scholarship children at an eligible school. The Treasurer shall determine and publish such amount annually, no later than January first. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(3) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding one thousand dollars or the total cost of home school curriculum fees, whichever is less, for a qualifying home school child attending a home school. Before awarding

any grant, a scholarship funding organization shall receive written documentation from the parent documenting that the student is a home school child. A scholarship funding organization may reimburse a parent directly for expenditures actually paid for home school curriculum fees, or pay vendors directly for home school curriculum fees on behalf of the home school child.

(D)(1)(a) The tax credits authorized by subsection (B)(1) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions made on behalf of exceptional needs students.

(b) The tax credits authorized pursuant to subsection (B)(2) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions on behalf of disadvantaged children.

(c) The tax credits authorized pursuant to subsection (B)(3) may not exceed cumulatively a total of forty million dollars each calendar year for contributions on behalf of PACE Scholarship children.

(d) The tax credits authorized pursuant to subsection (B)(4) may not exceed cumulatively a total of ten million dollars each calendar year for contributions on behalf of home school children.

(e) If the department determines that the total of the credits claimed in this subsection by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(f) The tax credits authorized pursuant to subsection (B)(1), (2), (3), or (4) are automatically and permanently increased by twenty-five percent in the succeeding calendar year whenever the total of the specific individual credit claimed meets the limit amount.

(g) The department, in coordination with the Treasurer, shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than one hundred percent of his total tax liability for the tax year in contributions toward the tax credits authorized by subsection (B). This credit is not refundable. If the credit exceeds the taxpayer's tax liability for the taxable year, the excess amount may be carried forward for credit against income or bank taxes in the next ten succeeding taxable years.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this section, then the taxpayer shall add back the amount of the deduction for purposes of South Carolina income or bank taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credits authorized by subsection (B). Also, the department, in coordination with the Treasurer, shall develop a method of informing taxpayers if the credit limit is met at any time during the year.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, the Department of Education, the Department of Revenue, the Treasurer, or any other state agency may not regulate the educational programs of an eligible school that accepts students receiving scholarship grants pursuant to this section.

(G)(1) The Treasurer shall approve and oversee the scholarship funding organizations and address any citizen concerns about the programs' administration at eligible schools or with the scholarship funding organizations.

(2) By August first of each year, each nonprofit scholarship funding organization shall apply with the Treasurer to be considered an eligible organization for the succeeding calendar year for which its contributors are allowed the tax credit provided by this section. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization must not be allowed for purposes of the credit allowed by this section. A nonprofit scholarship funding organization's application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding school year;

(b) for each grant issued to an eligible school in the preceding school year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(5) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(3) The Treasurer shall disclose on its website the names of qualifying nonprofit scholarship funding organizations and eligible schools. The Treasurer also may disclose the names of nonprofit scholarship funding organizations that applied but were not qualified by the Treasurer and those organizations whose eligibility has been revoked in accordance with subsection (H)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Treasurer shall publish on its website a list of all qualifying nonprofit scholarship funding organizations for the succeeding calendar year, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (2)(e) must be published with the list.

(5) By January fifteenth of each year, the Treasurer shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools by each scholarship funding organization in the prior school year;

(b) the identity of the school and the amount of each grant issued to an eligible school in the prior school year by each scholarship funding organization;

(c) an itemization and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school by any scholarship funding organization;

(d) a copy of the each scholarship funding organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of each scholarship funding organization conducted by a certified public accounting firm as provided to the Treasurer by each scholarship funding organization in their application to participate in the program; and

(f) the criteria and eligibility requirements for scholarship awards of each scholarship funding organization as provided to the

Treasurer by each scholarship funding organization in their application to participate in the program.

(6) The Treasurer may request an audit of a scholarship funding organization by the department if the Treasurer believes an organization is in violation of the provisions of this section.

(H)(1) The department has authority to examine and audit the nonprofit scholarship funding organizations when requested by the Treasurer, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this section.

(2)(a) If during a requested audit the department acquires evidence that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other substantial provision of this section, the department immediately may revoke the organization's participation in the program and shall notify the organization and the Treasurer in writing of the revocation.

(b) Actual notice of revocation may be provided to the organization by personal delivery to the organization, by certified return receipt mail to the last known address of the organization, or by other means reasonably designed to provide actual notice to the organization.

(c) Any donations made following the date the actual notice of revocation are received by the organization do not qualify for the credit and the donated funds must be returned to the donor by the organization.

(d)(i) Within thirty days after the day on which the organization is provided actual notice of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within seven days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is 'reasonable' if the department has substantial credible evidence that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with other substantial provisions of this section. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation is permanent.

(ii) If the administrative law judge determines that the immediate revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties may raise new issues and arguments in addition to those issues and arguments previously presented at the immediate revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation must be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department may reinstate the organization and notify the Treasurer.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the department has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(I) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially if the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. The funds that are transferred by one nonprofit scholarship funding organization to another only may be considered by one organization when calculating its administrative expenses."

SECTION 2. Section 12-6-3790 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor and applies to income tax years beginning after 2021. All tax credits earned as a result of a contribution made to a scholarship funding organization in 2022 apply to the cumulative total of twenty-five million dollars for exceptional needs children, twenty-five million dollars for disadvantaged children, forty million dollars to PACE Scholarship children, and ten million dollars for home school children, regardless of when in 2022 the contribution is made. All necessary reports and forms must be submitted as soon as practicable upon the enactment of this act./

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent and Senator FANNING retaining the floor on S. 935, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, March 29, 2022, at 2:00 P.M.

Motion to Ratify Adopted

At 1:52 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 25, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON.

ADJOURNMENT

At 11:04 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, March 29, 2022, at 2:00 P.M.

* * *

Tuesday, March 29, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 3:9

This afternoon we reflect upon how the man and the woman hid themselves there in the garden. And, as we recall from that story in Genesis, ". . . the Lord God called to the man, and said to him, 'Where are you?' "

Join me as we pray, please: Holy God, sometimes even we -- just like Adam and Eve -- feel that we simply can't take it anymore, that life as we know it has overwhelmed us. So, we too, absolutely want to hide: from our duties, from those tough decisions staring us in the face, from life itself. Yet for most of us, that is simply not our lot in life, Lord. And especially for Your servants in this Senate, they have chosen to labor on behalf of the people of South Carolina. They have done so knowing that at times the burdens would be heavy. They realized at the onset that often answers might be hard to find. So today we pray that You, O God, will grant to each of these Senators and their staff members the stamina, the courage, and the vision they all need as they strive to bless the good people of this State. By Your grace, O Lord, may it truly be so. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Climer	Corbin	Cromer
Davis	Fanning	Garrett

Goldfinch	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Martin	Massey
Peeler	Rice	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CROMER introduced Dr. March Seabrook of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:26 P.M., Senator JACKSON was granted a leave of absence until 5:15 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:26 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator BENNETT, at 4:59 P.M., Senator TURNER was granted a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator WILLIAMS, at 4:59 P.M., Senator SCOTT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MASSEY, at 5:02 P.M., Senator CAMPSEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 5:28 P.M., leave was granted for the balance of the day.

TUESDAY, MARCH 29, 2022

Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Senators CROMER and SETZLER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

CO-SPONSOR ADDED

The following co-sponsor were added to the respective Bill:
S. 1073 Sen. Campsen

RECALLED AND ADOPTED

S. 1053 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

RECALLED

S. 1055 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF GIBSON ROAD WHERE HIGHWAY 378 SPLITS TOWARD LAKE MURRAY IN LEXINGTON COUNTY "H.E. 'BUCKY' PHILLIPS, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 1201 -- Senator Turner: A SENATE RESOLUTION TO RECOGNIZE MARCH 30, 2022, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE STATE.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

TUESDAY, MARCH 29, 2022

RECALLED AND ADOPTED

H. 5081 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 6, 2022, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1205 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DOROTHEA (DEE) DAWKINS-HAIGLER, AN ORDAINED MINISTER, COMMUNITY ACTIVIST, COLLEGE EDUCATOR, AND POLITICAL STRATEGIST DEDICATED TO PUBLIC SERVICE, FOR PHILANTHROPY AT HOME, THROUGHOUT AFRICA, AND IN THE CARIBBEAN.

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The Senate Resolution was adopted.

S. 1206 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE IRIS M. ESTRIDGE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1207 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE DR. HENRY PONDER ON THE GRAND OCCASION OF HIS NINETY-FOURTH BIRTHDAY AND TO CELEBRATE THIS MOMENTOUS MILESTONE.
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The Senate Resolution was adopted.

S. 1208 -- Senator Climer: A BILL TO AMEND CHAPTER 4, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK, AND POULTRY, TO ALLOW CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES TO SATISFY NOTICE OF PRIVATE PROPERTY BOUNDARIES.
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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1209 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 5, 2022, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.
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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 1210 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE APRIL 6, 2022, "STO PROGRAMS DAY" IN SOUTH CAROLINA AND TO ENCOURAGE INDIVIDUALS, FAMILIES, AND BUSINESSES TO LEARN MORE ABOUT THE CONSUMER-FACING PROGRAMS OFFERED AT THE STATE TREASURER'S OFFICE.
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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1211 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES FOR DISABLED RESIDENTS, SO AS TO PROVIDE REQUIREMENTS FOR A DISABILITY LICENSE.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1212 -- Senator Allen: A SENATE RESOLUTION TO COMMEND CHASTA POSEY OF GREENVILLE FOR HER FINE WORK IN PROMOTING AWARENESS OF SARCOIDOSIS TO THE CITIZENS OF THE PALMETTO STATE, TO THANK HER FOR HER DEDICATED PATIENT ADVOCACY ON BEHALF OF THOSE LIVING WITH THIS RARE DISEASE, AND TO DECLARE THE MONTH OF APRIL 2022 AS "SARCOIDOSIS AWARENESS MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1213 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BOARD OF BARBER EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5081, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1214 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPIST, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO COUNSELORS, THERAPISTS, AND SPECIALISTS, DESIGNATED AS REGULATION

DOCUMENT NUMBER 5075, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1215 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF FUNERAL SERVICE, RELATING TO LICENSING PROVISIONS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5037, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1216 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-STATE ATHLETIC COMMISSION, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5083, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1217 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5050, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

H. 4321 -- Reps. J. E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS' COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

Read the first time and referred to the Committee on Judiciary.

H. 4571 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET WEST OF THE CSX RAILROAD TRACK IN THE CITY OF DILLON "CASEY MANNING DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4938 -- Reps. Parks and Howard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 10 IN MCCORMICK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 28 TO ITS INTERSECTION WITH THE MCCORMICK/GREENWOOD COUNTY LINE "CAPTAIN JUNNE 'J.R.' JONES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4955 -- Reps. Alexander and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL

INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4967 -- Reps. Wheeler and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 34 AND MCGEE TOWN ROAD IN LEE COUNTY "LEWIS W. BOONE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4977 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF NORTH WILLISTON ROAD AND EAST POCKET ROAD IN FLORENCE COUNTY "REVEREND DR. WAYMON MUMFORD INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4980 -- Reps. Hiott, Yow and D. C. Moss: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO ACT SWIFTLY TO ADDRESS RISING AGRICULTURAL PRODUCTION COSTS TO PROTECT SOUTH CAROLINA FARMS AND THE RURAL ECONOMY.

The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 4992 -- Reps. Bailey, Hardee, Hayes, Atkinson and McGinnis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE WACCAMAW SWAMP BRIDGE ALONG SOUTH CAROLINA HIGHWAY 9 IN HORRY COUNTY "SERGEANT GORDON BEST MEMORIAL BRIDGE"

AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4993 -- Reps. Collins and Hiott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES SHOAL CREEK IN PICKENS COUNTY ALONG SOUTH CAROLINA HIGHWAY 186 "SERGEANT FIRST CLASS MATTHEW BRADFORD THOMAS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5008 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOLLOW CREEK ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH CLINTON CHURCH ROAD TO THE AIKEN/ORANGEBURG COUNTY LINE "CHIEF GLENN POOLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5017 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5099 -- Reps. Rutherford, Jordan, Hart, Garvin, Rose, Howard, Bernstein, Finlay and J. L. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-190 SO AS TO PROVIDE THAT THE COUNTY LEGISLATIVE

DELEGATION MAY, BY THE ADOPTION OF A RESOLUTION, APPOINT THE MEMBERS OF A COUNTY RECREATION COMMISSION THAT WAS ESTABLISHED AS A SPECIAL PURPOSE DISTRICT PRIOR TO THE ADOPTION OF HOME RULE, AND TO PROVIDE THAT THE MEMBERS OF A COUNTY RECREATION COMMISSION WHO THE COUNTY DELEGATION APPOINTS PURSUANT TO THE PROVISIONS OF THIS ACT SERVE AT THE PLEASURE OF THE COUNTY LEGISLATIVE DELEGATION AND MAY BE REMOVED AT ANY TIME BY THE COUNTY LEGISLATIVE DELEGATION.

Read the first time and referred to the Committee on Judiciary.

H. 5170 -- Reps. Hart, Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE BEN LIPPEN SCHOOL VARSITY COMPETITIVE CHEERLEADING TEAM ON CAPTURING THE 2021 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 3A STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM AND ITS COACHES ON A SCINTILLATING SEASON.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5171 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. ABEL BARTLEY FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM FOR RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5172 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis,

McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. BOBBY DONALDSON FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM ON RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE COMMISSION.

The Concurrent Resolution was adopted, ordered returned to the House.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368 *VICE* James William Phillips III

Received as information.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269 *VICE* Pamela W. Shealy

Received as information.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 11 -- Senators Jackson, Shealy, Hutto and Cash: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH, ADOPTION, OR FOSTER CARE OF A SON OR DAUGHTER.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Cromer, Bennett, Corbin, Campsen and Peeler: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 544 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS, AND TO PROVIDE RELATED APPLICATION AND ENROLLMENT PROCEDURES; TO AMEND SECTION 59-40-145, RELATING TO INTERDISTRICT ATTENDANCE IN CHARTER SCHOOLS, SECTION 59-63-30, RELATING TO PUBLIC SCHOOL ATTENDANCE QUALIFICATIONS, SECTION 59-63-32, RELATING TO PUBLIC

SCHOOL ENROLLMENT REQUIREMENTS, AND SECTION 59-63-480, RELATING TO PUBLIC SCHOOL ATTENDANCE REQUIREMENTS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 59-63-45, RELATING TO INTERDISTRICT STUDENT TRANSFER REIMBURSEMENTS, AND SECTION 59-63-500, RELATING TO INTERDISTRICT STUDENT TRANSFER CONSENT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 984 -- Senators Hembree, Massey and Gustafson: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO

THE ALLOCATION OF A STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Ordered for consideration tomorrow.

TUESDAY, MARCH 29, 2022

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 5, 2022 - 5:00pm - 6:30pm
Members and Staff, Reception, Columbia Convention Center, by the **SOUTH CAROLINA BREWERS GUILD**

Tuesday, April 5, 2022 - 6:30pm - 10:00pm
Members Only, Reception, Goodman Building, State Fairgrounds, by **THE CITADEL**

Wednesday, April 6, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN, STATE TREASURER'S OFFICE**

Wednesday, April 6, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA HOSPITAL ASSOCIATION**

Wednesday, April 6, 2022 - 5:30pm - 7:30pm
Members Only, Reception, Palmetto Club, by the **SOUTH CAROLINA OPTOMETRIC PHYSICIANS ASSOCIATION**

Thursday, April 7, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **MEDTRUST MEDICAL TRANSPORT, LLC**

Tuesday, April 19, 2022 - 5:30pm - 7:30pm
Members Only, Reception, Palmetto Club, by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

Wednesday, April 20, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SALVATION ARMY OF THE MIDLANDS**

Wednesday, April 20, 2022 - 11:30am - 1:30pm
Members Only, Luncheon, 112 Blatt Building, by the **AMERICAN LEGISLATIVE EXCHANGE COUNCIL**

Wednesday, April 20, 2022 - 5:30pm - 7:30pm
Members and Staff, Reception, Bourbon Lounge & Courtyard, by the **SOUTH CAROLINA CRAFT DISTILLERS GUILD**

Thursday, April 21, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by **LEADERSHIP SOUTH CAROLINA**

Tuesday, April 26, 2022 - 6:00pm - 8:00pm
Members and Staff, Reception, Columbia Hilton Hotel, by the **SOUTH CAROLINA ALLIANCE OF CHARTER SCHOOLS**

Tuesday, April 26, 2022 - 5:30pm - 8:00pm
Members and Staff, Reception, 701 Whaley, by the **SOUTH CAROLINA CONSERVATION COALITION**

Wednesday, April 27, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA INSURANCE ASSOCIATION**

Wednesday, April 27, 2022 - 11:30am - 2:00pm
Members and Staff, Luncheon, State House grounds, by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION**

Wednesday, April 27, 2022 - 5:30pm - 7:30pm
Members and Staff, Reception, 1208 Washington Place, by the **SOUTH CAROLINA ASSOCIATION FOR JUSTICE**

Message from the House

Columbia, S.C., March 29, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

TUESDAY, MARCH 29, 2022

Message from the House

Columbia, S.C., March 29, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Allison, Felder and Alexander to the Committee of Conference on the part of the House on:

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 794 -- Senators Goldfinch and Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME APPROXIMATELY FIFTEEN MILES OF PLEASANT HILL DRIVE FROM ITS INTERSECTION WITH COUNTY LINE ROAD TO ITS INTERSECTION WITH NORTH FRASER STREET IN GEORGETOWN COUNTY "A. LANE CRIBB HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1171 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE THE SUMTER ROTARY CLUB, TO COMMEND THAT ORGANIZATION FOR ONE HUNDRED YEARS OF DISTINGUISHED SERVICE TO OUR STATE, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

S. 1183 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE LAURENS COMMISSION OF PUBLIC WORKS UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LAURENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1188 -- Senators Garrett, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE DIXIE YOUTH SOFTBALL ANGELS TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA DIXIE YOUTH STATE CHAMPIONSHIP TITLE.

Returned with concurrence.

Received as information.

S. 1193 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ELECTROLUX HOME PRODUCTS, INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1194 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AMERICAN HONDA MOTOR CO., INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1195 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LOCKHEED MARTIN FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1196 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NUCOR STEEL BERKELEY FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 1180 -- Senator Fanning: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

On motion of Senator FANNING.

TUESDAY, MARCH 29, 2022

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 29, 2022, at 2:30 P.M. and the following Acts and Joint Resolution were ratified:

(R133, S. 947) -- Senators Grooms, Climer and Garrett: AN ACT TO AMEND SECTION 56-23-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTING DRIVER TRAINING COURSES OFFERED BY CERTAIN INSTITUTIONS AND EMPLOYERS FROM THE DEPARTMENT OF MOTOR VEHICLES REGISTRATION AND LICENSING REQUIREMENTS, SO AS TO PROVIDE THIS EXEMPTION ALSO APPLIES TO DRIVER EDUCATION COURSES OFFERED BY ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES THAT PROVIDE INSTRUCTION TO EMPLOYEES OF THEIR MEMBER ORGANIZATIONS; AND BY ADDING SECTION 56-23-95 SO AS TO PROVIDE DRIVER TRAINING SCHOOLS MAY OFFER FINANCIAL ASSISTANCE TO CERTAIN HIGH SCHOOL STUDENTS TO COVER THE FEES ASSOCIATED WITH TRAINING OR EDUCATING PERSONS TO DRIVE OR OPERATE MOTOR VEHICLES.
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(R134, S. 973) -- Senator Rankin: AN ACT TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2022.
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(R135, H. 3679) -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.
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(R136, H. 3821) -- Reps. W. Newton and Herbkersman: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; TO AMEND SECTIONS 62-1-201, 62-1-302, AND 62-5-103, ALL RELATING TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".
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(R137, H. 4269) -- Rep. Gilliam: AN ACT TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R138, H. 4944) -- Rep. McGinnis: AN ACT TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.
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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, DEBATE INTERRUPTED

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 2

Senator FANNING proposed the following amendment (WAB\ 935C004.RT.WAB22), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3791. (A) As used in this section:

(1) 'Eligible School' means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state's diploma requirements;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools,

the American Montessori Society, the International Montessori Council, or the National Association of Private Schools or alternatively accredited by Cognia or the National Council for Private School Accreditation.

(2) 'Exceptional needs child' means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed as either permanently or within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) 'Disadvantaged child' means a child who is eligible for the federal free or reduced lunch program and whose family meets the qualifications for federal Medicaid benefits.

(4) 'PACE Scholarship child' means a child who is a South Carolina resident who, immediately before receiving a scholarship or tuition grant under this section and enrolling in an eligible school or program, was enrolled in a South Carolina secondary or primary public school or who is eligible to enroll in a qualified first grade, kindergarten, or prekindergarten program; provided, however, that if a student is considered to be an eligible student pursuant to this item, he shall continue to qualify as such until he graduates, reaches the age of twenty, or returns to a public school, whichever occurs first; and provided, further, that the enrollment requirement must be waived in the case of a student who, based on the school attendance zone of his primary residence, is or would be assigned to a public school that the South Carolina Department of Education determines to be a low-performing priority school, or who is the subject of an officially documented case of school-based physical or psychological violence or student-related

verbal abuse threatening physical harm immediately before receiving a scholarship or tuition grant under this section.

(5) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the tax code;

(b) allocates at least ninety-five percent of its annual contributions received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this section and grants for home school curriculum fees, and incurs administrative expenses annually of not more than five percent of its annual contributions for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs, disadvantaged, PACE Scholarship children, or for home school curriculum fees;

(d) does not provide grants only for the benefit of one school, and if the Treasurer determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser, or member of its governing board, any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain; and

(h) does not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

(6) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(7) 'Person' means an individual, partnership, corporation, or other similar entity.

(8) 'Qualifying student' means a student who is either (i) an exceptional needs child, (ii) a disadvantaged child, or (iii) a PACE

Scholarship child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the prekindergarten or later-year level for the applicable school year.

(9) 'Resident public school district' means the public school district in which a student resides.

(10) 'Transportation' means transportation to and from school only.

(11) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an eligible school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(12) 'School year' means July first through June thirtieth each year.

(13) 'Home school' means a home, residence, or location where a parent or legal guardian teaches one or more children as authorized pursuant to Section 59-65-40, 59-65-45, or 59-65-47.

(14) 'Home school child' means any child attending an eligible home school.

(15) 'Treasurer' means the Office of the State Treasurer.

(16) 'Home school curriculum fees' means the total amount of money charged for instruction-related expenditures of a home school child to attend an eligible home school including, but not limited to, curriculum packages, textbooks, digital education, and testing materials.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to disadvantaged children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(3) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to PACE Scholarship children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(4) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for home school curriculum fees to home school children attending a home school who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or home school as the beneficiary of the contribution.

(C)(1) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding eleven thousand dollars or the total cost of tuition, whichever is less, for qualifying students who are either (i) exceptional needs or (ii) disadvantaged at an eligible school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs or disadvantaged child. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(2) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding the average state expenditures for each student in fall enrollment in public elementary and secondary education for this State or the total cost of tuition, whichever is less, for qualifying students who are PACE Scholarship children at an

eligible school. The Treasurer shall determine and publish such amount annually, no later than January first. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(3) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding one thousand dollars or the total cost of home school curriculum fees, whichever is less, for a qualifying home school child attending a home school. Before awarding any grant, a scholarship funding organization shall receive written documentation from the parent documenting that the student is a home school child. A scholarship funding organization may reimburse a parent directly for expenditures actually paid for home school curriculum fees, or pay vendors directly for home school curriculum fees on behalf of the home school child.

(D)(1)(a) The tax credits authorized by subsection (B)(1) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions made on behalf of exceptional needs students.

(b) The tax credits authorized pursuant to subsection (B)(2) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions on behalf of disadvantaged children.

(c) The tax credits authorized pursuant to subsection (B)(3) may not exceed cumulatively a total of forty million dollars each calendar year for contributions on behalf of PACE Scholarship children.

(d) The tax credits authorized pursuant to subsection (B)(4) may not exceed cumulatively a total of ten million dollars each calendar year for contributions on behalf of home school children.

(e) If the department determines that the total of the credits claimed in this subsection by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(f) The tax credits authorized pursuant to subsection (B)(1), (2), (3), or (4) are automatically and permanently increased by twenty-five percent in the succeeding calendar year whenever the total of the specific individual credit claimed meets the limit amount.

(g) The department, in coordination with the Treasurer, shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than one hundred percent of his total tax liability for the tax year in contributions toward the tax credits authorized by subsection (B). This credit is not refundable. If the credit exceeds the taxpayer's tax liability for the taxable year, the excess amount may be carried forward for credit against income or bank taxes in the next ten succeeding taxable years.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this section, then the taxpayer shall add back the amount of the deduction for purposes of South Carolina income or bank taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credits authorized by subsection (B). Also, the department, in coordination with the Treasurer, shall develop a method of informing taxpayers if the credit limit is met at any time during the year.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, the Department of Education, the Department of Revenue, the Treasurer, or any other state agency may not regulate the educational programs of an eligible school that accepts students receiving scholarship grants pursuant to this section.

(G)(1) The Treasurer shall approve and oversee the scholarship funding organizations and address any citizen concerns about the programs' administration at eligible schools or with the scholarship funding organizations.

(2) By August first of each year, each nonprofit scholarship funding organization shall apply with the Treasurer to be considered an eligible organization for the succeeding calendar year for which its contributors are allowed the tax credit provided by this section. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization must not be allowed for purposes of the credit allowed by this section. A nonprofit scholarship funding organization's application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding school year;

(b) for each grant issued to an eligible school in the preceding school year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(5) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(3) The Treasurer shall disclose on its website the names of qualifying nonprofit scholarship funding organizations and eligible schools. The Treasurer also may disclose the names of nonprofit scholarship funding organizations that applied but were not qualified by the Treasurer and those organizations whose eligibility has been revoked in accordance with subsection (H)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Treasurer shall publish on its website a list of all qualifying nonprofit scholarship funding organizations for the succeeding calendar year, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (2)(e) must be published with the list.

(5) By January fifteenth of each year, the Treasurer shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools by each scholarship funding organization in the prior school year;

(b) the identity of the school and the amount of each grant issued to an eligible school in the prior school year by each scholarship funding organization;

(c) an itemization and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school by any scholarship funding organization;

(d) a copy of the each scholarship funding organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of each scholarship funding organization conducted by a certified public accounting firm as provided to the Treasurer by each scholarship funding organization in their application to participate in the program; and

(f) the criteria and eligibility requirements for scholarship awards of each scholarship funding organization as provided to the Treasurer by each scholarship funding organization in their application to participate in the program.

(6) The Treasurer may request an audit of a scholarship funding organization by the department if the Treasurer believes an organization is in violation of the provisions of this section.

(H)(1) The department has authority to examine and audit the nonprofit scholarship funding organizations when requested by the Treasurer, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this section.

(2)(a) If during a requested audit the department acquires evidence that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other substantial provision of this section, the department immediately may revoke the organization's participation in the program and shall notify the organization and the Treasurer in writing of the revocation.

(b) Actual notice of revocation may be provided to the organization by personal delivery to the organization, by certified return receipt mail to the last known address of the organization, or by other means reasonably designed to provide actual notice to the organization.

(c) Any donations made following the date the actual notice of revocation are received by the organization do not qualify for the credit and the donated funds must be returned to the donor by the organization.

(d)(i) Within thirty days after the day on which the organization is provided actual notice of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within seven days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is 'reasonable' if the department has substantial credible evidence that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with other substantial provisions of this section. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation is permanent.

(ii) If the administrative law judge determines that the immediate revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties may raise new issues and arguments in addition to those issues and arguments previously presented at the immediate revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation must be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department may reinstate the organization and notify the Treasurer.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the department has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(I) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially if the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. The funds that are transferred by one nonprofit scholarship funding organization to another only may be

considered by one organization when calculating its administrative expenses."

SECTION 2. Section 12-6-3790 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor and applies to income tax years beginning after 2021. All tax credits earned as a result of a contribution made to a scholarship funding organization in 2022 apply to the cumulative total of twenty-five million dollars for exceptional needs children, twenty-five million dollars for disadvantaged children, forty million dollars to PACE Scholarship children, and ten million dollars for home school children, regardless of when in 2022 the contribution is made. All necessary reports and forms must be submitted as soon as practicable upon the enactment of this act./

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 16; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Massey	Peeler
Rankin	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--26

NAYS

Allen	Corbin	Fanning
Gustafson	Harpootlian	Hutto
Johnson, Kevin	Malloy	Martin
Matthews	McElveen	McLeod

Scott Setzler Stephens
Williams

Total--16

ABSTAIN

Sabb

Total--1

The amendment was laid on the table.

Amendment No. 3A

Senators KIMBRELL and CLIMER proposed the following amendment (935R008.SP.JK), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(D)(4)and inserting:

/ (4) the parent signs an annual agreement with the department:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to acknowledge and agree to comply with the education service provider's prescribed curriculum, dress code, and other requirements of enrolled students;

(c) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(d) to use program funds for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(e) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

(f) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(g) to comply with the conditions and requirements of the ESTF program as established by the department; and

(h) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable

state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator FANNING spoke on the amendment.

Senator FANNING moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 13; Nays 27

AYES

Allen	Fanning	Harpootlian
Hutto	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Sabb	Setzler	Stephens
Williams		

Total--13

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Rice	Senn	Shealy
Talley	Verdin	Young

Total--27

Having failed to receive the necessary vote, the Senate refused to lay the amendment on the table.

Senator FANNING spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 4

Senator M. JOHNSON proposed the following amendment (935R005.SP.MJ), which was adopted:

Amend the bill, as and if amended, at the end of SECTION 2, by adding a new section to read:

/ Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce a district's student transfer policy." /

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator MARTIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 36

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rice	Sabb

Senn	Stephens	Talley
Verdin	Williams	Young

Total--36

Having failed to receive the necessary vote, the Senate refused to lay the amendment on the table.

The question then was the adoption of the amendment.

The amendment was adopted.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator CASH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Kandy Lantowsky Stamps of Belton, S.C. Kandy was a graduate of North Greenville College and Carson Newman University. She previously worked as a cytotechnologist at Trident Medical Center before becoming a nanny. Kandy was a longtime member of East Cooper Baptist Church. Kandy was a loving wife and devoted mother who will be dearly missed.

ADJOURNMENT

At 5:41 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 30, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 1:7

In Proverbs we find many "wisdom sayings". One of them you may recall, that: "The fear of the Lord is the beginning of knowledge; fools despise wisdom and instruction."

Let us pray: May it be, O God, that not a one of us ever turns his or her back on learning, on our need to discover new things, to grow in our understanding of the world around us. Here in this world of ours -- even when we think things cannot possibly become any more complex -- we know full well that they will and that we absolutely must continue to learn, to gain new perspectives, to fill the gaps in our understanding of virtually everything around us. And You, loving God, are certainly a key entry point in this whole process for us. So we pray today that by Your grace You will lead all of us in this Senate toward a greater and deeper understanding of the world. In Your loving name we humbly ask this, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Cromer
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Michael*

Kimbrell	Kimpson	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RICE introduced Dr. Lori Carnsew of Easley, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 1:07 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 1:50 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Leave of Absence

At 5:49 P.M., Senator GUSTAFSON requested a leave of absence for Thursday, March 31, 2022.

Leave of Absence

On motion of Senator CLIMER, at 6:53 P.M., Senator SHEALY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator McELVEEN, at 8:46 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

WEDNESDAY, MARCH 30, 2022

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Remarks by Senator KIMPSON

Thank you Mr. PRESIDENT. Thank you Senator MARTIN. I just got back from the White House. Yesterday, I took a plane to Washington DC. When I landed in Washington DC, I noticed on the presidential invitation that we were going to be outside. As I approached the West Wing, I was ushered to the rose garden -- a beautiful place with polished floors. Leaders from across the country gathered at the White House in remembrance and in honor of Emmett Till -- a young man from Chicago. In 1955, his family sent him to the state of Mississippi to play with his cousins for the summer. I don't know all the facts but I've read about them. Emmett Till was accused of something he didn't do -- a 14-year-old boy can't speak too much for himself. Back then there was no due process. He was beaten, lynched, thrown in the river, and had a fan tied around his neck to keep him from coming up. For over 100 years and after being introduced over 200 times, this congress and the past congresses have failed to pass an anti-lynching statute. Yesterday President Biden, Vice President Harris and a family member of Emmett Till's all assembled in the Rose Garden to sign the Emmett Till Anti-Lynching Act. I was moved by President Biden's speech. When we think about lynching, most think of the past. According to an initiative, racial justice advocacy and research organization, they have documented nearly 6,500 racial terror lynchings in United States between 1850 and 1965. So 6,500 lynchings occurred during that time period. But I submit we aren't just talking about people getting hung from a tree. Because when the President spoke -- he not only talked about lynchings that happened in the past, but also ones happening in the present. We all saw the videotape of Ahmad Aubery -- folks getting in a truck, running him down like cattle. We all saw what happened to George Floyd. Under the NAACP's definition of lynching, lynching is a public killing without due process. We've seen examples of that right here in South Carolina when we look at the shooting death of Walter Scott, Jr. We also look to the tragedy of what happened in Senate District 42. The murders of nine people, including our own colleague, Senator Clemente Pinckney. It took Congress over 100 years to pass an anti-lynching statute. But we see a glimmer of hope in this Bill signed yesterday by the President of this country and introduced by our own United States Senator, Tim Scott, a Republican. Senator Scott showed visionary leadership working along with Senator Cory Booker. So in closing, I would simply ask that we find

it within our hearts to take up the hate crime legislation passed by an overwhelming number of House members across the lobby. There was a robust conversation in the House, and here we are in the South Carolina Senate -- which is known as the most deliberative Body. We debate electric dump trucks. I don't know how many fish, game and forestry Bills I have heard about this session but the people of South Carolina, don't want to be last in the nation to pass an anti-lynching law. There are only two states that haven't passed hate crime legislation. I have been to the White House three times. I have been invited four times but missed the first invitation that was talking about infrastructure funding. The first time I was outside for the Christmas tree lighting ceremony -- and had the opportunity to enjoy L. L. Cool J. and Patti Labelle. The second time I went to celebrate Black History month. I saw all the President's cabinet members. It was awesome. In fact, I saw the United Nations Ambassador yesterday. I never -- on all those visits and invitations to the White House -- have I actually spoken personally to the President. Yesterday because the assembly was small -- I had the chance, on behalf of the State of South Carolina, to thank the President for sending all that money to our State so we can do good with it. I looked the President in the eye, and he wanted me to tell the people thank you. He knows we will do good for the people of South Carolina with the resources that he sent and that includes getting hate crime legislation debated and passed in the State of South Carolina. Thank you, Mr. PRESIDENT.

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator KIMPSON, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 945 Sen. Loftis
S. 1200 Sen. Talley

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1218 -- Senator Matthews: A BILL TO AMEND ACT 278 OF 1985, AS LAST AMENDED BY ACT 185 OF 2020, TO REDUCE THE NUMBER OF JASPER COUNTY BOARD OF EDUCATION SINGLE-MEMBER DISTRICTS FROM NINE TO SEVEN; TO

STAGGER THE TERMS OF MEMBERS ELECTED IN 2022; AND TO ESTABLISH THE SEVEN SINGLE-MEMBER DISTRICTS.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1219 -- Senator Bennett: A SENATE RESOLUTION TO CONGRATULATE LURA JAYNE PARKER ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

S. 1220 -- Senator Rice: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF PICKENS COUNTY BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1221 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE THE EPSILON EPSILON CHAPTER OF OMEGA PSI PHI FRATERNITY, INC., FOR SEVENTY-FIVE YEARS OF SERVICE TO THE CITY OF COLUMBIA, COUNTY OF RICHLAND, AND STATE OF SOUTH CAROLINA, AS WELL AS THROUGHOUT THE UNITED STATES AND THE WORLD, AND TO DECLARE APRIL 2, 2022, AS "EPSILON EPSILON CHAPTER DAY" IN SOUTH CAROLINA.
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The Senate Resolution was adopted.

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V. S. Moss, G. R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

Read the first time and referred to the Committee on Medical Affairs.

H. 4834 -- Reps. Bernstein, Collins, Crawford, Fry and Felder: A BILL TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF AN ORIGINAL BIRTH CERTIFICATE, SO AS TO ADD A DEFINITION FOR "OTHER LEGAL REPRESENTATIVE"; TO ALLOW THE DEPARTMENT OF SOCIAL SERVICES TO OBTAIN CERTIFIED COPIES OF ORIGINAL BIRTH CERTIFICATES PURSUANT TO A WRITTEN AGREEMENT WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS

MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 5138 -- Reps. Hosey and Bamberg: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5139 -- Rep. Rutherford: A BILL TO AMEND SECTIONS 63-1-40 AND 63-19-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND TO REPEAL SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

Read the first time and referred to the Committee on Judiciary.

H. 5181 -- Reps. Jefferson, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S.

Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE LEROY JOHNSON OF WILLIAMSBURG COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5185 -- Reps. Lucas, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR MICHAEL D. BANKS TO THE PALMETTO STATE ON THE OCCASION OF THE 97TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF

TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 53 -- Senators Malloy and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; AND TO MAKE CONFORMING CHANGES. (Abbrev. Title)

Ordered for consideration tomorrow.

Senator MALLOY spoke on the Bill.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 106 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 25 TO TITLE 51 SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A CERTAIN AMOUNT OF DOLLARS FOR THE FUND ANNUALLY, TO PROVIDE THAT THE FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES MUST BE PROVIDED BY THE TRUST FUND, AND TO MAKE CONFORMING CHANGES; AND TO REPEAL CHAPTER 40 OF TITLE 48 RELATING TO THE SOUTH CAROLINA BEACH RESTORATION AND IMPROVEMENT TRUST ACT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH

CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson, Harpootlian and Loftis: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF

TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE

COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010,

58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning and Adams: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander and Gambrell: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO

AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED

TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R.127, S. 862 by a vote of 69 to 35:

(R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

Very respectfully,
Speaker of the House

Received as information.

WEDNESDAY, MARCH 30, 2022

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has reconsidered and overridden the veto by the Governor on R.127, S. 862 by a vote of 70 to 32:

(R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 30, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.128, S. 912 by a vote of 68 to 29:

(R128, S912) -- Senator Stephens: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

WEDNESDAY, MARCH 30, 2022

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1180 -- Senator Fanning: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

On motion of Senator FANNING.

ADOPTED

H. 5106 -- Reps. Sandifer, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, MARCH 30, 2022, AS "NATIONAL GUARD DAY" IN SOUTH CAROLINA AND TO

RECOGNIZE AND HONOR THE MANY SACRIFICES AND VALUABLE CONTRIBUTIONS THE SOUTH CAROLINA NATIONAL GUARD MAKES TO PROTECT THE FREEDOM, DEMOCRACY, AND SECURITY OF OUR STATE AND NATION.

The Resolution was adopted, ordered returned to the House.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 5A

Senator HUTTO proposed the following amendment (935R011.SP.CBH), which was adopted:

Amend the bill, as and if amended, in SECTION 2, by striking Section 59-8-115(D)(4)(g) and inserting:

/ (g) that includes documentation of the consultation process between the parent, the resident school district, the education service provider, and any school district that the education service provider contracts with under an IEP or services plan, for each scholarship student with a disability regarding the special education and related services, and the manner by which these services as listed in the student's IEP or services plan, will be provided to a scholarship student with a disability./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

The amendment was adopted.

Amendment No. 10

Senator FANNING proposed the following amendment (WAB\935C021.RT.WAB22), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(C)(1) and inserting:

/ (1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades kindergarten through twelve takes all assessments required by federal and state law for students in South Carolina Public Schools. Students with disabilities who must be assessed against alternate achievement standards shall take the South Carolina Alternate Assessment (SC-Alt) or the current approved Alternate Assessment on Alternate Achievement Standards (AA-AAS) for South Carolina public schools; and

(b) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes all assessments required by federal and state law for students in South Carolina Public Schools for the purpose of measuring learning gains in math and reading using instruments approved on the statewide adoption list of formative assessments as required under Section 59-18-310; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 23

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Davis	Gambrell	Garrett
Grooms	Gustafson	Hembree

Kimbrell	Loftis	Rice
Senn	Turner	

Total--17

NAYS

Corbin	Cromer	Fanning
Harpootlian	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimpson
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Sabb	Scott
Shealy	Stephens	Talley
Williams	Young	

Total--23

Having failed to receive the necessary vote, the Senate refused to table the amendment.

Senator HEMBREE spoke on the amendment.
Senator MASSEY spoke on the amendment.
Senator GROOMS spoke on the amendment.

On motion of Senator HUTTO, with unanimous consent, the Senate proceeded to consideration of Amendment No. 19.

Amendment No. 19

Senator MASSEY proposed the following amendment (935R012.SP.ASM), which was withdrawn:

Amend the bill, as and if amended, on page 11, Section 59-8-150(C)(1), by striking lines 17 through 40 and inserting:

/(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment required of students in public schools in this State;

(b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this State;

(c) ensure that each scholarship student in grades nine through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(d) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 11; Nays 31

AYES

Adams	Bennett	Cash
Climer	Corbin	Grooms
Gustafson	Hembree	Kimbrell
Loftis	Senn	

Total--11

NAYS

Alexander	Allen	Cromer
Davis	Fanning	Gambrell
Garrett	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

Total--31

Having failed to receive the necessary vote, the Senate refused to table the amendment.

Senator CLIMER spoke on the amendment.
Senator MASSEY spoke on the amendment.

On motion of Senator MASSEY, with unanimous consent, the Senate proceeded to consideration of Amendment No. 43.

Amendment No. 43

Senator MASSEY proposed the following amendment (935R014.SP.ASM), which was adopted:

Amend the bill, as and if amended, on page 11, Section 59-8-150(C), by striking and inserting:

/(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through eight takes the SC Ready or SC Ready alternative summative assessment required of students in public schools in this State;

(b) ensure that each scholarship student in grades four and six takes the SC Pass or SC Pass alternative summative assessment required of students in public schools in this State;

(c) ensure that each scholarship student in grades nine through twelve takes a nationally norm-referenced or formative assessment approved by the department. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement; and

(d) measure academic performance and annual learning gains of its scholarship students by:

(i) requiring that each scholarship student takes either an approved nationally norm-referenced assessment annually, or an approved formative assessment in the fall and spring, to measure learning gains in math and reading; and

(ii) collecting high school graduation information of scholarship students for reporting to the department as required in this section.

(2) The department shall ensure that the education service provider has access to and is trained in administering the state assessments required in subitems (1)(a) and (b). The department shall assume any costs associated with training, administering, or taking assessments with no charges to the provider or ESTF students.

(3) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of a scholarship student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English learner status.

(4) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 18

AYES

Allen	Cromer	Fanning
Gambrell	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Rankin	Sabb
Setzler	Shealy	Stephens
Talley	Williams	Young

Total--24

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin

Davis	Garrett	Grooms
Gustafson	Hembree	Kimbrell
Loftis	Peeler	Rice
Senn	Turner	Verdin

Total--18

The amendment was adopted.

On motion of Senator FANNING, with unanimous consent, Amendment No. 10 was withdrawn.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 19 was withdrawn.

Amendment No. 11

Senator HUTTO proposed the following amendment (WAB\935C050.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A)(3) and inserting:

/ (3) not unlawfully discriminate on the basis of race, color, religion, national origin, or disability; and /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator FANNING spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 20

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Davis	Gambrell	Garrett
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Rice	Senn

Shealy	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Cromer	Fanning
Harpootlian	Hutto	Jackson
Johnson, Kevin	Kimpson	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Stephens	Williams	

Total--20

The amendment was laid on the table.

Amendment No. 12

Senators JACKSON and McLEOD proposed the following amendment(WAB\935C049.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A)(3) and inserting:

/ (3) not unlawfully discriminate on the basis of race, color, religion, national origin, or sexual orientation; and /

Renumber sections to conform.

Amend title to conform.

Senator JACKSON spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 13

Senator FANNING proposed the following amendment (WAB\935C006.RT.WAB22), which was subsequently tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by striking subsection Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all ESA students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not discriminate in the admissions process on the basis of race, color, religion, sex, or national origin;

(4) not require an academic aptitude test as a condition for admission; and

(5) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries. /

Amend the bill further, SECTION 2, Section 59-8-150(E)(5), by striking the item and inserting:

/ (5) education service providers shall not be required to alter their creeds, practices, or curriculum in order to accept payments from a parent using funds from an ESA. Further, education service providers shall not be required to alter their admissions policies beyond any alterations necessary to comply with this section. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator GROOMS, with unanimous consent, the Senate proceeded to consideration of Amendment No. 42.

Amendment No. 42

Senator GROOMS proposed the following amendment (935R003.KMM.LKG), which was tabled:

Amend the bill, as and if amended, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to one percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(2) in School Year 2024-2025, the program is limited to two percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(3) in School Year 2025-2026, the program is limited to three percent of the most recent 135-day ADM count from the South Carolina Department of Education; and

(4) in School Year 2026-2027, and for all subsequent school years, the program is limited to four percent of the most recent 135-day ADM count from the South Carolina Department of Education.

(B) In 2027, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program.

(C) If in any year the scholarship awards do not reach the capacity provided for in subsection (A), students meeting the requirements of Section 59-8-110(3)(a) and (b) will be considered an 'eligible student' for the purposes of this chapter./

Renumber sections to conform.

Amend title to conform.

Senator GROOMS spoke on the amendment.

OBJECTION

Senator MARTIN asked unanimous consent to make a motion, with Senator GROOMS retaining the floor, to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

Senator GROOMS resumed speaking on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

Having voted on the prevailing side, Senator CORBIN moved to reconsider the vote whereby Amendment No. 42 was laid on the table.

The motion was adopted.

The question then was the adoption of the amendment.

Senator HUTTO moved to table the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 13

AYES

Alexander	Allen	Bennett
Fanning	Gambrell	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Senn	Stephens
Talley	Turner	Williams
Young		

Total--28

NAYS

Adams	Cash	Climer
Corbin	Cromer	Davis
Garrett	Grooms	Kimbrell
Loftis	Peeler	Rice
Verdin		

Total--13

The amendment was laid on the table.

On motion of Senator MARTIN, with unanimous consent, the Senate proceeded to consideration of Amendment No. 45.

Amendment No. 45

Senator MARTIN proposed the following amendment (935R013.SP.SRM), which was adopted:

Amend the bill, as and if amended, SECTION 2, on page 14 after line 19, by adding a new section to read:

/ Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to eligibility requirements specifically imposed by the South Carolina High School League including, but not limited to, any

prohibition on a transfer student from participating in a sport immediately upon transfer." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 13

Senator FANNING proposed the following amendment (WAB\935C006.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by striking subsection Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all ESA students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not discriminate in the admissions process on the basis of race, color, religion, sex, or national origin;

(4) not require an academic aptitude test as a condition for admission; and

(5) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries. /

Amend the bill further, SECTION 2, Section 59-8-150(E)(5), by striking the item and inserting:

/ (5) education service providers shall not be required to alter their creeds, practices, or curriculum in order to accept payments from a parent using funds from an ESA. Further, education service providers shall not be required to alter their admissions policies beyond any alterations necessary to comply with this section. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 14

Senator FANNING proposed the following amendment (WAB\ 935C023.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not unlawfully discriminate on the basis of race, color, religion, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, athletic performance, proficiency in the English language, past academic or disciplinary history, or national origin; and

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 16

Senator FANNING proposed the following amendment (WAB\ 935C042.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(B) and inserting:

/ (B)(1) Pursuant to the timeline established pursuant to subsection (A), the department shall:

(a) process applications in the order in which they are received, after a preference has been extended to all prior-year participants and their respective siblings; and

(b) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation.

(2) If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, and there is no appeal to the sponsor. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 21

Senator FANNING proposed the following amendment (WAB\935C028.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Years 2023-2024, 2024-2025, and 2025-2026, the program is limited to five thousand scholarship students; and

(2) in School Year 2026-2027, the program limit for scholarship students will be determined based on the following:

(a) should the program demonstrate that seventy-five percent or greater of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program is limited to ten thousand scholarship students; and

(b) should the program demonstrate less that seventy-five percent of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program is limited to five thousand scholarship students;

(3) in School Year 2027-2028, the program limit for scholarship students will be determined based on the following:

(a) should the program demonstrate that seventy-five percent or greater of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program limit of scholarship students may be increased by five thousand, not to exceed fifteen thousand scholarship students; and

(b) should the program demonstrate that less than seventy-five percent of scholarship students made value-added growth on summative assessments as identified in Section 59-8-150 in each of the preceding three school years, the program limit shall remain at the limit established in 2026-2027; and

(4) in school year 2028-2029 and for all subsequent school years, the program is limited to the number of scholarship students established in 2027-2028.

(B) In 2029, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program./

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 22A

Senator FANNING proposed the following amendment (VR\935C003.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-140(A), by adding an appropriately numbered item to read:

/ ( ) The department must track data on scholarship students who leave the program prior to graduation. Data tracked must state whether the student's education service provider or the student initiated leaving the program and the reason why the student left. The compiled data annually must be reported to the General Assembly before September first. This data must be compiled and disaggregated by the education service provider showing the:

(a) number of students leaving;

(b) number of students leaving initiated by the education service provider as compared to the number leaving initiated by the student;

(c) reasons cited for leaving the program;

(d) demographic data for SCHOLARSHIP students leaving;

(e) demographic data for SCHOLARSHIP students remaining;

(f) achievement data for SCHOLARSHIP students leaving; and

(g) achievement data for SCHOLARSHIP students remaining./

Amend the bill further, as and if amended, SECTION 2, by striking Section 59-8-150(A) and inserting:

/ (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

(1) comply with all applicable health and safety laws or codes;

(2) hold a valid occupancy permit if required by the municipality in which the education service provider is located, if applicable;

(3) not unlawfully discriminate on the basis of race, color, religion, or national origin;

(4) conduct criminal background checks on employees and exclude from employment anyone who:

(a) is not permitted by state law to work in a school;

(b) reasonably might pose a threat to the safety of students; or

(c) is listed on federal, state, or other central child abuse registries; and

(5) track and report to the department the number of scholarship students denied admission with the reason each scholarship student was not admitted. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 24A

Senator FANNING proposed the following amendment (VR\935C002.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(12) and inserting:

/ (12) 'Qualifying expense' means:

(a) tuition and fees of an education service provider;

(b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated

online instruction required by either a curriculum or an education service provider;

(c) educational services for pupils with disabilities from a licensed or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies; or

(d) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section, but not to exceed seven hundred and fifty dollars for each school year. /

Amend the bill further, as and if amended, SECTION 2, Section 59-8-150, by adding an appropriately lettered subsection to read:

/ ( )(1) To obtain approval from the department to provide such services as a qualifying expense, a tutoring services program must:

(a) offer instruction and methods of instruction that are age and ability appropriate for the child;

(b) have sufficient facilities and materials or access to other facilities and additional materials as necessary to provide an appropriate education;

(c) have facilities and operations that comply with local, state, and federal requirements pertaining to the health and safety of children;

(d) employ an adequate number of professional staff for the population served, and these staff members are qualified by training and experience in the areas in to which they are assigned;

(e) ensure that its teachers who provide or supervise the provision of special education have licensure and endorsement as would be required for the equivalent work in a public school in this State;

(f) ensure that its professional staff have relevant experience, training, or both in the duties to which they are assigned;

(g) maintain a register of the daily attendance of each of its students and reports the attendance to the responsible LEA;

(h) maintain an operating schedule that includes instruction for no less than ten hours for each week unless doing so is inconsistent with medical recommendations, educational recommendations, or both, and which must be sufficient to ensure that the instructional services provided will address the individual needs of a child with disabilities and are consistent with the IEP of the child;

(i) have the financial capacity to carry out its educational purposes for the period of approval; and

(j) meet standards that apply to state and local education agencies as evidenced by the maintenance and implementation of written

policies or procedures, as appropriate, in the areas of admissions, discipline, and significant change in placement.

(2) With respect to the approval of rates for tutoring services providers:

(a) each tutoring services provider shall report its rates for tuition, related services, and room and board, if applicable, to the department on a form prescribed for that purpose;

(b) the rates that a tutoring services provider charges for tuition, related services, and room and board must be reasonably related to the actual costs of the services provided based on generally accepted accounting principles; and

(c) the department shall review the annual rate report of each tutorial program. If the department concludes that the rates of a tutoring services provider are not reasonably related to the services provided, the department shall make a determination as to the maximum rate that public school districts and the department would pay to the tutoring services provider for those services and offer the tutoring services provider an opportunity for explanation regarding why the maximum rate the department would pay is not adequate. If the explanation is not satisfactory, the department shall refer the matter to the State Board of Education. Upon receipt of the referral, the board shall conduct a formal proceeding on the matter, and its determination is final. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 32

Senator FANNING proposed the following amendment (WAB\935C029.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-140(C) and inserting:

/ (C) The department shall bar an education service provider from the program if the department establishes that the education service provider has failed to:

(1) comply with the accountability standards established in this section;

(2) provide the scholarship student with the educational services funded by the account; or

(3) comply with any requirements established in Section 59-8-150; /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 34A

Senator FANNING proposed the following amendment (WAB\ 935C052.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-150 by adding an appropriately lettered subsection to read:

/ ( ) An education service provider must be governed by a board of trustees who serve staggered terms of four years in length. A board member may not serve:

(1) in a holdover status beyond the expiration date of his term; or

(2) more than two terms. /

Amend the bill further, as and if amended, SECTION 2, by striking Section 59-8-160(A) and (B) and inserting:

/ (A) There is created the 'ESTF Review Panel' that shall serve as an advisory panel to the department.

(B) The review panel shall consist of sixteen members, pursuant to the following:

(1) the Governor or his designee, who shall serve as the chair of the panel;

(2) three members to be appointed by the Governor;

(3) one member appointed by the Speaker of the House of Representatives;

(4) one member appointed by the President of the Senate;

(5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;

(6) one member appointed by the Chairman of the Senate Education Committee;

(7) two parents of ESA students to be appointed by the Governor;

(8) the State Superintendent of Education or their designee;

(9) the South Carolina Department of Education's Deputy Superintendent for College and Career Readiness or their designee;

(10) the South Carolina Department of Education's Director of Assessment or their designee; and

(11) three members of the State Board of Education appointed by the Chair of the State Board of Education. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 36A

Senator FANNING proposed the following amendment (VR\ 935C001.NBD.VR22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-150 by adding appropriately lettered subsections to read:

/ ( ) All education service providers shall provide breakfast, lunch, and an afternoon snack daily to each scholarship student on each school day.

( ) All education service providers shall provide each scholarship student with transportation to and from the ESP on each school day.

( ) All education service providers shall provide matching funds for fees paid by a scholarship student for transportation not to exceed seven hundred fifty dollars for each school year. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 40

Senator FANNING proposed the following amendment (WAB\935C014.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(F) and inserting:

/ (F) Payments made quarterly by the department to Education Service Providers for the purpose of tuition and fees shall constitute full payment of tuition and fees for each scholarship student and no remaining balance for tuition and fees may be charged to parents in any quarter of the academic year. A parent will be allowed to make payments for the cost of any other qualifying expenses not covered by the funds in their student's ESTF; however, personal deposits into a ESTF are prohibited. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 44

Senator GROOMS proposed the following amendment (935R015.KMM.LKG), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, on page 8, in Section 59-8-135, by inserting an appropriately lettered new subsection at line 38 to read:

/ ( ) If in any year the scholarship awards do not reach the capacity provided for in subsection (A), students meeting the requirements of Section 59-8-110(3)(a) and (b) will be considered an 'eligible student' for the purposes of this chapter. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator GROOMS, the amendment was carried over.

Amendment No. 46

Senators MARTIN and TALLEY proposed the following amendment (935R016.SP.SRM), which was adopted:

Amend the bill, as and if amended, SECTION 2, on page 14 after line 19, by adding a new Section to read:

/ Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in a sport immediately upon transfer." /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY spoke on the amendment.

The amendment was adopted.

Amendment No. 47

Senator BENNETT proposed the following amendment (935R017.SP.LKG), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking Section 59-8-135 and inserting:

/ Section 59-8-135. (A) Beginning with the 2023-2024 School Year, the annual number of ESTF students is limited by the following capacity:

(1) in School Year 2023-2024, the program is limited to one percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(2) in School Year 2024-2025, the program is limited to two percent of the most recent 135-day ADM count from the South Carolina Department of Education;

(3) in School Year 2025-2026, the program is limited to three percent of the most recent 135-day ADM count from the South Carolina Department of Education; and

(4) in School Year 2026-2027, and for all subsequent school years, the program is limited to four percent of the most recent 135-day ADM count from the South Carolina Department of Education.

(B) In 2027, and every five years thereafter, the department shall conduct an eligibility and use review of the program and shall make recommendations to the General Assembly to improve the program. /

Renumber sections to conform.
Amend title to conform.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 48

Senator GROOMS proposed the following amendment (935R018.KMM.LKG), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection to Section 59-8-135 to read:

/ ( ) If in any year the scholarship awards do not reach the capacity provided for in subsection (A), then students meeting the requirements of Section 59-8-110(3)(a) and (b) who would not be otherwise eligible may apply to the program. Priority shall be given on a household income basis. Applicants residing in households with lower household income shall receive first priority in the award of scholarships./

Renumber sections to conform.
Amend title to conform.

Senator GROOMS spoke on the amendment.
Senator HEMBREE spoke on the amendment.
Senator GROOMS spoke on the amendment.
Senator HUTTO spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 22; Present 1

AYES

Adams	Alexander	Cash
Climer	Corbin	Cromer
Davis	Grooms	Gustafson
Jackson	Kimbrell	Loftis
Peeler	Rankin	Rice
Senn	Verdin	

Total--17

NAYS

Allen	Bennett	Fanning
Gambrell	Garrett	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimpson	Malloy	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Stephens
Talley	Turner	Williams
Young		

Total--22

PRESENT

Martin

Total--1

The amendment was not adopted.

On motion of Senator GROOMS, with unanimous consent, Amendment No. 44 was withdrawn.

On motion of Senator BENNETT, with unanimous consent, Amendment No. 47 was withdrawn.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 15

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Massey	Peeler
Rankin	Rice	Senn

Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Malloy	Martin	Matthews
McElveen	McLeod	Sabb
Scott	Stephens	Williams

Total--15

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George R. "Robbie" McClure of Edisto Island, S.C. Robbie was a track and field star at Walterboro High School and was later inducted into the Colleton County Athletic Hall of Fame. He graduated from The Citadel and enjoyed a 25 year volunteer coaching tenure. Robbie began McClure and Associates in 1987. He was a member of Evergreen Christian Church in Walterboro and attended Redeemer Fellowship on Edisto Island. Robbie enjoyed coaching, Alabama football and spending time with his family. Robbie was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 8:53 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 31, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 22:21

I suspect we all remember this scriptural admonition: " '. . . render to Caesar the things which are Caesar's, and to God the things which are God's.' "

Pray with me, if you will: Holy God, we pray that You will continue to guide us unfailingly as we strive to be wise and reasonable stewards of all that You have granted to us. We value Your gifts so very much, yet we know full well that time after time we are not as thoughtful as we all should be in how we manage the resources You give to us. And in this season as these leaders wrestle with the budget for South Carolina, we plead afresh that You allow this Senate to make the wisest financial decisions possible, especially now when challenges in doing so seem greater than in a long, long while. Also, gracious Lord, we lift to You afresh the people of Ukraine as they continue going through the horrendous challenges that they endure daily. Embrace them -- embrace all of us, Lord -- in Your tender care. All this we pray in Your loving name, dear Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator DAVIS introduced Dr. James Gigante of Hilton Head, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:22 A.M., Senator MATTHEWS was granted a leave of absence for today.

THURSDAY, MARCH 31, 2022

Leave of Absence

On motion of Senator FANNING, at 11:22 A.M., Senator KIMPSON was granted a leave of absence for Thursday, March 31, 2022, through Thursday, April 7, 2022.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 11 Sen. Malloy
S. 90 Sens. Campsen and Rankin
S. 106 Sens. Rankin, Davis, Goldfinch and Cromer
S. 984 Sen. Rankin

RECALLED

S. 1200 -- Senators Kimbrell and Talley: A BILL TO AMEND SECTION 50-25-1320 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, TO REVISE THE MOTOR RESTRICTIONS ON THE LAKE.

Senator KIMBRELL asked unanimous consent to make a motion to recall the Bill from the Committee on Fish, Game and Forestry.

The Bill was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1204 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator TALLEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 1212 -- Senator Allen: A SENATE RESOLUTION TO COMMEND CHASTA POSEY OF GREENVILLE FOR HER FINE WORK IN PROMOTING AWARENESS OF SARCOIDOSIS TO THE CITIZENS OF THE PALMETTO STATE, TO THANK HER FOR HER DEDICATED PATIENT ADVOCACY ON BEHALF OF THOSE LIVING WITH THIS RARE DISEASE, AND TO DECLARE THE MONTH OF APRIL 2022 AS "SARCOIDOSIS AWARENESS MONTH" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator ALLEN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator ALLEN, the Resolution was adopted.

RECALLED

H. 4571 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET WEST OF THE CSX RAILROAD TRACK IN THE CITY OF DILLON "CASEY MANNING DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4955 -- Reps. Alexander and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT

THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1222 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NEED-BASED GRANTS PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5054, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
l:\council\bills\rt\17129wab22.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1223 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
l:\council\bills\rt\17128wab22.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1224 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5052, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1225 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5051, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1226 -- Senators Bennett and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-5-300 SO AS TO REQUIRE INSURERS TO DISCLOSE ITS USE OF ENVIRONMENTAL, SOCIAL, AND GOVERNANCE SCORES OR CONSIDERATION OF DIVERSITY, EQUITY, AND INCLUSION PRACTICES IN ESTABLISHING RATES; AND BY ADDING SECTIONS 34-3-120, 34-21-80, AND 34-26-895 ALL SO AS TO REQUIRE EVERY BANKING CORPORATION, TRUST INSTITUTION, AND CREDIT UNION TO DISCLOSE IF IT USES ENVIRONMENTAL, SOCIAL, AND GOVERNANCE SCORES OR CONSIDERATION OF DIVERSITY, EQUITY, AND INCLUSION POLICIES IN ESTABLISHING RATES, PROVIDING SERVICES, AND MAKING LENDING DETERMINATIONS.
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Read the first time and referred to the Committee on Banking and Insurance.

H. 3958 -- Reps. McGarry, Yow, Dabney, B. Newton, Bennett, Bustos, Haddon, Erickson, McCabe, Bryant, Robinson, Huggins, Ott, Ballentine, Oremus, Anderson, T. Moore, Long, Pope, Felder, Ligon, B. Cox, Morgan, Lucas, McKnight, Simrill, J. L. Johnson, Matthews, Jones, Wheeler, Hyde, Murray, Daning, M. M. Smith and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-5-135 SO AS TO PROVIDE THAT A CORONER MAY ACT AS A FIRST RESPONDER UNDER

CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44-130-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT" SO AS TO INCLUDE A CORONER IN THE DEFINITION OF THE TERM "FIRST RESPONDER".

Read the first time and referred to the Committee on Judiciary.

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

Read the first time and referred to the Committee on Banking and Insurance.

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G. R. Smith, Gilliam, Jones, M. M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J. E. Johnson, Lucas, Morgan and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4998 -- Reps. Caskey, Wetmore, W. Newton and Wooten: A BILL TO AMEND SECTIONS 61-4-10, 61-6-20, 61-6-30, 12-21-1010, 12-21-1030, AND 12-33-245, ALL RELATING TO ALCOHOLIC BEVERAGES, SO AS TO CONSIDER ALCOHOLIC CONSUMABLES THE SAME AS ALCOHOLIC BEVERAGES AND TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 5159 -- Reps. G. R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

Read the first time and ordered placed on the Local and Uncontested Calendar.

Motion to Ratify Adopted

At 11:49 A.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 1021 -- Senators Campsen and Grooms: A BILL TO AMEND ACT 844 OF 1952, RELATING TO THE COMPOSITION, RESIDENCY, AND TERMS OF THE SCHOOL TRUSTEES OF CERTAIN SCHOOL DISTRICTS IN CHARLESTON COUNTY, SO AS TO PROVIDE THAT THE MOULTRIE SCHOOL DISTRICT NO. 2 BOARD OF TRUSTEES SHALL CONSIST OF SEVEN MEMBERS, AT LEAST THREE OF WHOM MUST BE RESIDENTS OF THE TOWN OF MOUNT PLEASANT.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question then was second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\202C001.RT.WAB21), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

"Section 1-6-35. The State Inspector General may only initiate, supervise, and coordinate any investigation of a public school, public school district, public charter school, or public school authorizer:

(1) upon the request of the Governor;

(2) upon the request of the State Superintendent of Education. A State Superintendent may consider a request for an investigation from the school district's superintendent as a basis for an investigation request under this section;

(3) by a majority vote by the legislative delegation in which the subject of the investigation is located; or

(4) by a majority vote of the local school district board membership.

SECTION 2. Section 1-6-10(1) of the 1976 Code is amended to read:

"(1) 'Agency' means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies. 'Agency' includes a body corporate and politic established as an instrumentality of the State. <u>'Agency' also includes public schools, public school districts, public charter schools, and public charter school authorizers for purposes of this chapter.</u> 'Agency' does not include:

(a) the judicial department of state government;

(b) ~~quasijudicial~~ <u>quasi-judicial</u> bodies of state government;

(c) the legislative department of state government; or

(d) political subdivisions, unless otherwise provided herein."

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senators CAMPSEN, HEMBREE and TURNER proposed the following amendment (202R002.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

"Section 1-6-35. (A) The State Inspector General may only initiate, supervise, and coordinate an investigation of a public school, public school district, public charter school, public charter school authorizer, or voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State upon the request of:

(1) the Governor;

(2) the State Superintendent of Education; or

(3) the majority of the membership of the legislative delegation of the county in which the subject of the investigation is located.

SECTION 2. Section 1-6-10(1) of the 1976 Code is amended to read:

"(1) 'Agency' means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies and bodies~~. 'Agency' includes a body~~ corporate and politic established as an instrumentality of the State. For the purpose of this chapter, 'Agency' also includes public schools, public school districts, public charter schools, public charter school authorizers, and any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State. 'Agency' does not include:

(a) the judicial department of state government;

(b) ~~quasijudicial~~ quasi-judicial bodies of state government;

(c) the legislative department of state government; or

(d) political subdivisions, unless otherwise provided herein."

SECTION 3. This act takes effect upon approval by the Governor. /

Amend the bill, as and if amended,

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (202R002.SP.CBH), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by adding appropriately lettered new subsections to Section 1-6-35 to read:

/ ( ) A request to investigate pursuant to this section must be transmitted in writing to the Office of the Inspector General. The request for the investigation must articulate the basis of any alleged wrongdoing.

( ) Any report generating recommendations from the Inspector General regarding investigations conducted pursuant to this section must be transmitted to the State Superintendent of Education, the appropriate legislative delegation, and the chairman of the local board of trustees or the chairman of the charter school authorizer.

( ) By December thirty-first of each year, the Inspector General shall report to the General Assembly the number of requests for investigations that the office has received, the number of investigations requested by each individual or entity making the request, and the status of those requests. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE

REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senators HEMBREE and CLIMER proposed the following amendment (295R004.KM.WC), which was adopted:

Amend the bill, as and if amended, by striking Section 40-1-75(A)(1) and inserting:

/ "Section 40-1-75. (A)(1) A regulatory board or commission may not solely or in part deny a license to an applicant because of a prior criminal conviction, unless the criminal conviction directly relates to the duties and responsibilities of the occupation or profession for which the applicant is seeking a license. Regulatory boards and commissions are prohibited from using vague or generic terms including, but not limited to, 'moral turpitude' or 'good character', and from considering charges that have been dismissed, not prossed, or adjudicated with a finding of not guilty as a justification for denying an applicant a license. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Rice
Sabb	Senn	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Shealy

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM “BUS”.

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND

SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES

RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

AMENDED, OBJECTION

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (1034R001.SP.RWC), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to read:

/ ( ) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (PH\ 1034C001.JN.PH22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-43-195(B)(4) and inserting:

/ (4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a filled prescription directly to a patient or an individual practitioner; or

(d) provide or dispense cannabis products. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator SENN objected to further consideration of the Bill.

RECOMMITTED

S. 1131 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO EMERGENCY MEDICAL SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5055, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Resolution was recommitted to Committee on Medical Affairs.

RECOMMITTED

S. 1133 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING HOME HEALTH AGENCIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5057,

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GAMBRELL, the Resolution was recommitted to Committee on Medical Affairs.

AMENDED, READ THE SECOND TIME

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander, Young and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

The Senate proceeded to a consideration of the Bill.

Senator FANNING proposed the following amendment (923MF1), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by adding an appropriately numbered subitem to Section 59-1-465 (B) to read:

/ ( ) Nothing in this section requires events to occur during the school day. /

Amend the bill further, as and if amended, SECTION 2, by adding an appropriately numbered subitem to Section 53-3-150(B) to read:

/ <u>( )</u> <u>Nothing in this section requires events to occur during the school day.</u> /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke on the amendment.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

Senator HUTTO proposed the following amendment (923CBH1), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-1-465 (B) and inserting the following:

/ (B) The principal of each elementary school, middle school, and high school shall allow representatives of youth patriotic societies, providing notice to the principal and approved pursuant to subsection (C), the opportunity to speak with students during the week of Patriot Day, the week of Constitution Day, or Patriotism Week events to inform the students of how their involvement in the youth patriotic society may further the student's educational interest and civic involvement to improve their schools, communities, and themselves. A youth patriotic society allowed to speak with students pursuant to this section may speak during the school day to students for at least ten minutes. A school may observe Constitution Day and Patriot Day during a single event and is not required to: /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler

Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Cash

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY spoke on the Bill.

Senator RICE objected to further consideration of the Bill.

RECOMMITTED

S. 1159 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL MECHANICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5087, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1160 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO NATIONAL ELECTRICAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5088, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1161 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL PLUMBING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5098, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1162 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FUEL GAS CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5086, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1163 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL FIRE CODE, DESIGNATED AS REGULATION DOCUMENT

NUMBER 5085, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1164 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL BUILDING CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5084, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1165 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BUILDING CODES COUNCIL, RELATING TO INTERNATIONAL RESIDENTIAL CODE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5074, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1166 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF COSMETOLOGY, RELATING TO EMERGENCY TEMPORARY WORK PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5034, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

READ THE SECOND TIME

S. 90 -- Senators Malloy, Campsen and Rankin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

Be it enacted by the General Assembly of the State of South Carolina:
SECTION 1. It is proposed that Section 3, Article XII of the Constitution of this State be amended to read:

"Section 3. The General Assembly shall provide for the separate confinement of juvenile offenders under the age of ~~seventeen~~ eighteen from older confined persons."

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 3, Article XII of the Constitution of this State, relating to the requirement that the General Assembly provide for the separate confinement of juvenile offenders from older confined persons, be amended to change the age for which the General Assembly shall provide for the separate confinement of juvenile offenders from 'under the age of seventeen' to 'under the age of eighteen'?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

The Senate proceeded to a consideration of the Resolution.

The question then being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD1031.007), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Chapter 5, Title 30 of the 1976 Code is amended by adding:

"Section 30-5-5. (A) In order to be eligible to serve or continue to serve as the register of deeds, a person must:

(1) be a citizen of the United States and of this State;

(2) be a qualified elector of the applicable county;

(3) have:

(a) a four-year bachelor's degree from an accredited post-secondary institution, or

(b) at least four years' experience:

(i) in the fields of law, real estate, or accounting, or

(ii) as an employee in a register of deeds office in this State, or

(iii) as a register of deeds in this State, and

(c) for an appointed register of deeds, a person must comply with any county requirements not conflicting with the qualifications in this section and the Constitution of South Carolina; and

(4) not have a pattern of failing to properly record in the time and manner prescribed in Section 30-5-90.

(B) A quo warranto action may be brought in accordance with Section 15-63-60 to determine a person's eligibility to seek the position of register of deeds or continue to serve as register of deeds."

SECTION 2. Section 30-5-90 of the 1976 Code is amended to read:

"Section 30-5-90. The register of deeds is required to record in the order of the times at which they may be brought to his office, all marriage settlements and all conveyances and mortgages, renunciations of dower and other writings concerning the titles to lands situate in his county which may be lodged with him to be recorded if the execution of any such writing shall be proved by affidavit of a subscribing witness, or otherwise, as herein provided. Every such writing shall be recorded within ~~one month~~ <u>thirty days</u> after its lodgment and the recording shall bear even date with the lodgment. On every such writing shall be endorsed a certificate, to be signed by the register or his deputy, specifying the time when and book and page where it was recorded."

SECTION 3. Section 30-5-5(A)(3)(a) and (b), as added by this act, do not apply to a person who holds the office of register of deeds on the effective date of this act and during his tenure in office.

SECTION 4. If a quo warranto action is brought in accordance with Section 15-63-60 alleging (a) a register of deeds has a pattern of failing to record in the time and manner prescribed in Section 30-5-90, and (b) the pattern of failing to record occurred only prior to the effective date of this act, then the register of deeds may assert as an affirmative defense to the action that, on the date the action is filed and for thirty consecutive days thereafter, no properly delivered and executed document remains unrecorded in the office for more than thirty days after its receipt.

SECTION 5. This act takes effect thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

S. 1032 -- Senators Martin, Verdin and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (1032CBH1), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Chapter 30, Title 8 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator MARTIN spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (4177R001.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 50 of the 1976 Code is amended by adding:

"Section 50-3-190. (A) The Chief of Wildlife shall establish a Statewide Waterfowl Program Manager within the Wildlife and Freshwater Fisheries Division. The Waterfowl Program Manager shall:

(1) manage all aspects of the waterfowl and wetland management program where management is directed toward the requirements of native and migratory waterfowl and their allies;

(2) manage the conservation and management of waterfowl habitat that is titled or licensed to the department and ensure the successful utilization of this acreage for the benefit of waterfowl, waterfowl hunters, and other waterfowl enthusiasts;

(3) supervise all waterfowl management activities conducted by staff and contractors for such areas;

(4) coordinate with regional personnel on waterfowl management activities on regional wildlife management areas; and

(5) undertake all other duties as necessary to successfully conserve and manage waterfowl habitat.

(B) The Waterfowl Program Manager must have:

(1) a four-year bachelor's degree from an accredited post-secondary institution;

(2) at least seven years of experience in waterfowl and wetlands management;

(3) a high level of knowledge of waterfowl and wetland management techniques in the Southeast or Atlantic Flyway;

(4) specialized knowledge and experience in coastal ecology, impoundment management, and the ecological principles of water control;

(5) experience in waterfowl resource and habitat data collection and assessment;

(6) a fundamental understanding of federal and state waterfowl hunting rules and regulations; and

(7) the ability to work with the general population and provide clear, concise, and technically accurate presentations and written reports to division leaders, agency executive level staff, the Department of Natural Resources Board, and members of the General Assembly when required.

(C) The department may contract with a qualified individual or entity to assist the Waterfowl Program Manager in providing the services and fulfilling the responsibilities required by the provisions of this section."

SECTION 2. A.Article 1, Chapter 3, Title 50 of the 1976 Code is amended by adding:

"Section 50-3-195.(A) The Waterfowl Advisory Committee is established to assist in the management of waterfowl habitats, assist in the development, protection, and propagation of waterfowl in this State, assist in prioritizing the expenditures of monies to accomplish this purpose, and review the activities of the Waterfowl Program Manager of the department. The committee consists of the following members who serve for a four-year term with a limit of two consecutive terms:

(1) one member of the Board of the Department of Natural Resources appointed by the Chairman of the Board of the Department of Natural Resources, serving ex officio and without voting privileges;

(2) one at-large member appointed by the Governor;

(3) one member appointed by the Chairman of the Senate Finance Committee;

(4) one member appointed by the Chairman of the House Ways and Means Committee;

(5) one member appointed by the Chairman of the Senate Fish, Game and Forestry Committee; and

(6) one member appointed by the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee.

(B) The members of the committee shall receive no salary but must be allowed the usual mileage, subsistence, and per diem as authorized by law for commissions, committees, and boards paid from the revenues generated by the sale of stamps, licenses, prints, and related articles.

(C) Vacancies must be filled for the remainder of the unexpired term in the manner of the original appointment.

(D) The committee shall make a report of its findings, activities, and long-term plans to the General Assembly by December thirty-first of each year."

B. In order to stagger the terms of the members of the Waterfowl Advisory Committee, the initial terms of the members appointed by the Chairmen of the Senate Fish, Game and Forestry Committee and the House Agriculture, Natural Resources and Environmental Affairs Committee are for two years. The initial terms of these members must not be counted for purposes of the two term limit in Section 50-3-195(A).

SECTION 3. Section 50-9-510(E) of the 1976 Code is amended to read:

"(E) For the privilege of hunting migratory waterfowl, in addition to the required hunting license and permits and any required federal stamp or permit:

(1) a resident must purchase a migratory waterfowl permit for ~~five~~ <u>fifteen</u> dollars and fifty cents, fifty cents of which the issuing sales vendor may retain;

(2) a nonresident must purchase a migratory waterfowl permit for ~~five~~ <u>fifteen</u> dollars and fifty cents, fifty cents of which the issuing sales vendor may retain."

SECTION 4. Section 50-9-920(B) of the 1976 Code, as last amended by Act 152 of 2020, is further amended to read:

(B) Revenue generated from the sale of other hunting and freshwater fishing licenses, permits, and tags shall be remitted to the State Treasurer and unless otherwise required by law credited to the Fish and Wildlife Protection Fund. Revenue from each:

(1) wildlife management area permit shall be used for the management and the procurement of wildlife management area lands;

(2) nonresident annual statewide hunting license shall be used as follows:

(a) one dollar for the propagation, management, and protection of ducks and geese in this State; and

(b) ~~one dollar contributed by the department to proper agencies along the Atlantic Flyway for the propagation, management, and protection of ducks and geese; and~~

~~(c)~~ the balance to the Fish and Wildlife Protection Fund;

(3) nonresident temporary statewide hunting license shall be used as follows:

(a) fifty cents for the propagation, management, and protection of ducks and geese in this State; and

(b) ~~fifty cents contributed by the department to proper agencies along the Atlantic Flyway for the propagation, management, and protection of ducks and geese; and~~

~~(c)~~ the balance to the Fish and Wildlife Protection Fund;

(4) nonresident annual freshwater fishing license shall be distributed as follows:

(a) twenty-five percent to the County Game and Fish Fund account for the respective county in which the license was sold, except that these licenses sold through a central point such as online, call centers, and department mass mailings shall be equally allocated to the counties;

(b) twenty-five percent for the operation and management of department freshwater fish hatcheries; and

(c) the balance to the Fish and Wildlife Protection Fund;

(5) application fee, permit, tag, and nonresident hunting fee for the privilege of hunting alligators shall be used to administer the alligator management program;

(6) Deer Quota Program permit shall be exclusively used to administer the Deer Quota Program and for deer management and research;

(7) individual antlerless and nonresident antlered deer tags shall be used as follows:

(a) eighty percent to administer the tag program, deer management, and research; and

(b) the remaining twenty percent for law enforcement;

(8) application fee, permit, and tag for the privilege of hunting bear shall be used to administer the tag program, protect bear habitats, and support bear research and management;

(9) field trial permit and shooting preserve operation permit shall be used to support the management of small game programs;

(10) lottery hunt application fee shall be used to administer the lottery hunt program and support management of lands on which the lottery hunts take place;

(11) falconry permit shall be used to support the falconry permitting program;

(12) resident antler restriction individual antlered deer tag shall be used to administer the Coyote Management Program;

(13) resident and nonresident wild turkey tags shall only be used for the following purposes:

(a) the funding of wild turkey scientific research on public lands and private lands with the consent of landowners;

(b) the improvement of the wild turkey habitat and hunting opportunities for wild turkeys on public lands;

(c) wild turkey predator control;

(d) the enforcement of the wild turkey hunting laws and regulations; and

(e) the printing and mailing of the wild turkey tags;

(14)(a) resident and nonresident migratory waterfowl permit shall be used for the management of waterfowl habitats and for the development, protection, management, and propagation of wild waterfowl in this State~~, provided that~~ and along the Atlantic Flyway as follows:

(i) a minimum of two hundred and fifty thousand dollars of revenue received annually from the waterfowl permit fee must be used to restore and manage waterfowl habitat on state wildlife management areas and such funds must be leveraged with other sources when available;

(ii) ten percent of the revenue from the waterfowl permit fee contributed annually for the first three years following the enactment of this section to the AFWA Fall Flight Program for the propagation, management, and protections of ducks and geese in the areas that benefit South Carolina; and

(iii) twenty percent of the revenue from the waterfowl permit fee contributed annually in the fourth and succeeding years following the enactment of this section to the AFWA Fall Flight Program for the

propagation, management, and protections of ducks and geese in the areas that benefit South Carolina; and

(iv) all remaining annual funds shall be used for the development, protection, management, and propagation of wild waterfowl in this State. All balances must be retained and carried forward annually.

(b) no revenue generated from the sale of a waterfowl permit may be expended for administrative salaries."

SECTION 5. The amendments contained in SECTIONS 3 and 4 of this act are repealed on December 31, 2027, and the text of these SECTIONS therefore shall revert back to the language as contained in the South Carolina Code of Laws as of January 1, 2020.

SECTION 6. This act takes effect July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

On motion of Senator MASSEY, the Bill was carried over.

OBJECTION

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND

SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

Senator SHEALY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 906 -- Senator Shealy: A BILL TO AMEND SECTION 43-35-10(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "EXPLOITATION" IN THE "OMNIBUS ADULT PROTECTION ACT", TO AMEND THE DEFINITION OF "EXPLOITATION" TO INCLUDE THE EXERCISE OF EXTREME UNDUE INFLUENCE OVER, COERCIVE PERSUASION OF, OR PSYCHOLOGICALLY DAMAGING MANIPULATION OF A VULNERABLE ADULT; AND TO FURTHER AMEND SECTION 43-35-10 BY ADDING A DEFINITION FOR "UNDUE INFLUENCE".

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (906R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 2 by striking line 8 and adding:

/adult from family or friends; or

(e) any unauthorized video or photographic recordation of a vulnerable adult, regardless of whether the vulnerable adult is aware of the recordation.

(4) 'Unauthorized video or photographic recordation' means the recording of any vulnerable adult without their consent, or in the event the vulnerable adult cannot give consent, without the consent of the agent in charge of the vulnerable adult. Those employed in the care of a vulnerable adult are never authorized to record a vulnerable adult unless required to do so in the duty of their employment, to assist with the medical care of the vulnerable adult, or to comply with law enforcement." /

Amend the bill, as and if amended, on page 2 by striking line 40 and adding:

/ SECTION 3. Section 43-35-85 of the 1976 Code is amended by adding:

"(J) Notwithstanding subsection (D), any person who, without authorization, knowingly and willfully records by video or photographic means a vulnerable adult in violation of Section 43-35-10(3)(d), is guilty of a misdemeanor and, upon conviction, must be fined not more than one

thousand dollars or imprisoned not more than three years, or both. This is a lesser included offense to subsection (K).

(K) Any person who, without authorization, knowingly and willfully distributes, publishes, or disseminates by any means any photographic or video recordation of a vulnerable adult is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years; or both."

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

S. 11 -- Senators Jackson, Shealy, Hutto, Cash and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH, ADOPTION, OR FOSTER CARE OF A SON OR DAUGHTER.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\11C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 11, Title 8 of the 1976 Code is amended by adding:

"Section 8-11-150. (A) For the purposes of this section:

(1) 'Child' means a newborn biological child or child initially legally placed for adoption or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) 'Eligible state employee' means an employee occupying any percentage of a full-time equivalent position.

(3) 'Paid parental leave' means six weeks of paid leave at one hundred percent of the eligible state employee's base pay or two weeks of paid leave at one hundred percent of the eligible state employee's base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) 'Qualifying event' means the birth of a newborn biological child to an eligible state employee or after a co-parent's birth of a newborn child or the initial legal placement of a child by adoption or fostering a child in state custody.

(B) Eligible state employees employed by this State, its departments, agencies, or institutions are entitled to paid parental leave as follows: Eligible state employees who give birth shall receive six weeks of paid parental leave to recover from the birth and to bond with and care for their biological newborn child. Other eligible state employees who do

not give birth shall receive two weeks of paid parental leave to bond with and care for a child after a co-parent's birth of a newborn child or the initial legal placement of a child by adoption or fostering a child in state custody.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible state employee shall receive no more than one occurrence of six or two weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting and receiving approval for parental leave in non-consecutive one-week time periods.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family Medical and Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section."

SECTION 2. Section 8-11-155 of the 1976 Code is repealed.

SECTION 3. This act takes effect October 1, 2022. /

Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senators CASH and JACKSON proposed the following amendment (11R002.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 11, Title 8 of the 1976 Code is amended by adding:

"Section 8-11-150. (A) For the purposes of this section:

(1) 'Child' means a newborn biological child or foster of a child in state custody and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) 'Eligible state employee' means an employee occupying any percentage of a full-time equivalent position.

(3) 'Paid parental leave' means six weeks of paid leave at one hundred percent of the eligible state employee's base pay or two weeks of paid leave at one hundred percent of the eligible state employee's base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) 'Qualifying event' means the birth of a newborn biological child to an eligible state employee or after a co-parent's birth of a newborn child or fostering a child in state custody.

(B) Eligible state employees who are employed by this State, its departments, agencies, or institutions and who give birth are entitled to receive six weeks of paid parental leave. Other eligible state employees who do not give birth are entitled to receive two weeks of paid parental leave.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of such birth or initial legal placement. An eligible state employee shall receive no more than one occurrence of six or two weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs. However, nothing in this item prohibits a foster parent from requesting

and receiving approval for parental leave in non-consecutive one-week time periods.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively, except that foster parents may request and receive approval for parental leave in nonconsecutive one-week time periods.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family Medical and Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section."

SECTION 2. Section 8-11-155 of the 1976 Code is amended to read:

"Section 8-11-155. (A) ~~An adoptive parent who is employed by this State, its departments, agencies, or institutions may use up to six weeks of his accrued sick leave to take time off for purposes of caring for the child after placement. The employer shall not penalize an employee for requesting or obtaining time off according to this section.~~ For the purposes of this section:

(1) 'Child' means a child initially legally placed for adoption and under the age of eighteen. No child can have more than two parents eligible for paid parental leave.

(2) 'Eligible state employee' means an employee occupying any percentage of a full-time equivalent position.

(3) 'Paid parental leave' means six weeks of paid leave at one hundred percent of the eligible state employee's base pay or two weeks of paid leave at one hundred percent of the eligible state employee's base pay. Leave for part-time eligible state employees must be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.

(4) 'Qualifying event' means the initial legal placement of a child by adoption.

(B) ~~The leave authorized by this section may be requested by the employee only if the employee is the person who is primarily responsible for furnishing the care and nurture of the child.~~ Eligible state employees who are employed by this State, its departments, agencies, or institutions and are primarily responsible for furnishing the care and nurture of the child, are entitled to six weeks of paid parental leave upon the occurrence of a qualifying event. Eligible state employees who are employed by this State, its departments, agencies, or institutions who are not primarily responsible for furnishing the care and nurture of the child, are entitled to two weeks of paid parental leave upon the occurrence of a qualifying event.

(C) Paid parental leave usage includes the following:

(1) The entitlement to leave pursuant to subsection (B) expires at the end of the twelve-month period beginning on the date of initial legal placement. An eligible state employee shall receive no more than one occurrence of six or two weeks of paid parental leave for any twelve-month period, even if more than one qualifying event occurs.

(2) If the leave is not used by the eligible state employee before the end of the twelve-month period after the qualifying event, such leave does not accumulate for subsequent use. Paid parental leave may not be donated. Any leave remaining at the end of the twelve-month period or at separation of employment is forfeited.

(3) Days of paid parental leave taken under this section must be taken consecutively.

(4) If both parents are eligible state employees, paid parental leave may be taken concurrently, consecutively, or a different time as the other eligible state employee.

(5) Legal holidays listed in Section 53-5-10 must not be counted against paid parental leave.

(6) Paid parental leave must run concurrently with leave taken pursuant to the Family Medical and Leave Act and any other unpaid leave to which the eligible state employee may be entitled as a result of the qualifying event. However, leave granted under this section is with

pay and is not annual leave or sick leave and therefore does not deduct from the eligible state employee's accrued leave balance. An eligible state employee does not have to exhaust all other forms of leave before being eligible to take leave granted under this section. Eligible state employees shall accrue annual and sick leave at the normal rate while on this leave, if applicable.

(D) The Division of Human Resources of the Department of Administration shall promulgate regulations, guidance, and procedures to implement this section."

SECTION 3. This act takes effect October 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 11--Ordered to a Third Reading

On motion of Senator DAVIS, S. 11 was ordered to receive a third reading on Friday, April 1, 2022.

OBJECTION

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Cromer, Bennett, Corbin, Campsen and Peeler: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

Senator HUTTO objected to consideration of the Bill.

READ THE SECOND TIME

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Statement by Senators YOUNG and HUTTO

We abstained from voting on S. 984 because of a possible client conflict.

OBJECTION

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

Senator HARPOOTLIAN objected to consideration of the Bill.

READ THE SECOND TIME

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF A STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\1120C001.NBD.DG22), which was carried over:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. A. Section 12-6-3795 of the 1976 Code, as added by Act 137 of 2020, is amended to read:

"Section 12-6-3795. (A) As used in this section:

(1) 'Eligibility statement' means a statement authorized and issued by the South Carolina State Housing and Finance Development Authority certifying that a given project qualifies for the South Carolina housing tax credit, including any preliminary determination thereof.

(2) 'Federal housing tax credit' means the federal tax credit as provided in Section 42 of the Internal Revenue Code of 1986, as amended.

(3) 'Median income' means those incomes that are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size.

(4) 'Project' means a housing project that has restricted rents that do not exceed thirty percent of income for at least forty percent of its units occupied by persons or families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income.

(5) 'Qualified project' means a qualified low-income building as that term is defined in Section 42 of the Internal Revenue Code of 1986, as amended, that is located in South Carolina and receives approval for tax credits from the South Carolina Housing and Finance Development Authority provided pursuant to this section.

(6) 'Taxpayer' means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes pursuant to Section 12-6-510, Section 12-6-530, Chapter 11, Title 12, or Chapter 7, Title 38.

(7) 'Federal 9 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(i) of the Internal Revenue Code.

(8) 'Federal 4 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(ii) of the Internal Revenue Code.

(9) 'Credit period' has the meaning defined in Section 42(f)(1) of the Internal Revenue Code.

(10) 'State housing authority' means the South Carolina State Housing Finance and Development Authority.

(11) 'Department of Revenue' means the South Carolina Department of Revenue.

(B)(1) A state tax credit pursuant to this section may be claimed against income taxes imposed by Section 12-6-510 or 12-6-530, bank taxes imposed pursuant to Chapter 11, Title 12, corporate license fees imposed pursuant to Chapter 20, Title 12, and insurance premium and retaliatory taxes imposed pursuant to Chapter 7, Title 38, to be termed the South Carolina housing tax credit, and is allowed with respect to each qualified project placed in service after January 1, 2020, and before December 31, 2030, in an amount ~~equal~~ not to exceed the federal housing tax credit allowed with respect to such qualified project, subject to the limitations of item (5). In computing a tax payable by a taxpayer pursuant to Section 38-7-90, the credit allowed pursuant to this section must be treated as a premium tax paid pursuant to Section 38-7-20.

(2)(a) If under Section 42 of the Internal Revenue Code of 1986, as amended, a portion of any federal housing tax credit taken on a project is required to be recaptured, the taxpayer claiming any ~~state~~ South Carolina housing tax credit with respect to such project also is required to recapture a portion of any ~~state~~ South Carolina housing tax credit authorized by this section. The state recapture amount is equal to the proportion of the ~~state~~ South Carolina housing tax credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal housing tax credit amount subject to recapture.

(b) In the event that recapture of any South Carolina housing tax credit is required, any ~~amended~~ return submitted to the Department of Revenue, as provided in this section, shall include the proportion of the ~~state~~ South Carolina housing tax credit required to be recaptured, the identity of each taxpayer subject to the recapture, and the amount of South Carolina housing tax credit previously allocated to such taxpayer. Any recapture of the South Carolina housing tax credit is reported in the same manner as any recapture of the federal housing tax credit.

(3) The total amount of the South Carolina housing tax credit allowed by this section for a taxable year may not exceed the taxpayer's income tax liability. Any unused South Carolina housing tax credit may be carried forward to apply to the taxpayer's next five succeeding years' tax liability. The taxpayer may not apply the credit against any prior tax years' tax liability.

(4) The South Carolina housing tax credit ~~allowed by this section,~~ and any recaptured tax credit, must be allocated among some or all of the partners, members, or shareholders of the entity owning the project in any manner agreed to by such persons, regardless of whether such

persons are allocated or allowed any portion of the federal housing tax credit with respect to the project.

(5)(a) The South Carolina housing tax credit allowed for any project must supplement but not supplant the federal housing tax credit and must be limited to an amount necessary only to achieve financial feasibility of the project.

(b) The total amount of all South Carolina housing tax credits that may be allocated in any calendar year must not exceed fifteen million dollars, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated.

(c) Of the dollar limitation prescribed in subitem (b), the total amount of South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit must not exceed forty percent of the dollar limitation prescribed in subitem (b). Of the South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit, not less than fifty percent of the South Carolina housing tax credits must be allocated to qualified projects located in an eligible rural area as designated by the United States Department of Agriculture, with the remainder allocated to (i) qualified projects serving older persons or persons with special needs, irrespective of rural eligibility criteria; (ii) qualified projects supporting workforce development as certified by the South Carolina Department of Commerce, irrespective of rural eligibility criteria; and (iii) other qualified projects, irrespective of rural eligibility criteria.

(d) Compliance with the dollar limitations of subitems (b) and (c) must be determined by the total amount of South Carolina housing tax credits allocated for one full year of the credit period applicable to each qualified project, and not the total amount of South Carolina housing tax credits allocated for the entire credit period applicable to each qualified project. Compliance with the dollar limitations of subitems (b) and (c) must be determined within each calendar year at the time the state housing authority makes a preliminary determination of any qualified project's eligibility for the South Carolina housing tax credit.

(e) In addition to the dollar limitation of subitem (b), allocation of any South Carolina housing tax credit to any qualified project utilizing the federal 4 percent tax credit is conditioned on among other things availability and allocation to the extent necessary for the qualified

project of any state ceiling made pursuant to Article 3, Chapter 11, Title 1.

(C)(1) The state housing authority shall promulgate rules establishing criteria upon which the eligibility statements are issued which must include consideration of evidence of local support for the project. The eligibility statement must specify the amount of the South Carolina housing tax credit allowed, and must include: (i) the annual amount of South Carolina housing tax credit allocated to the qualified project for each year of credit period; and (ii) the total amount of South Carolina housing tax credit allocated to the qualified project for the entire credit period.

(2) The state housing authority may not issue an eligibility statement until the taxpayer provides a report to the state housing authority detailing how the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ will benefit the tenants of the project, once placed in service, ~~including, but not limited to,~~ including without limitation reduced rent, ~~or~~ and why the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ is ~~necessary to undertake~~ essential to the financial feasibility of the project.

(3) The state housing authority must establish uniform criteria for allocating the South Carolina housing tax credit to eligible projects pursuant to a competitive process that promotes highest value and greatest public benefit. The state housing authority must establish the criteria required by this section as part of any qualified allocation plan adopted to administer the federal housing tax credit, which must include without limitation an opportunity for public comment at a public hearing conducted by the state housing authority. The criteria established pursuant to this section, and any qualified allocation plan are subject to the prior review and comment of the Joint Bond Review Committee.

(4) The state housing authority must furnish no later than January thirty-first of each year an annual report of South Carolina housing tax credits allocated pursuant to this section, which must include for the preceding calendar year the total amount of South Carolina housing tax credits allocated, and for each project, the project name and location, the amount of the South Carolina housing tax credits allocated to the project, project ownership, total number of units assisted, and the public benefit achieved by the project. The annual report must be furnished to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority.

(D) The Department of Revenue, in consultation with the ~~South Carolina State Housing Finance and Development Authority~~ state housing authority, may adopt rules and policies necessary to implement and administer the provisions of this section; provided, however, that the state housing authority has the responsibility for: (i) allocation and administration of the South Carolina housing tax credit; and (ii) ensuring that the limits prescribed by subsection (B)(5)(b) and (B)(5)(c) are not exceeded.

(E) Notwithstanding any other provision of law, the provisions of this section and administration thereof are subject to the oversight, and review and comment as appropriate, of the Joint Bond Review Committee."

B.1. Notwithstanding the limitations prescribed by Section 12-6-3795(B)(5)(b), (c), and (d) in SECTION 1.A., the General Assembly hereby provides a one-time authorization of South Carolina housing tax credits in an amount necessary but not exceeding one hundred million dollars for qualified projects approved before December 31, 2021, by the State Fiscal Accountability Authority or the South Carolina State Housing and Finance Development Authority, as applicable. Any allocations of South Carolina housing tax credits made pursuant to this provision are subject to the review and comment of the Joint Bond Review Committee. Not later than thirty days following enactment hereof, the South Carolina State Housing and Finance Development Authority must identify and report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority all qualified projects to which this one-time authorization of South Carolina housing tax credits is proposed to apply. The report must be made in such form and substance as may be directed by the Joint Bond Review Committee. Nothing in this provision grants any rights to, or in the processes used in the determination of, allocation of this one-time authorization of South Carolina housing tax credits. Decisions made pursuant to this provision are final and are not subject to judicial or administrative review.

2. This subsection B takes effect upon approval by the Governor.

C. This section takes effect upon approval by the Governor and first applies to tax years beginning after 2021. /

Amend the bill further, SECTION 2, by striking Sections 1-11-520 and 1-11-530 and inserting:

/ Section 1-11-520. (A) ~~The private activity bond limit for all state government issuing authorities now or hereafter authorized to issue private activity bonds as defined in the act, to be known as the "state government pool", is forty percent of the state ceiling less any amount shifted to the local pool as described in subsection (B) of this section or plus any amount shifted from that pool~~ No later than September thirtieth of the year preceding the calendar year to which the state ceiling applies, and subject to review and comment by the Joint Bond Review Committee, the state authority must publish a State Ceiling Allocation Plan that assigns percentages of the state ceiling to categories of any of the permitted purposes prescribed by the Internal Revenue Code. Without limitation, categories of permitted purposes may include industrial and economic development bonds; single family housing bonds; multifamily housing bonds; student loan bonds; and any other bonds eligible for tax exemption as a private activity bond pursuant to the Internal Revenue Code. No initial assignment to any single category may exceed forty percent of the state ceiling, and no minimum assignment is required for any category.

(B) ~~The private activity bond limit for all issuing authorities other than state government agencies, to be known as the "local pool", is sixty percent of the state ceiling plus any amount shifted from the state government pool or less any amount shifted to that pool~~ Further, the allocation plan must provide for a process of periodic allocations of the state ceiling within each category, which for any period generally may not exceed an amount of the state ceiling allocated to that category equally divided among the number of periods in the year during which allocations are to be made; provided, however, that the state authority may, upon findings of exceptional and compelling circumstances, amend the annual allocation plan following review and comment by the committee.

(C) ~~The board, with review and comment by the Joint Bond Review Committee, may shift unallocated amounts from one pool to the other at any time~~ Notwithstanding the assigned percentages set forth in the allocation plan, the state authority may but need not reassign any state ceiling unused in prior periods as a supplement to and means to address demand for ceiling allocation in a subsequent period. Such re-assignment may be made for any allocation category, notwithstanding its original assignment.

(D) Unless otherwise approved in writing by the state authority following justification and substantial findings of significance, no authorized request may receive an allocation of state ceiling applicable

to that calendar year exceeding ten percent of the total state ceiling in the case of an industrial or economic development project, or five percent of the total state ceiling for any other allocation category.

(E) The allocation plan must establish competitive criteria for allocation of state ceiling to authorized requests. Competitive criteria may be unique to each category but must be uniform within each category and established to achieve highest value and greatest public benefit. Discussions of matters related to the periodic evaluation of authorized requests may be conducted in executive session. The state authority may utilize the services of the South Carolina Department of Commerce, the South Carolina State Housing Finance and Development Authority, any other state agency, and any other public or private resources to inform and provide services for the development of the allocation plan, including the evaluation and competitive criteria; and the periodic evaluation of authorized requests. The Department of Commerce and the State Housing Finance and Development Authority are directed to provide to the state authority such assistance as may be requested or required to accomplish the purposes of this article.

(F) Allocations of state ceiling to authorized requests must be made in accordance with the provisions of the allocation plan and policies and procedures adopted by the state authority.

(G) The state authority must determine the disposition of any remaining, unused state ceiling during the final period of the calendar year pursuant to a petition submitted in accordance with Section 1-11-530(D).

Section 1-11-530. (A) For private activity bonds proposed for issue by other than state government issuing authorities, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a copy of the Inducement Contract, Inducement Resolution, or other comparable preliminary approval entered into or adopted by the issuing authority, if any, relating to the bonds~~. The board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(B) For private activity bonds proposed for issue by any state government issuing authority, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a bond resolution or comparable action by the issuing authority authorizing the issuance of the bonds~~. The~~

~~board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(C) Each authorized request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

(D) An issuing authority seeking an allocation of any remaining unused state ceiling for carry-forward designation must submit to the state authority a petition identifying the types of tax-exempt bonds to which the carry-forward designation will apply. The petition must be accompanied by such other supporting documentation as the state authority may by policy prescribe. Such allocations are not subjected to the provisions of Section 1-11-520(D), (E), and (F).

(E) Notwithstanding any other provision of this article, the state authority may disapprove, reduce, or defer any authorized request or petition for carry forward.

(F) The state authority must periodically furnish to the Joint Bond Review Committee a report of petitions received, along with their dispositions. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

Motion Adopted

Senator SETZLER asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION

39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (DG\1178C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 39-20-45(I) of the 1976 Code is amended to read:

"(I) If no one purchases the property at the public sale and if the owner has complied with the foregoing procedures, the owner may otherwise dispose of the property and shall notify the occupant of the action taken. Any sale or disposition of the personal property must be held at the self-service storage facility, ~~or~~ at the nearest suitable place to where the personal property is held or stored, or online."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1213 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BOARD OF BARBER EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5081, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1214 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPIST, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO COUNSELORS, THERAPISTS, AND SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5075, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1215 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF FUNERAL SERVICE, RELATING TO LICENSING PROVISIONS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5037, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1216 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-STATE ATHLETIC COMMISSION, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5083, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1217 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5050, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE

OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MASSEY, the Resolution was carried over.

POINT OF ORDER

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION

OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 53 -- Senators Malloy and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; AND TO MAKE CONFORMING CHANGES. (Abbrev. Title)

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN

OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

COMMITTED

S. 106 -- Senators Campsen, Davis, Cromer, Goldfinch and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 25 TO TITLE 51 SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A CERTAIN AMOUNT OF DOLLARS FOR THE FUND ANNUALLY, TO PROVIDE THAT THE FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES MUST BE PROVIDED BY THE TRUST FUND, AND TO MAKE CONFORMING CHANGES; AND TO REPEAL CHAPTER 40 OF TITLE 48 RELATING TO THE SOUTH CAROLINA BEACH RESTORATION AND IMPROVEMENT TRUST ACT.

On motion of Senator PEELER, the Bill was committed to the Committee on Finance.

POINT OF ORDER

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN

ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson, Harpootlian and Loftis: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO

RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO

LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning and Adams: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS

FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander and Gambrell: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION,

TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR

ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1210 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE APRIL 6, 2022, "STO PROGRAMS DAY" IN SOUTH CAROLINA AND TO ENCOURAGE INDIVIDUALS, FAMILIES, AND BUSINESSES TO LEARN MORE ABOUT THE CONSUMER-FACING PROGRAMS OFFERED AT THE STATE TREASURER'S OFFICE.

The Resolution was adopted.

H. 5090 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY AS "LUPUS AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA AND TO RECOGNIZE THE IMPACT OF LUPUS ON MILLIONS OF INDIVIDUALS AFFECTED BY LUPUS WORLDWIDE AND IN THE STATE OF SOUTH CAROLINA, AS WELL AS THE IMPORTANCE OF EFFORTS FOR FINDING THE CAUSES OF AND A CURE FOR THE DISEASE.

The Resolution was adopted, ordered returned to the House.

S. 1055 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF GIBSON ROAD WHERE HIGHWAY 378 SPLITS TOWARD LAKE MURRAY IN LEXINGTON COUNTY "H.E. 'BUCKY' PHILLIPS, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 1209 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 5, 2022, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

H. 4980 -- Reps. Hiott, Yow and D.C. Moss: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO ACT SWIFTLY TO ADDRESS RISING AGRICULTURAL PRODUCTION COSTS TO PROTECT SOUTH CAROLINA FARMS AND THE RURAL ECONOMY.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:12 P.M., on motion of Senator MARTIN, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION

OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, April 5, 2022, at 2:00 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:13 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 1, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 11 -- Senators Jackson, Shealy, Hutto, Cash and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH, ADOPTION, OR FOSTER CARE OF A SON OR DAUGHTER.

On motion of Senator DAVIS.

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, April 5, 2022, at 2:00 P.M.

* * *

Tuesday, April 5, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Acts 13:11b

We read of Paul in Acts, that: "Immediately mist and darkness came over him -- and he groped about seeking someone to lead him by the hand."

Let us pray, my friends: Holy God, we do confess that now and then in our lives we too -- like Paul -- find ourselves unsure of the direction we should follow, unclear about what awaits us in the future. How desperately in such times do we want You, especially, O God, to take our hand, to lead us in the way You want us to go. Indeed, Lord, may each and every Senator and aide in this place depend upon Your guidance to get them through those now and then moments of mist and darkness, so that the decisions they come to will always be the very ones that bring worthy results for all of the people of South Carolina. And today, Lord, we ask You to bestow a special blessing upon Mike Reichenbach and his family. May his service here in the Senate bring ever-greater joy and progress to this State we all love. All this we pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

COMMUNICATIONS RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
April 4, 2022

Mr. Jeffrey S. Gossett
Clerk of the Senate
State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winner of the State Senate District 31 special election held on March 29. 2022. Please find enclosed a copy of the election results from the State Election Commission certifying Mike Reichenbach as winner of the special election for Senate District 31.

Please contact my office if you have any questions or need anything further.

Sincerely,
Mark Hammond
Secretary of State

State of South Carolina
Election Commission
2221 Devine Street
Columbia, SC 29250
March 30, 2022

The Honorable Mark Hammond
Secretary of State
P. O. Box 11350
Columbia, SC 29211

Dear Mr. Secretary:

The State Election Commission hereby certifies Mike Reichenbach as the winner of the State Senate District 31 Special Election held on March 29, 2022, in Darlington and Florence counties. A copy of the results is enclosed.

Sincerely,
/s/ Marci Andino
Executive Director

Privilege of the Chamber and Floor

On motion of Senator MASSEY, with unanimous consent, the Privilege of the Chamber and the Privilege of the Floor was extended to Senator REICHENBACH and his family.

ACTING PRESIDENT PRESIDES

Senator SETZLER assumed the Chair.

TUESDAY, APRIL 5, 2022

Administration of Oath of Office
Senator Sworn In

On motion of Senator MASSEY, with unanimous consent, Senator REICHENBACH presented himself at the Bar and the oath of office was administered by PRESIDENT ALEXANDER.

PRESIDENT PRESIDES

At 2:09 P.M., the PRESIDENT assumed the Chair.

Remarks by Senator REICHENBACH

On motion of Senator SETZLER, with unanimous consent, Senator REICHENBACH was granted leave to address the Senate with brief remarks.

Remarks by Senator REICHENBACH

Mr. PRESIDENT, how humbled and honored I am to be standing at this podium today. I can say that no one, not a single person, would have believed this could have happened in 1971. When a scared 14-year-old girl encouraged by so many to have an abortion, chose life. She chose my life. But for the grace of God, I was born and adopted by two loving parents who instilled in me the value of faith, family and hard work. It is through faith, family and hard work, that I am indeed standing here today to represent the incredible people of Florence and Darlington counties -- to make necessary reforms to fight for our Judeo-Christian values, to preserve, protect and defend our Constitution. Mr. PRESIDENT, and my now fellow colleagues in this prestigious Body, I share this background so you may have insight into my story and why I am so passionate and eager to work with you in this Chamber. Right now, there are many in this State who are struggling to have hope for a brighter day. They're beaten down by rising inflation, high-energy prices and grocery bills they can barely afford. While they are aware that many of these issues are happening because of the failures in Washington, they are desperately seeking solutions from local and state leaders like us. My colleagues, I am here to work with you to offer such solutions and to restore faith in our neighbors because as our state motto reads, "Dum Spiro Spero", “While I breathe, I hope”. I am here because the people of Florence and Darlington counties believed that as a political outsider, a 20-year commissioned law enforcement officer, and a job creating businessman, I can offer a new perspective and approach to solving problems -- acknowledging we will not all see eye to eye on each issue on each solution. I am certain that we can have respectful discourse and come

together to prioritize problem solving. I am here first and foremost because of the unfailing grace and providence of my Lord and Savior Jesus Christ. I'm here also because of the constant support and guidance from some very special people in this Chamber today. First and foremost my partner in life, my wife of 25 years, Charisse Reichenbach. Our incredible children who I love so much, Olivia Marie and Isaiah Michael. My sister -- my sister, who in the 1970's put me on her hip and walked me into that all white high school and dared somebody to challenge her and her little brother who they just adopted. My brother-in-law who when our mom died so young, was right there and treated me as his own brother. Charisse's father, Robert and his wife Arlene, my sister-in-law Erica and her partner Will, my wonderful nieces Jasmine and Wonder -- Wonder is not here, Bijon and Imani, my dear friend and our Lieutenant Governor, Pamela Evette and her wonderful daughter Amanda -- dear friends -- and our close friends and confidants Rich and Christina O'Malley, my trusted advisers who have become family over the last several months, Lance Williams and Michael Mulé. I'm extremely grateful for all of you and your support and I sure hope I didn't miss anyone. I promised I wasn't going to cry. In closing, I am here today succeeding Senator Hugh Leatherman, a man who impacted every part of our State. As I've shared with Ms. Jean Leatherman, I take the privilege of succeeding him very seriously. I will do everything I can to make an impact for our neighbors each and every day I am here. Mr. PRESIDENT and my fellow colleagues, Charisse and I, we look forward to getting to know each of you. We also look forward to working together with you to make South Carolina an even better place to live, to work, to worship and to raise our families. Thank you and God bless.

On motion of Senator PEELER, with unanimous consent, the remarks of Senator REICHENBACH, were ordered printed in the Journal.

SEATING SELECTIONS

Pursuant to Rule 4B, Senator MASSEY moved that the Senate proceed to the seating selection.

Seat 38 Senator REICHENBACH

STANDING COMMITTEE CHANGES

The Senate proceeded to the selection of committee assignments.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and vacancies were filled in the following manner:

Senator REICHENBACH committee selections were as follows:
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:
Document No. 4993
Agency: South Carolina Jobs-Economic Development Authority
Chapter: 68
Statutory Authority: 1976 Code Section 41-43-90
SUBJECT: South Carolina Jobs-Economic Development Authority
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted April 4, 2022

Document No. 5070
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210
SUBJECT: Additional Regulations Applicable to Specific Properties
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 4, 2022

Doctor of the Day

Senator CASH introduced Dr. Layshya Chandra of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator VERDIN, at 2:46 P.M., Senator DAVIS was granted a leave of absence for today.

TUESDAY, APRIL 5, 2022

Leave of Absence

On motion of Senator YOUNG, at 2:46 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator ADAMS, at 2:46 P.M., Senator GROOMS was granted a leave of absence for today.

Leave of Absence

On motion of Senator HUTTO, at 3:07 P.M., Senator HARPOOTLIAN was granted a leave for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 202 Sen. Bennett
S. 288 Sen. Kimbrell
S. 429 Sen. Young
S. 1032 Sens. Senn and Climer
S. 1103 Sens. Setzler and Malloy

RECALLED AND COMMITTED

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

On motion of Senator CROMER, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Banking and Insurance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1227 -- Senator Gustafson: A SENATE RESOLUTION TO CONGRATULATE THE KERSHAW COUNTY ROBOTICS TEAM

AND TEAM OFFICIALS ON AN OUTSTANDING SEASON, HONOR THEM FOR WINNING THE SOUTH CAROLINA 2022 STATE CHAMPIONSHIP, AND CONGRATULATE THEM FOR QUALIFYING TO COMPETE IN THE WORLD CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1228 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE NEWBERRY ACADEMY GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A GIRLS STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1229 -- Senator Bennett: A BILL TO AMEND SECTION 12-6-2320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.
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Read the first time and referred to the Committee on Finance.

S. 1230 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTER COUNTY FROM ITS INTERSECTION WITH PILGRIM ROAD TO THE CHESTER/UNION COUNTY LINE "MAJOR GENERAL GARY T. MCCOY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1231 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.
l:\council\bills\jn\3576ph22.docx

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 1232 -- Senator Fanning: A SENATE RESOLUTION TO CELEBRATE THE LIFE OF LA'DARIOUS TYRES WYLIE OF CHESTER COUNTY, WHO IN 2015, AT THE AGE OF ELEVEN, LOST HIS LIFE HEROICALLY SAVING THAT OF HIS LITTLE SISTER, AND TO DECLARE HIS BIRTHDAY, NOVEMBER 28, 2022, AS "LA'DARIOUS WYLIE DAY" IN HIS MEMORY.
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The Senate Resolution was adopted.

S. 1233 -- Senator K. Johnson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE SCHOOL IMPROVEMENT COUNCILS OF SOUTH CAROLINA AND TO COMMEND THEM FOR FORTY-FIVE YEARS OF CIVIC ENGAGEMENT AT WORK IN PUBLIC EDUCATION.
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The Senate Resolution was adopted.

S. 1234 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE WHITE OAK BAPTIST CHURCH NO. 2 OF FAIRFIELD COUNTY ON THE OCCASION OF ITS HISTORIC ONE HUNDRED SIXTY-SECOND ANNIVERSARY AND TO COMMEND THE CHURCH FOR WELL OVER A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.
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The Senate Resolution was adopted.

S. 1235 -- Senator Matthews: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS

FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO REMOVE ARCHAIC LANGUAGE.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1236 -- Senator McLeod: A JOINT RESOLUTION TO CREATE THE "GAS REBATE FUND" WHICH MUST BE USED TO PROVIDE A ONE HUNDRED DOLLAR REBATE TO CERTAIN TAXPAYERS IN MONTHS THAT THE AVERAGE RETAIL PRICE OF CERTAIN GASOLINE EXCEEDS FOUR DOLLARS PER GALLON.
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Read the first time and referred to the Committee on Finance.

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn and Gustafson: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.
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Read the first time and referred to the Committee on Transportation.

H. 3010 -- Reps. Weeks, Robinson, Thigpen, Henegan, Gilliard, Henderson-Myers, R. Williams and Jefferson: A BILL TO AMEND SECTION 24-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER UNDER A COURT-IMPOSED SENTENCE, SO AS TO PROVIDE A PRISONER MAY BE GIVEN FULL CREDIT AGAINST

A SENTENCE FOR TIME SPENT UNDER GLOBAL POSITIONING SYSTEM (GPS) MONITORING.

Read the first time and referred to the Committee on Corrections and Penology.

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

Read the first time and referred to the Committee on Medical Affairs.

H. 5113 -- Reps. W. Cox and Henderson-Myers: A BILL TO AMEND SECTION 62-5-101, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 5, TITLE 62, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; TO AMEND SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; TO AMEND SECTION 62-5-106, RELATING TO THE DUTIES OF GUARDIANS AD LITEM, SO AS TO PROVIDE THAT THE GUARDIAN AD LITEM MUST SUBMIT HIS REPORT TO THE COURT AT LEAST SEVENTY-TWO HOURS PRIOR TO THE HEARING; TO AMEND SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; TO AMEND SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; TO AMEND SECTION 62-5-401, RELATING TO THE VENUE FOR CERTAIN PROCEEDINGS, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; TO AMEND SECTION 62-5-403A, RELATING TO THE SERVICE OF SUMMONS AND PETITION, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS

AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; TO AMEND SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIAN AD LITEM, SO AS TO ALLOW THE COURT ALSO TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; TO AMEND SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; TO AMEND SECTION 62-5-422, RELATING TO THE POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; TO AMEND SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; TO AMEND SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO APPOINTMENT, SO AS TO REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; TO AMEND SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; TO AMEND SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIPS FROM ANOTHER JURISDICTION; AND TO AMEND SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN

CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

Read the first time and referred to the Committee on Judiciary.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

Received as information.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Paul H. Kennemore III, 200 Regents Gate Court, Simpsonville, SC 29681-3612

Received as information.

Message from the House

Columbia, S.C., April 5, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.
Very respectfully,
Speaker of the House
Received as information.

H. 3696--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

On motion of Senator RANKIN, the Senate insisted upon its amendments to H. 3696 and asked for a Committee of Conference.

Whereupon, Senators RANKIN, HUTTO and TALLEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5098 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE CONSOLIDATION OF BAMBERG EHRHARDT SCHOOL DISTRICT ONE AND DENMARK OLAR SCHOOL DISTRICT TWO (THE TWO PRESENT SCHOOL DISTRICTS) INTO ONE SCHOOL DISTRICT KNOWN AS THE

BAMBERG COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE TWO PRESENT SCHOOL DISTRICTS' BOARDS OF TRUSTEES IF THE APPOINTMENTS TO THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES RESULT IN THE ABSENCE OF A QUORUM ON BOTH OF THE TWO PRESENT DISTRICTS' BOARDS OF TRUSTEES.

On motion of Senator HUTTO.

SECOND READING BILLS

S. 1218 -- Senator Matthews: A BILL TO AMEND ACT 278 OF 1985, AS LAST AMENDED BY ACT 185 OF 2020, TO REDUCE THE NUMBER OF JASPER COUNTY BOARD OF EDUCATION SINGLE-MEMBER DISTRICTS FROM NINE TO SEVEN; TO STAGGER THE TERMS OF MEMBERS ELECTED IN 2022; AND TO ESTABLISH THE SEVEN SINGLE-MEMBER DISTRICTS.

On motion of Senator MATTHEWS.

H. 5138 -- Reps. Hosey and Bamberg: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

On motion of Senator HUTTO.

AMENDED, READ THE THIRD TIME SENT TO THE HOUSE

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

Senator MALLOY proposed the following amendment (202R003.SP.GM), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 31 - 32 and inserting:

/ (3) the majority of the membership of the legislative delegation of the county in which the subject of the investigation is located, as determined by a weighted vote of that delegation. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Fanning

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDMENT PROPOSED, OBJECTION

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (VR\ 458C001.CC.VR22):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-53-110 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) 'Fentanyl-related substances' means, unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

(a) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(c) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(d) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha-methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta-hydroxyfentanyl, Beta-hydroxy-3-methylfentanyl, 3-Methylfentanyl, Methylthiofentanyl,

Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta-Hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl Fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl."

SECTION 2. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"__. Fentanyl-related substances"

SECTION 3. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) four grams or more of any fentanyl or fentanyl-related substance, as defined in Section 44-53-110, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as 'trafficking in fentanyl' and, upon conviction, must be punished as follows:

(a) four grams of more, but less than fourteen grams:

(1) for a first offense, a term of imprisonment of not less than seven years nor more than twenty-five years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars;

(2) for a second or subsequent offense, a mandatory minimum term of imprisonment of twenty-five years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a mandatory term of imprisonment of twenty-five years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars;

(c) twenty-eight grams or more, a mandatory term of imprisonment of not less than twenty-five years nor more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars."

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or

amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator HUTTO objected to further consideration of the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills and Resolutions were read the third time and ordered sent to the House:

S. 1132 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ONSITE WASTEWATER SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5103, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn, Shealy, Loftis, Alexander, Young and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR

YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

S. 90 -- Senators Malloy, Campsen and Rankin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO

PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 906 -- Senator Shealy: A BILL TO AMEND SECTION 43-35-10(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "EXPLOITATION" IN THE "OMNIBUS ADULT PROTECTION ACT", TO AMEND THE DEFINITION OF "EXPLOITATION" TO INCLUDE THE EXERCISE OF EXTREME UNDUE INFLUENCE OVER, COERCIVE PERSUASION OF, OR PSYCHOLOGICALLY DAMAGING MANIPULATION OF A VULNERABLE ADULT; AND TO FURTHER AMEND SECTION 43-35-10 BY ADDING A DEFINITION FOR "UNDUE INFLUENCE".

OBJECTION

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

Senators KIMPSON and RICE objected to consideration of the Bill.

OBJECTION

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF A STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY

REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Senator TALLEY objected to consideration of the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

CARRIED OVER

S. 1032 -- Senators Martin, Verdin, Kimbrell, Garrett, Senn and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 544 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS, AND TO PROVIDE RELATED APPLICATION AND ENROLLMENT PROCEDURES; TO AMEND SECTION 59-40-145, RELATING TO INTERDISTRICT ATTENDANCE IN CHARTER SCHOOLS, SECTION 59-63-30, RELATING TO PUBLIC SCHOOL ATTENDANCE QUALIFICATIONS, SECTION 59-63-32, RELATING TO PUBLIC SCHOOL ENROLLMENT REQUIREMENTS, AND SECTION 59-63-480, RELATING TO PUBLIC SCHOOL ATTENDANCE REQUIREMENTS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 59-63-45, RELATING TO INTERDISTRICT STUDENT TRANSFER REIMBURSEMENTS, AND SECTION 59-63-500, RELATING TO INTERDISTRICT STUDENT TRANSFER CONSENT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF

A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 53 -- Senators Malloy and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; AND TO MAKE CONFORMING CHANGES. (Abbreviated Title)

Senator HEMBREE objected to consideration of the Bill.

CARRIED OVER

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN

OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MARTIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (613R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 4, by striking line 25 and inserting:

/ is in such close proximity as to be /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (613CBH1), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 29-30 and inserting:

/ nurse. Unlicensed assistive personnel must not administer medications except as otherwise provided by law. /

Amend the bill, as and if amended, page 3, by striking line 20 and inserting:

/ the Board of Medical Examiners except as otherwise provided by law. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson, Harpootlian and Loftis: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\674C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

"Section 59-17-170. (A) For the purposes of this section:

(1) 'Booster club' means a parent-led organization, not directly controlled by a school or school district, that is formed with the primary purpose of raising funds for the school, school district programs, interscholastic athletics, or afterschool activities.

(2) 'Treasurer' means a person or persons who maintains custody of a booster club's financial records and/or who has signatory authority on all of the booster club's transactions, accounts, contracts, checks, or other instruments or undertakings of any kind.

(B)(1) A person who was convicted of, or pled guilty or nolo contendere to, a felony, a violation of Chapter 13 of Title 16, or a violation of Chapter 14 of Title 16 is prohibited from serving as the treasurer of a booster club.

(2) A treasurer who was convicted of, or who pled guilty or nolo contendere to, a crime identified in item (1) must immediately resign, and a new person must be assigned to that role within the booster club. A booster club is prohibited from disbursing funds for any purpose until a new person is installed as its treasurer.

(C)(1) Each booster club within a school district must annually register with the school district board of trustees no later than August first. The registration shall include the name of the booster club, its purpose, the name of each of the booster club's officers, including its treasurer, and other information required by the school district board of trustees.

(2) A booster club that fails to register by August first is prohibited from disbursing any funds for any purpose until registration has been completed.

(D)(1) Upon the receipt of a booster club's registration, a school district board of trustees shall request a state criminal records check, including fingerprints, from the South Carolina Law Enforcement Division of the treasurer. The school district board of trustees shall immediately notify a booster club if the criminal records check reveals that its treasurer is prohibited from serving in that role for the booster club pursuant to subsection (B).

(2) A school district board of trustees may charge a fee to offset the costs associated with the state criminal records check."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch

Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (697R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 31 and inserting:

/ transplantation, therapy, research, or education. <u>A teleconference meeting with the coroner, organ procurement organization, and the forensic pathologist must be on record with the organ procurement organization for the purpose of demonstrating collaborative review of any potential decline of the anatomical gift.</u> /

Renumber sections to conform.
Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO

SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\945C001.RT.WAB22):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

"Section 59-19-85. (A) For the purpose of increasing public engagement in district business and making the decision-making process more visible and accessible to the community it serves, each public school governing body, including the governing bodies of charter schools and special schools, must make reasonable and necessary efforts to ensure the entirety of meetings of its regularly scheduled or special called meetings of its full governing body are open and accessible to the public and also available by means of live electronic access, such as livestream transmission, except during a lawful executive session.

(B) Even if a governing body cannot provide such live electronic public access despite making reasonable and necessary efforts to restore livestream transmission during the meeting, it must make a clear audio and video recording of the meeting in its entirety available on its website as soon as practicable and in no event more than two business days after the meeting.

(C) The State Board of Education shall adopt, and revise as necessary, a model livestream meeting policy suitable for governing bodies of public schools, including charter and special schools, to comply with provisions in this section. The policy must include, at a minimum:

(1) resources, recommendations, and best practices facilitating requirements for all portions of streamed meetings to be visible and

audible in real-time and subsequently posted on applicable websites within two business days of the meeting; and

(2) suggested approaches for developing and implementing livestreaming and expanding or improving existing livestream capacity;

(3) publicizing availability of livestream meetings;

(4) allowances for executive sessions; and

(5) penalties for policy violations or noncompliance not to exceed one percent of state funds to the district, charter school, or special school, with escalating tiers based on frequency, duration, and severity that the State Board of Education determines are reasonable and necessary to ensure the integrity of meeting governance.

(D)(1) Each public school governing body, including the governing bodies of charter schools and special schools, shall adopt a local policy applicable to its meetings within three months after adoption of the model policy by the State Board of Education. A local policy must include, at a minimum, the State Board of Education model policy.

(2) If the State Board of Education adopts a revision to the model policy, then the governing body shall adopt and incorporate the revision into its local policy within three months after the adoption of the revision by the State Board of Education.

(3) A governing body only may adopt or revise its local policy at a regularly scheduled meeting, which must be successfully livestreamed.

(4) A governing body may not adopt or follow a livestream policy that prevents or impedes in-person participation by the public except as may be reasonable and necessary for the orderly transaction of its business.

(5) Within thirty days after adoption of a local policy or revision to the policy, a governing body shall submit a copy of the policy or revision to the State Superintendent of Education for State Board of Education approval."

SECTION 2. The provisions of this act must be implemented before July 1, 2023.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then being second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator HEMBREE asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\969C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

"Section 59-1-325. (A) The State Superintendent of Education shall make provisions to implement rules and regulations developed by the State Board of Education for the display of the following depictions in a prominent location in each public school in this State:

(1) the official motto of the United States, 'In God We Trust';

(2) the official mottos of South Carolina, 'Dum Spiro Spero' and 'Animis Opibusque Parati', and their respective translations;

(3) an accurate representation of the United States flag; and

(4) an accurate representation of the South Carolina state flag.

(B) The head of each public school shall ensure that the depictions required in subsection (A) are displayed in the manner adopted by the State Board of Education and as directed by the State Superintendent of

Education. Nothing in this section shall prohibit the solicitation or acceptance of funds donated to achieve its purpose."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE

COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD1045.002), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 19 through line 35, in Section 58-23-30, as contained in SECTION 3, and inserting:

/ "Section 58-23-30. 'For compensation' as used in Section 58-23-20 means a ~~return~~ payment in money or property for transportation of persons, hazardous waste for disposal, or household goods ~~or property~~ by motor vehicle over public highways within the State of South Carolina.~~, whether paid, received or realized, and shall specifically include any profit realized on the delivered price of cargo where title or ownership is temporarily vested during transit in the carrier as a subterfuge for the purpose of avoiding regulation under this chapter. Where the profit is equal to or less than the regularly established rate applicable to the transportation of property by common carriers authorized by law to transport property for compensation, such scheme or device shall be presumed to be a subterfuge for the purpose of avoiding regulation under this chapter for those other than certificated carriers within their operating authority; provided, however, nothing~~

~~herein shall prohibit the vendor from delivering any purchased property to the vendee.~~" /

Amend the bill further, as and if amended, beginning on page 4, line 15, and ending on page 5, line 19, by striking SECTION 6 and SECTION 7 in their entirety, and inserting:

/ SECTION 6. Section 58-23-210 of the 1976 Code is amended to read:

"Section 58-23-210. ~~The Office of Regulatory Staff, upon order of the commission, may issue six classes of certificates as are mentioned in Section 58-23-40 after application therefor has been made in writing by the owner of the vehicles upon blanks provided by the commission and after such hearing as the commission may consider proper. The commission must hear any objections by any person or corporation who may be affected by the issuance of a certificate by the Office of Regulatory Staff. The six classes of certificates shall be respectively designated certificate A, certificate B, certificate C, certificate D, certificate E, and certificate F.~~

(A) An applicant applying for a certificate or applying to amend a certificate to operate as a motor vehicle common carrier must submit a written application to the commission on a form provided by the commission. The commission must post information regarding an application to apply for a certificate or amend a certificate for fifteen days immediately following receipt of the application. Any person who may be affected by the issuance or amendment of the requested certificate or amendment may file a written objection with the commission within fourteen days after the commission posts the notice regarding the application.

(B)(1) If no objection to an application is filed pursuant to subsection (A), the commission may meet to determine if the applicant is fit, willing, and able to perform the proposed service, upon a showing based upon criteria established by the commission. If the commission issues a directive approving the application, the Office of Regulatory Staff may then issue the certificate. The directive of the commission shall serve as the commission's order thirty days after issuance.

(2) If an objection is filed with the commission, the commission must hold a hearing to determine if the applicant is fit, willing, and able to perform the proposed service. The commission must publish a notice of hearing for an application for a certificate on the commission's website for not less than thirty days before the date of the hearing.

(C) If an application is denied, another application may not be made until at least six months have elapsed since the date of the denial."

SECTION 7. Section 58-23-220 of the 1976 Code is amended to read:

"Section 58-23-220. The Office of Regulatory Staff, upon ~~order~~ directive of the commission, may issue a certificate A in the following cases:

(1) to an applicant to operate in territory already served by any certificate holder under this chapter or any common carrier when ~~the public convenience and necessity in~~ such territory ~~are~~ is not already being reasonably served by some other certificate holder or common carrier, provided such applicant propose to operate on a fixed schedule and to comply with the other provisions contained in Articles 1 to 11 of this chapter and the rules and regulations which may be made by the commission respecting holders of this class of certificates; and

(2) to an applicant for a certificate to operate upon a regular schedule in a territory not already served by the holder of a certificate A, when ~~public convenience and necessity in~~ such territory ~~are~~ is not being reasonably served by a certificate holder under this chapter or a common carrier; provided, that when a certificate A is issued to an applicant over territory which is being served at the time such certificate is granted by the holder of a certificate B, the right of the applicant to operate under certificate A shall not begin until the expiration of the then license year of the holder of the certificate B and the holder of a certificate B shall be preferred in granting a certificate A over the route unless ~~in the judgment of the commission~~ it would not be in the interest of the public service.

In either case the existence of a railroad or other motor vehicle carrier in the territory sought to be served by the applicant shall not be considered by the commission as good cause for refusing the application." /

Amend the bill further, as and if amended, page 7, line 11 through line 31, by striking SECTION 14 in its entirety.

Amend the bill further, as and if amended, page 10, by striking line 27 through line 43, in Section 58-23-1010, as contained in SECTION 20, and inserting:

/ "Section 58-23-1010. (A) The commission shall regulate every motor carrier in this State and fix or approve the ~~rates, fares, charges,~~ classifications, and regulations pertaining to each motor carrier, except as provided in Section 58-23-20. ~~The rates once established remain in effect until such time when the commission determines the rates are unreasonable. The commission may approve joint rates, local rates, and rate agreements between two or more motor carriers relating to rates, classifications, allowances, and charges agreed to and published by~~

~~individuals, firms, corporations, or the South Carolina Tariff Bureau. Any of these agreements when approved by the commission are not in violation of Section 39-3-10.~~

(B) As to holders of a certificate ~~C~~E, ~~the commission shall fix a maximum rate only~~ the carrier shall file a maximum rate schedule with the commission. The commission must post the maximum rate schedule filing within one business day of receipt. The new maximum rate schedule shall go into effect one business day following the commission's posting of the new schedule. Holders of certificate E shall have the flexibility for adjustment of the rates below the maximum rate levels without commission approval. The commission shall publish the maximum rate schedule on its website." /

Amend the bill further, as and if amended, page 12, lines 6-11, by striking SECTION 25 and SECTION 26, and inserting:

/ SECTION 25. Chapter 23, Title 58 of the 1976 Code is amended by repealing Sections 58-23-300, 58-23-330, 58-23-530, 58-23-540, 58-23-550, and 58-23-1060.

SECTION 26. The Public Service Commission must make information readily available so that the general public can easily access information regarding the requirements in Articles 3 and 9 in Chapter 23, Title 58. This includes, but is not limited to, the commission posting on its website information regarding the following: list of certified companies, maximum rates, insurance, and complaint resolution.

SECTION 27. This act becomes effective upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander Gambrell, Setzler and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\1103C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-3-35(A) and inserting:

/ (A) The Department of Education shall provide to all school districts and open-enrollment charter schools inkless, in-home fingerprint and DNA identification kits to be distributed throughout the district or school on request to the parent or legal custodian of any kindergarten, elementary, middle, or high school student. /

Renumber sections to conform.
Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (1136R002.KMM.DBV), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 3 - 8 and inserting:

/ (2) 'Adverse action' means any administrative, civil, equitable, or criminal action permitted by a state's laws that is imposed by a licensing board or other authority against an audiologist or speech language pathologist, including actions against an individual's license or privilege to practice, such as a revocation, suspension, probation, or monitoring of the licensee, or a restriction on the licensee's practice. /

Amend the bill further, as and if amended, on page 3, by striking lines 31 - 36 and inserting:

/ (9) 'Current significant investigative information' means investigative information that a licensing board has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction, following an inquiry or investigation that includes notification and an opportunity for the audiologist or speech language pathologist to respond, if required by state law. /

Amend the bill further, as and if amended, on page 6, by striking lines 19 - 21 and inserting:

/ (ii) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program; /

Amend the bill further, as and if amended, on page 7 by striking lines 1 - 29 and inserting:

/ (i) the program and institution have been approved by the authorized accrediting body in the applicable country; and

(ii) the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board-approved program;

(2) complete a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the commission;

(3) complete a supervised postgraduate professional experience as required by the commission;

(4) pass a national examination approved by the commission;

(5) hold an active, unencumbered license;

(6) not have been convicted or found guilty of, and not have entered into an agreed disposition for, a felony related to the practice of speech-language pathology, under applicable state or federal criminal law; and

(7) have a valid United States Social Security or National Provider Identifier number.

(G) A privilege to practice is derived from the home state license.

(H) An audiologist or speech-language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time the service is provided. The practice of audiology and speech-language pathology includes all audiology and speech-language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology and speech-language pathology in a member state

under a privilege to practice subjects an audiologist or speech-language pathologist to the jurisdiction of the licensing board, the courts, and the laws of the member state in which the client is located at the time the service is provided. /

Amend the bill further, as and if amended, on page 8, by striking lines 1 - 31 and inserting:

/ Section 40-67-540. (A) To exercise the compact privilege under the terms and provisions of the compact, an audiologist or speech-language pathologist must:

(1) hold an active license in his home state;

(2) have no encumbrance on any state license;

(3) be eligible for a compact privilege in any member state in accordance with Section 40-67-530;

(4) have not had any adverse action against any license or compact privilege within the previous two years from the date of the application;

(5) notify the commission that he is seeking the compact privilege within a remote state;

(6) pay any applicable fees, including any state fee, for the compact privilege; and

(7) report to the commission adverse action taken by any non-member state within thirty days from the date the adverse action is taken.

(B) For the purposes of the compact privilege, an audiologist or speech-language pathologist may hold only one home state license at a time.

(C) Except as provided for in Section 40-67-560, if an audiologist or speech-language pathologist changes his primary state of residence by moving between two member states, then the audiologist or speech language pathologist must apply for licensure in his new home state, and the license issued by the prior home state must be deactivated in accordance with applicable rules adopted by the commission.

(D) The audiologist or speech-language pathologist may apply for licensure in his new home state in advance of a change in his primary state of residence.

(E) A license may not be issued by a new home state until the audiologist or speech-language pathologist provides satisfactory evidence of a change in his primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from his new home state.

(F) If an audiologist or speech-language pathologist changes his primary state of residence by /

Amend the bill, as and if amended, on page 9, by striking lines 17 - 22 and inserting:

/ Section 40-67-550. Member states must recognize the right of an audiologist or speech-language pathologist who is licensed by a home state in accordance with Section 40-67-530 and under rules promulgated by the commission to practice audiology or speech-language pathology in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission. /

Amend the bill further, as and if amended, on page 9, by striking lines 35 - 43, and on page 10, by striking lines 1 - 39 and inserting:

/ (a) take adverse action against an audiologist's or speech-language pathologist's privilege to practice within that remote state; and

(b) issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses, as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state must be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court, applicable to subpoenas issued in proceedings pending before it. The issuing authority must pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

(2) Only a home state has the power to take adverse action against an audiologist's or speech-language pathologist's license issued by the home state.

(B) For the purposes of taking adverse action, a home state must give the same priority and effect to reported conduct received from a member state as it would if the conduct occurred within the home state. In so doing, the home state must apply its own state laws to determine appropriate action.

(C) A home state must complete any pending investigations of an audiologist or speech-language pathologist who changes his primary state of residence during the course of the investigations. The home state also has the authority to take appropriate actions and must promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the data system must promptly notify the new home state of any adverse actions.

(D) If otherwise permitted by state law, a member state may recover from an affected audiologist or speech-language pathologist the costs of

investigations and the disposition of cases resulting from any adverse action taken against that audiologist or speech-language pathologist.

(E) A member state may take adverse action based on the factual findings of a remote state, provided that the member state follows its own procedures for taking adverse action.

(F) In addition to the authority granted to a member state by its respective audiology or speech-language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees. Member states must share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(G) If adverse action is taken by a home state against an audiologist's or speech-language pathologist's license, then the audiologist's or speech-language pathologist's privilege to practice in all other member states is deactivated until all encumbrances are removed from the state license. All home-state disciplinary orders that impose adverse action against an audiologist's or speech-language pathologist's license must include a statement that the audiologist's or speech-language pathologist's privilege to practice is deactivated in all member states during the pendency of the order. /

Amend the bill further, as and if amended, on page 12, by striking lines 11 - 14 and inserting:

/ (7) bring and prosecute legal proceedings or actions in the name of the state's audiology or speech-language pathology licensing board, provided that the standing of any state licensing board to sue or be sued under applicable law must not be affected; /

Amend the bill further, as and if amended, on page 20, by striking lines 11 - 14 and inserting:

/ (2) Withdrawal does not affect the continuing requirement of the withdrawing state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator MARTIN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (WAB\1179C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40-63-30(B) of the 1976 Code is amended to read:

"(B) A person providing social work services to a client in this State, through telephonic, electronic, or other means, regardless of the location of the social worker, who is not licensed ~~in~~ or registered by this State, is practicing without a license. A social worker licensed by this State may provide services through these means to a client in this State within their appropriate scope of practice."

SECTION 2. Article 1, Chapter 63, Title 40 of the 1976 Code is amended by adding:

"Section 40-63-35. (A) For purposes of this section, 'behavioral telehealth' means the practice of Independent Social Work-CP using electronic communications, information technology, or other means between a registrant located outside this State and a client located in this State with or without an intervening practitioner. A behavioral telehealth provider has the duty to practice in a manner consistent with his scope of practice and the prevailing professional standard of practice for an Independent Social Work-CP who provides in-person social work services to clients in this State.

(B) An Independent Social Work-CP who holds an active license to provide independent social work services in another state or jurisdiction may provide independent social work services using behavioral telehealth to a client located in this State if the individual is registered with the board and provides the services within the applicable scope of practice established by this State.

(C) To be registered, the individual must:

(1) complete an application in the format prescribed by the board;

(2) be licensed with an active, unencumbered license that is issued by another state, the District of Columbia, or a possession or territory of the United States and that is substantially similar to a license issued by South Carolina to an Independent Social Worker-CP;

(3) have not been the subject of disciplinary action relating to his license during the five-year period immediately prior to the submission of the application; and

(4) pay a ten dollar fee.

(D) The website of a behavioral telehealth registrant must prominently display a hyperlink to the board's website containing information required under subsection (F).

(E) The individual may not register under this section if his license to provide social work services is subject to a pending disciplinary investigation or action or has been revoked in any state or jurisdiction. A

social worker registered under this section must notify the board of restrictions placed on his license to practice, or any disciplinary action taken or pending against him, in any state or jurisdiction. The notification must be provided within five business days after the restriction is placed or disciplinary action is initiated or taken.

(F) The board shall publish on its website a list of all registrants and include, to the extent applicable, each registrant's:

(1) name;

(2) address;

(3) out-of-state social work license type with the license number; and

(4) South Carolina behavioral telehealth registration number.

(G) The board may take disciplinary action against an out-of-state registrant registered under this section if the individual:

(1) fails to notify the board of any adverse actions taken against his license as required under subsection (E);

(2) has restrictions placed on or disciplinary action taken against his license in any state or jurisdiction;

(3) violates any of the requirements of this section; or

(4) commits any act that constitutes grounds for disciplinary action under the board's statutes or regulations.

(H) For the purposes of this section, the delivery of behavioral telehealth services by a registrant licensed by another state or jurisdiction to a client residing in this State is deemed to occur in this State, and the registrant consents, as a condition of registration, to the personal and subject matter jurisdiction and disciplinary authority of the board.

(I) Nothing in this section requires or authorizes an individual licensed by this State pursuant to this chapter to obtain a behavioral telehealth registration in order to provide behavioral telehealth services to a client residing in this State."

SECTION 3. Chapter 75, Title 40 of the 1976 Code is amended by adding:

"Article 5

Behavioral Telehealth

Section 40-75-800. (A) For purposes of this chapter, 'behavioral telehealth' means the practice of professional counseling, addiction counseling, marriage and family therapy, and licensed psycho-educational specialty using electronic communications, information technology, or other means between a registrant located outside this State and a client located in this State with or without an intervening practitioner. A behavioral telehealth provider has the duty to

practice in a manner consistent with his scope of practice and the prevailing professional standard of practice for a behavioral health care professional who provides in-person professional counseling, addiction counseling, marriage and family therapy, and licensed psycho-educational specialist services to clients in this State.

(B) Individuals who hold an active license to provide professional counseling, addiction counseling, marriage and family therapy, and licensed psycho-educational specialist services in another state or jurisdiction may provide these services using behavioral telehealth to a client located in this State if the individual is registered with the board and provides the services within the applicable scope of practice established by this State.

(C) To be registered, the individual must:

(1) complete an application in the format prescribed by the board;

(2) be licensed with an active, unencumbered license that is issued by another state, the District of Columbia, or a possession or territory of the United States and that is substantially similar to a license issued by South Carolina to a professional counselor, addiction counselor, marriage and family therapist, or licensed psycho-educational specialist;

(3) have not been the subject of disciplinary action relating to his license during the five-year period immediately prior to the submission of the application; and

(4) pay a ten dollar fee.

(D) The website of a behavioral telehealth registrant must prominently display a hyperlink to the board's website containing information required under subsection (F).

(E) The individual may not register under this subsection if his license to provide professional counseling, addiction counseling, marriage and family therapy, or licensed psycho-educational specialist services is subject to a pending disciplinary investigation or action, or has been revoked in any state or jurisdiction. An individual registered under this section must notify the board of restrictions placed on his license to practice or any disciplinary action taken or pending against him in any state or jurisdiction. The notification must be provided within five business days after the restriction is placed or disciplinary action is initiated or taken.

(F) The board shall publish on its website a list of all registrants and include, to the extent applicable, each registrant's:

(1) name;

(2) address;

(3) out-of-state professional license type with the license number; and

(4) South Carolina behavioral telehealth registration number.

(G) The board may take disciplinary action against an out-of-state registrant registered under this section if the individual:

(1) fails to notify the board of any adverse actions taken against his license as required under subsection (E);

(2) has restrictions placed on or disciplinary action taken against his license in any state or jurisdiction;

(3) violates any of the requirements of this section; or

(4) commits any act that constitutes grounds for disciplinary action under the board's statutes or regulations.

(H) For the purposes of this section, the delivery of behavioral telehealth services by a registrant licensed by another state or jurisdiction to a client residing in this State is deemed to occur in this State, and the registrant consents, as a condition of registration, to the personal and subject matter jurisdiction and disciplinary authority of the board.

(I) Nothing in this section requires or authorizes an individual licensed by this State pursuant to this chapter to obtain a behavioral telehealth registration in order to provide behavioral telehealth services to a client residing in this State."

SECTION 4. This act takes effect thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree

Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED

TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

On motion of Senator MASSEY, the Bill was carried over.

READ THE SECOND TIME

S. 1200 -- Senators Kimbrell and Talley: A BILL TO AMEND SECTION 50-25-1320 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, TO REVISE THE MOTOR RESTRICTIONS ON THE LAKE.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett

Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1204 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1222 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NEED-BASED GRANTS PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5054, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 1223 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 1224 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5052, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 1225 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5051, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

AMENDED AND ADOPTED

H. 4571 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET WEST OF THE CSX RAILROAD TRACK IN THE CITY OF DILLON "CASEY MANNING DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator WILLIAMS proposed the following amendment (4571KW1), which was adopted:

Amend the concurrent resolution, as and if amended, by striking lines 20 - 24 on page 2 and inserting:

/ That the members of the General Assembly, by this resolution, request the Department of Transportation name the portion of West Cleveland Street in the City of Dillon from its intersection with United States Highway 301 to its intersection with North Eleventh Avenue "Casey Manning Drive" and erect appropriate markers or signs at its intersection with North Eleventh Avenue containing these words. /

Amend the concurrent resolution further, as and if amended, by striking lines 11 - 16 on page 1 and inserting:

/ TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET IN THE CITY OF DILLON FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH NORTH ELEVENTH AVENUE "CASEY MANNING DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS. /

Renumber sections to conform.

Amend title to conform.

Senator WILLIAMS explained the amendment.

The amendment was adopted.

The Resolution, as amended, was adopted, ordered returned to the House.

ADOPTED

H. 4955 -- Reps. Alexander and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

RULE 32B

Pursuant to Rule 32B, Senator MASSEY, as Chairman of the Committee on Rules, called H. 3126 from the Contested Calendar.

MADE SPECIAL ORDER

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 3:50 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE SECOND TIME

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

Pursuant to Rule 32B, the Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY spoke on the Bill.

Amendment No. 1

Senator MASSEY proposed the following amendment (3126R007.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. The General Assembly declares the practice of discrimination against an individual because the individual has chosen not to receive a COVID-19 vaccination or booster is a matter of state concern and is in conflict with the ideals of South Carolina and the nation, as this discrimination interferes with opportunities of the individual to receive employment and to develop according to the individual's own ability.

SECTION 2. The General Assembly believes that a federal vaccine mandate is unconstitutional and shall not be enforced by this State unless, after legal challenge, courts of this State or of the United States of America hold the federal vaccine mandate to be enforceable.

SECTION 3. (A) Except as provided in subsection (B), the State or any political subdivision thereof, including a school district, may not enact a COVID-19 vaccine mandate for any:

(1) employee, independent contractor, or nonemployee vendor as a condition of employment or conducting business with the State or a political subdivision;

(2) student as a condition of attendance; or

(3) participant, volunteer, or other person associated with an auxiliary event, activity, or program as a condition for participating in, volunteering for, or associating with the auxiliary event, activity, or program.

(B) If the State or any political subdivision thereof, including a school district, is subject to a federal requirement that would lead to the forfeiture of federal funds due to a failure to require employees,

independent contractors, or nonemployee vendors to receive a COVID-19 vaccination:

(1) the employer may require an unvaccinated employee, independent contractor, or nonemployee vendor to undergo weekly COVID-19 testing if the federal requirement allows for testing as an alternative to vaccination; or

(2) the employee is eligible for unemployment benefits subject to the benefit amounts, duration, and requirements as provided in Article 1, Chapter 35, Title 14 if the federal mandate gives the employer no alternative to terminating the employee without forfeiting federal funds.

(C) The Department of Health and Environmental Control and the Medical University of South Carolina shall partner with state and local government employers to provide COVID-19 testing as provided in subsection (B)(1).

SECTION 4. Chapter 15, Title 8 of the 1976 Code is amended by adding:

"Section 8-15-80. (A) Neither the State, nor any of its political subdivisions, may terminate, suspend, or otherwise reduce the compensation of a person employed as a first responder if the first responder does not undergo a COVID-19 vaccination.

(B) For purposes of this section, 'first responder' means a law enforcement officer, firefighter, emergency medical technician, or paramedic who is paid from public funds."

SECTION 5. (A) If a private employer terminates, suspends, or otherwise reduces the compensation of an employee because the employee does not receive a COVID-19 vaccination or booster, that employee is eligible for unemployment benefits subject to the benefit amounts, duration, and requirements as provided in Article 1, Chapter 35, Title 14.

(B) For purposes of this section, "private employer" means all employers other than the state and its political subdivisions, including school districts.

(C) Employee eligibility for unemployment benefits pursuant to this section is retroactive to nine months prior to the effective date of this act.

SECTION 6. Nothing contained in this act shall prevent an employer from encouraging, promoting, or administering vaccinations, and nothing in this act shall prevent an employer from offering incentives to employees who elect to be vaccinated.

SECTION 7. (A) A private employer's vaccine mandate may not:

(1) extend to independent contractors, nonemployee vendors, or other third parties that provide goods or services to the employer; and

(2) be used to coerce independent contractors, nonemployee vendors, or other third parties that provide goods or services to the employer into implementing a vaccine mandate to maintain the business relationship.

(B) For purposes of this section, "private employer" means all employers other than the state and its political subdivisions, including school districts.

SECTION 8. Notwithstanding any other provision of law, a religious exemption or medical exemption must be honored regarding any COVID-19 vaccine or booster requirement. A medical exemption may include the presence of antibodies, a prior positive COVID-19 test, or pregnancy. To claim a religious exemption, a person must provide his employer with a short, plain statement attesting to the fact that a tenet of his deeply held religious convictions would be violated by receiving the COVID-19 vaccine and booster.

SECTION 9. (A) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation without discrimination or segregation on the basis of the person's vaccination status.

(B) No person shall withhold, deny, or attempt to withhold or deny, or deprive, or attempt to deprive any person of any right or privilege secured by the provisions of subsection (A); or intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by the provisions of subsection (A); or punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by the provisions of subsection (A).

(C) Each of the following establishments that serves the public is a place of public accommodation within the meaning of this section if discrimination or segregation by it is supported by state action:

(1) any inn, hotel, motel, or other establishment that provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premise including, but not limited to, any such facility located on the premises of any retail establishment, or any gasoline station;

(3) any hospital, clinic, or other medical facility that provides overnight accommodations;

(4) any retail or wholesale establishment;

(5) any motion picture house, theater, concert hall, billiard parlor, saloon, barroom, golf course, sports arena, stadium, or other place of amusement, exhibition, recreation, or entertainment; and

(6) any establishment that is physically located within the premises of any establishment otherwise covered by this subsection, or within the premises of which is physically located any such covered establishment, and which holds itself out as serving patrons of such covered establishment.

(D) The provisions of this chapter do not apply to a private club or other establishment not in fact open to the general public. An institution, a club, an organization, or a place of accommodation, as defined in subsection (D), that offers memberships for less than thirty days is not private within the meaning of this section.

(E) Complaints concerning violations of the provisions of this section must be processed and heard pursuant to Article 3, Chapter 9, Title 45. Penalties and remedies for violations of this section are governed by the provisions contained in Article 5, Chapter 9, Title 45.

(F) For the purposes of this section:

(1) "Supported by state action" means the licensing or permitting of any establishment or any agent of an establishment listed above, subject to the exclusion provided in Section 45-9-20, which has or must have a license or permit from the State, its agencies, or local governmental entities to lawfully operate.

(2) "Vaccination status" means whether a person has been vaccinated against COVID-19 or has received a COVID-19 vaccination booster.

SECTION 10. The provisions contained in Act 99 of 2021, the South Carolina COVID-19 Liability Immunity Act, are hereby reenacted, retroactive to the date that Act 99 of 2021 expired, by this act. Act 99 of 2021's provisions apply to all civil and administrative causes of action that arise between March 13, 2020, and December 31, 2023, and are based upon facts that occurred during this time period.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph,

sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect upon approval by the Governor. All provisions of this act are repealed on December 31, 2023 unless reauthorized by the General Assembly. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the Bill was read the second time, carrying over all amendments, and the provisions of Rule 26B were waived in order to allow amendments to be considered on third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow at 12:30 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Joanna Godwin Hall of Florence, S.C. Joanna had a passion for children. She served the Florence community as a nurse for 36 years, the last 20 years at McLeod Regional Medical Center NICU. Joanna was a longtime member of Ebenezer Baptist Church where she served in the children's ministry and nursery. Joanna was a loving wife, devoted mother and doting grandmother who will be dearly missed.

TUESDAY, APRIL 5, 2022

ADJOURNMENT

At 5:21 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:30 P.M.

* * *

Wednesday, April 6, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 51:11

Addressing the Lord God, the psalmist writes: "Do not cast me away from your presence, and do not take your holy spirit from me."

Let us pray: It is quite possible, O loving God, that more so now than in a long, long time we desperately need Your holy presence here in this, the capitol of South Carolina. Indeed, we need You with us in our meeting rooms, in our offices, along the walkways, in both the House and the Senate Chambers and out under the Dome. And it is not that we just take comfort from Your holy presence Lord. The truth is we all desperately need Your constant guidance, Your loving embrace, Your unfailing reminders of what is good and of what is not. So today we pray, O God, that You will lead and bless everyone who serves You and the people of our State here in this place. We fervently pray all this, Lord, in Your blessed and most holy name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:34 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Climer	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	McElveen

Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Williams	Young

A quorum being present, the Senate resumed.

PRIVILEGE OF THE CHAMBER

On motion of Senator MALLOY, with unanimous consent, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Coach Dawn Staley and the South Carolina Women's basketball team in recognition of their winning the 2022 NCAA Championship.

Doctor of the Day

Senator K. JOHNSON introduced Dr. Robert Ridgeway of Manning, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 1:45 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

Leave of Absence

On motion of Senator TURNER, at 1:45 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator BENNETT, at 1:45 P.M., Senator SENN was granted a leave of absence until 3:00 P.M.

Leave of Absence

At 1:47 P.M., Senator SETZLER requested a leave of absence for Thursday, April 7, 2022.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 1052 Sen. Gustafson

RECALLED

H. 4828 -- Reps. Jefferson, Gilliard, McDaniel, Weeks and Murray: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY FROM ITS INTERSECTION WITH THE ENTRANCE TO THE RIDGEVILLE INDUSTRIAL CAMPUS TO TIMOTHY CREEK "VICTORIA W. DELEE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4977 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF NORTH WILLISTON ROAD AND EAST POCKET ROAD IN FLORENCE COUNTY "REVEREND DR. WAYMON MUMFORD INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND READ THE SECOND TIME

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn and Gustafson: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S

BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

Senator GROOMS asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

The Bill was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration today.

Senator HUTTO asked unanimous consent to make a motion to take the Bill up for immediate consideration.
There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was the second reading of the Bill.

On motion of Senator HUTTO with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1238 -- Senators Matthews, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE ALIYAH BOSTON'S STELLAR PERFORMANCE DURING THE 2022 NCAA CHAMPIONSHIP AND TO CONGRATULATE HER ON HER EXCEPTIONAL CAREER.
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The Senate Resolution was adopted.

S. 1239 -- Senators Matthews, Adams, Alexander, Allen, Bennett, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE DESTANNI HENDERSON'S STELLAR PERFORMANCE DURING THE 2022 NCAA CHAMPIONSHIP AND TO CONGRATULATE HER ON HER EXCEPTIONAL CAREER.
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The Senate Resolution was adopted.

S. 1240 -- Senators Malloy, Adams, Alexander, Allen, Bennett, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND CELEBRATE THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM FOR WINNING THE 2022 NCAA CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1241 -- Senator Matthews: A BILL TO ADD TWO MEMBERS TO THE WALTERBORO-COLLETON COUNTY AIRPORT COMMISSION.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1242 -- Senators Young, M. Johnson, Hembree, McElveen, Williams, Climer, Bennett, Rice, Kimbrell, Loftis, Garrett, Jackson, Gustafson and Shealy: A BILL TO AMEND SECTION 59-117-10 OF THE 1976 CODE, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1,

2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO YEAR-TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

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Read the first time and referred to the Committee on Education.

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 "REVEREND JESSE L. JACKSON, SR. STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1244 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE RAYMOND G. FARMER UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF INSURANCE, TO COMMEND HIM FOR HIS NINE AND A HALF YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 1245 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS AND MARKERS TO

COMMEMORATE THE LADY GAMECOCKS BASKETBALL TEAM WINNING THE 2022 NCAA CHAMPIONSHIP.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1246 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAKING SALTWATER FISHERY PRODUCTS FOR COMMERCIAL OR SCIENTIFIC PURPOSES, SO AS TO REMOVE CONFIDENTIALITY PROVISIONS.
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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1247 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA STEM OPPORTUNITY ACT" BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 13 SO AS TO ESTABLISH THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) COALITION WITHIN THE SOUTH CAROLINA DEPARTMENT OF COMMERCE, THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION FUND WITHIN THE STATE TREASURY, AND THE SC STEM COALITION ADVISORY COUNCIL, AND TO PROVIDE THEIR RESPECTIVE PURPOSES AND FUNCTIONS.
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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1248 -- Senator Davis: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 3 AND FRIDAY, NOVEMBER 4 AND MONDAY, NOVEMBER 14, 2022. HOWEVER, THE CHAMBER MAY NOT BE

USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.
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The Senate Resolution was adopted.

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G. R. Smith, M. M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V. S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

Read the first time and referred to the Committee on Education.

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 5074 -- Reps. Haddon, Allison, Burns and Hiott: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE" TO DEVELOP RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 5206 -- Reps. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. LARRY WATSON FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH HIS SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM FOR RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND

SUSTAINABILITY OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5210 -- Reps. Collins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, TO COMMEND THE IMPORTANT WORK DONE TO COMBAT CHILD MALTREATMENT, AND TO DECLARE TUESDAY, APRIL 5, 2022, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

Message from the House

Columbia, S.C., April 6, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. G.M. Smith, Rutherford and W. Newton to the Committee of Conference on the part of the House on:

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter,

Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1209 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 5, 2022, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1021 -- Senators Campsen and Grooms: A BILL TO AMEND ACT 844 OF 1952, RELATING TO THE COMPOSITION, RESIDENCY, AND TERMS OF THE SCHOOL TRUSTEES OF CERTAIN SCHOOL DISTRICTS IN CHARLESTON COUNTY, SO AS TO PROVIDE THAT THE MOULTRIE SCHOOL DISTRICT NO. 2 BOARD OF TRUSTEES SHALL CONSIST OF SEVEN MEMBERS, AT LEAST THREE OF WHOM MUST BE RESIDENTS OF THE TOWN OF MOUNT PLEASANT.

On motion of Senator CAMPSEN.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 1218 -- Senator Matthews: A BILL TO AMEND ACT 278 OF 1985, AS LAST AMENDED BY ACT 185 OF 2020, TO REDUCE THE NUMBER OF JASPER COUNTY BOARD OF EDUCATION SINGLE-MEMBER DISTRICTS FROM NINE TO SEVEN; TO STAGGER THE TERMS OF MEMBERS ELECTED IN 2022; AND TO ESTABLISH THE SEVEN SINGLE-MEMBER DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator MATTHEWS proposed the following amendment (ZW\1218C002.AR.ZW22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. SECTION 2 of Act 476 of 1998 is amended to read:

"SECTION 2. (A) The single-member districts of the Jasper County School District shall be as follows:

~~DISTRICT 1~~
~~Area Population~~
~~Jasper County~~
~~GILLISONVILLE~~
~~Tract 9501.00~~
~~Blocks: 152, 158, 159, 160, 161, 162, 166, 167, 168, 169, 170, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 189, 190, 192, 193 611~~
~~GRAYS~~
~~Tract 9501.00~~
~~Blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 163, 164, 165, 171. . . . . 680~~
~~PINELAND~~
~~Tract 9501.00~~
~~Blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 242, 243, 244, 245, 246, 247, 250, 251, 283, 284 425~~
~~DISTRICT TOTAL. . . . . .1,716~~
~~PERCENT VARIATION . . . . . -0.290~~
~~DISTRICT 2~~
~~Area Population~~

~~Jasper County~~
~~PINELAND~~
~~Tract 9501.00~~
~~Blocks: 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 248, 249, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 285 619~~
~~RIDGELAND 1~~
~~Tract 9501.00~~
~~Blocks: 301, 302, 303, 304, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338 344~~
~~Tract 9502.00~~
~~Blocks: 226, 227B. . . . . 32~~
~~TILLMAN~~
~~Tract 9501.00~~
~~Blocks: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 430, 432, 433, 436, 437, 439, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 466, 467, 495, 496, 497 697~~
~~DISTRICT TOTAL. . . . . 1,692~~
~~PERCENT VARIATION . . . . . -1.685~~
~~DISTRICT 3~~
~~Area Population~~
~~Jasper County~~
~~COOSAWHATCHIE~~
~~Tract 9502.00~~
~~Blocks: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197. . . . . 716~~
~~GRAHAMVILLE 2~~
~~Tract 9502.00~~
~~Blocks: 301, 302, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 333, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417,~~

~~418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 433, 434, 435, 436, 437, 438, 439, 440, 445, 446, 447, 448, 4491,014~~

~~GRAYS~~

~~Tract 9501.00~~

~~Blocks: 120, 121, 153, 154, 155, 156, 157 22~~

~~DISTRICT TOTAL. . . . . 1,752~~

~~PERCENT VARIATION . . . .+1.801~~

~~DISTRICT 4~~

~~Area Population~~

~~Jasper County~~

~~COOSAWHATCHIE~~

~~Tract 9502.00~~

~~Blocks: 134, 135, 136, 137, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160 178~~

~~GILLISONVILLE~~

~~Tract 9501.00~~

~~Blocks: 183, 187, 188, 191, 194, 195, 196, 197 135~~

~~RIDGELAND 1~~

~~Tract 9501.00~~

~~Blocks: 305, 306, 307, 308, 322, 323, 324, 325 200~~

~~Tract 9502.00~~

~~Blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213A, 213B, 213C, 214, 215, 216, 217, 218, 219, 220, 221, 222A, 222B, 223, 224, 225, 227A, 228, 229A, 229B, 230, 231, 232, 233, 234, 235, 236, 237, 238A, 238B, 239A, 239B, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 303, 304, 305, 306, 307, 308, 309A, 309B, 310, 342, 343, 344A, 344B, 345, 346, 347, 348, 349, 350A, 350B, 351A, 351B, 352A, 352B, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371 1,259~~

~~DISTRICT TOTAL. . . . . 1,772~~

~~PERCENT VARIATION . . . . . +2.963~~

~~DISTRICT 5~~

~~Area Population~~

~~Jasper County~~

~~GRAHAMVILLE 1~~

~~Tract 9502.00~~

~~Blocks: 501, 542, 543, 544, 545, 546, 547, 548, 549, 550, 558, 559, 618, 619 . . 369~~

~~RIDGELAND 1~~

~~Tract 9501.00~~

~~Blocks: 347, 348, 349, 350, 351, 352, 353, 354 199~~

~~RIDGELAND 2 . . . . . 1,194~~
~~TILLMAN~~
~~Tract 9501.00~~
~~Blocks: 438. . . . . 0~~
~~DISTRICT TOTAL. . . . . 1,762~~
~~PERCENT VARIATION . . . . . +2.382~~
~~DISTRICT 6~~
~~Area Population~~
~~Jasper County~~
~~HARDEEVILLE 1~~
~~Tract 9503.00~~
~~Blocks: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226C, 227B, 228, 229, 230, 235B, 236, 237B, 238, 239B, 259 269~~
~~HARDEEVILLE 2 . . . . . .1,189~~
~~TILLMAN~~
~~Tract 9501.00~~
~~Blocks: 428, 429, 431, 434, 435, 440, 441, 442, 443, 444, 445, 446, 447, 465, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494. . . . . 121~~
~~Tract 9503.00~~
~~Blocks: 101B, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 125, 126, 135, 136, 194 79~~
~~DISTRICT TOTAL. . . . . 1,658~~
~~PERCENT VARIATION . -3.660~~
~~DISTRICT 7~~
~~Area Population~~
~~Jasper County~~
~~GRAHAMVILLE 1~~
~~Tract 9502.00~~
~~Blocks: 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 670, 694, 695, 696, 697 739~~
~~GRAHAMVILLE 2~~
~~Tract 9502.00~~
~~Blocks: 311, 332, 334, 335, 336, 337, 338, 339, 340, 341, 353, 354, 355, 356, 357, 358, 432, 441, 442, 443, 444, 450, 451. . . . . 657~~

~~OKATIE . . . . . 328~~
~~DISTRICT TOTAL. . . . . 1,724~~
~~PERCENT VARIATION . . . . . +0.174~~
~~DISTRICT 8~~
~~Area Population~~
~~Jasper County~~
~~HARDEEVILLE 1~~
~~Tract 9503.00~~
~~Blocks: 226A, 226B, 227A, 231, 232, 233A, 233B, 233C, 234A, 234B, 235A, 237A, 239A, 240, 241, 242, 243A, 243B, 244, 245A, 245B, 246, 247, 248, 249, 250, 251, 252A, 252B, 253, 254, 255, 256, 257, 258, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 301A, 301B, 302, 303, 304, 305, 306A, 306B, 307A, 307B, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332A, 333A, 333B, 333C, 340A, 341A, 341B, 342, 343, 344A, 344B, 345, 346, 414, 415, 416. . . . . 1,759~~
~~DISTRICT TOTAL. . . . . 1,759~~
~~PERCENT VARIATION . . . . . +2.208~~
~~DISTRICT 9~~
~~Area Population~~
~~Jasper County~~
~~LEVY . . . . . 1,652~~
~~DISTRICT TOTAL. . . . . 1,652~~
~~PERCENT VARIATION . . . . . -4.009~~

District	Pop.	Dev.	%Dev.	Hisp.	%Hisp.
1	4,023	43	1.08%	998	24.81%
2	3,809	-171	-4.30%	1,135	29.80%
3	3,976	-4	-0.10%	770	19.37%
4	3,991	11	0.28%	300	7.52%
5	4,046	66	1.66%	703	17.38%
6	3,887	-93	-2.34%	304	7.82%
7	4,132	152	3.82%	830	20.09%
Totals	27,864			5,040	18.09%

District	NH White	%NH White	NH DOJ Blk	%NH DOJ Blk	VAP	%VAP
1	1,583	39.35%	1,297	32.24%	2,975	73.95%
2	1,102	28.93%	1,445	37.94%	2,823	74.11%

3	1,666	41.90%	1,403	35.29%	3,026	76.11%
4	1,686	42.25%	1,914	47.96%	3,095	77.55%
5	1,358	33.56%	1,896	46.86%	3,159	78.08%
6	3,249	83.59%	218	5.61%	3,698	95.14%
7	2,183	52.83%	996	24.10%	3,399	82.26%
Totals	12,827	46.03%	9,169	32.91%	22,175	

District	HVAP	%HVAP	NHWVAP	%NHWVAP	NHDOJBVAP	%NHDOJBVAP
1	583	19.60%	1,324	44.50%	968	32.54%
2	701	24.83%	936	33.16%	1107	39.21%
3	474	15.66%	1,424	47.06%	1,013	33.48%
4	191	6.17%	1,369	44.23%	1,466	47.37%
5	470	14.88%	1,138	36.02%	1,484	46.98%
6	223	6.03%	3,195	86.40%	178	4.81%
7	562	16.53%	2,001	58.87%	731	21.51%
Totals	3,204	14.45%	11,387	51.35%	6,947	31.33%

(B) ~~The Office of Research and Statistical Services of the Budget and Control Board shall maintain an official map of the districts established in subsection (A) and shall, upon request, assist the local election officials and the district in implementing the provisions of this act.~~ Notwithstanding another provision of law, beginning with the school district elections conducted in 2022, the election districts for the members of the Board of Trustees of the Jasper County School District are established and delineated on map number S-53-00-22 as maintained by the Revenue and Fiscal Affairs Office.

(C) The exterior boundaries of the Jasper County School District are not altered by the provisions of this act. These school district lines are as

defined by law and any census blocks which may be divided are done so only for statistical purposes and to establish a population base."/

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5138 -- Reps. Hosey and Bamberg: A BILL TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.

SECOND READING BILL

S. 1220 -- Senator Rice: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF PICKENS COUNTY BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED.

On motion of Senator RICE.

AMENDED, SECOND READING BILL

H. 5159 -- Reps. G.R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator TURNER proposed the following amendment (5159R001.SP.RT), which was adopted:

Amend the bill, as and if amended, on page 2, by striking line 11 and inserting:

/ 26 33,197 6,397 19.27% 20,798 62.65% /

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

The question being second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, ordered to a third reading.

SECOND READING BILL

S. 1235 -- Senator Matthews: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO REMOVE ARCHAIC LANGUAGE.

On motion of Senator MATTHEWS.

AMENDMENT PROPOSED
CARRIED OVER

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

The Senate proceeded to a consideration of the Bill.

Senators KIMPSON, HEMBREE and DAVIS proposed the following amendment (984R002.SP.MEK):

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 1. This SECTION applies retroactively to any service or fee imposed after December 31, 1996. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME
SENT TO THE HOUSE

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF A STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS

FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\1120C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. A. Section 12-6-3795 of the 1976 Code, as added by Act 137 of 2020, is amended to read:

"Section 12-6-3795. (A) As used in this section:

(1) 'Eligibility statement' means a statement authorized and issued by the South Carolina State Housing and Finance Development Authority certifying that a given project qualifies for the South Carolina housing tax credit, including any preliminary determination thereof.

(2) 'Federal housing tax credit' means the federal tax credit as provided in Section 42 of the Internal Revenue Code of 1986, as amended.

(3) 'Median income' means those incomes that are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size.

(4) 'Project' means a housing project that has restricted rents that do not exceed thirty percent of income for at least forty percent of its units occupied by persons or families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income.

(5) 'Qualified project' means a qualified low-income building as that term is defined in Section 42 of the Internal Revenue Code of 1986, as amended, that is located in South Carolina and receives approval for tax credits from the South Carolina Housing and Finance Development Authority provided pursuant to this section.

(6) 'Taxpayer' means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes pursuant to Section 12-6-510, Section 12-6-530, Chapter 11, Title 12, or Chapter 7, Title 38.

(7) 'Federal 9 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(i) of the Internal Revenue Code.

(8) 'Federal 4 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(ii) of the Internal Revenue Code.

(9) 'Credit period' has the meaning defined in Section 42(f)(1) of the Internal Revenue Code.

(10) 'State housing authority' means the South Carolina State Housing Finance and Development Authority.

(11) 'Department of Revenue' means the South Carolina Department of Revenue.

(B)(1) A state tax credit pursuant to this section may be claimed against income taxes imposed by Section 12-6-510 or 12-6-530, bank taxes imposed pursuant to Chapter 11, Title 12, corporate license fees imposed pursuant to Chapter 20, Title 12, and insurance premium and retaliatory taxes imposed pursuant to Chapter 7, Title 38, to be termed the South Carolina housing tax credit, and is allowed with respect to each qualified project placed in service after January 1, 2020, and before December 31, 2030, in an amount ~~equal~~ not to exceed the federal housing tax credit allowed with respect to such qualified project, subject to the limitations of item (5). In computing a tax payable by a taxpayer pursuant to Section 38-7-90, the credit allowed pursuant to this section must be treated as a premium tax paid pursuant to Section 38-7-20.

(2)(a) If under Section 42 of the Internal Revenue Code of 1986, as amended, a portion of any federal housing tax credit taken on a project is required to be recaptured, the taxpayer claiming any ~~state~~ South Carolina housing tax credit with respect to such project also is required to recapture a portion of any ~~state~~ South Carolina housing tax credit authorized by this section. The state recapture amount is equal to the proportion of the ~~state~~ South Carolina housing tax credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal housing tax credit amount subject to recapture.

(b) In the event that recapture of any South Carolina housing tax credit is required, any ~~amended~~ return submitted to the Department of Revenue, as provided in this section, shall include the proportion of the ~~state~~ South Carolina housing tax credit required to be recaptured, the identity of each taxpayer subject to the recapture, and the amount of South Carolina housing tax credit previously allocated to such taxpayer. Any recapture of the South Carolina housing tax credit is reported in the same manner as any recapture of the federal housing tax credit.

(3) The total amount of the South Carolina housing tax credit allowed by this section for a taxable year may not exceed the taxpayer's income tax liability. Any unused South Carolina housing tax credit may be carried forward to apply to the taxpayer's next five succeeding years'

tax liability. The taxpayer may not apply the credit against any prior tax years' tax liability.

(4) The South Carolina housing tax credit ~~allowed by this section,~~ and any recaptured tax credit, must be allocated among some or all of the partners, members, or shareholders of the entity owning the project in any manner agreed to by such persons, regardless of whether such persons are allocated or allowed any portion of the federal housing tax credit with respect to the project.

(5)(a) The South Carolina housing tax credit allowed for any project must supplement but not supplant the federal housing tax credit and must be limited to an amount necessary only to achieve financial feasibility of the project.

(b) The total amount of all South Carolina housing tax credits that may be allocated in any calendar year must not exceed fifteen million dollars, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated.

(c) Of the dollar limitation prescribed in subitem (b), the total amount of South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit must not exceed forty percent of the dollar limitation prescribed in subitem (b). Of the South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit, not less than fifty percent of the South Carolina housing tax credits must be allocated to qualified projects located in an eligible rural area as designated by the United States Department of Agriculture, with the remainder allocated to (i) qualified projects serving older persons or persons with special needs, irrespective of rural eligibility criteria; (ii) qualified projects supporting workforce development as certified by the South Carolina Department of Commerce, irrespective of rural eligibility criteria; and (iii) other qualified projects, irrespective of rural eligibility criteria.

(d) Compliance with the dollar limitations of subitems (b) and (c) must be determined by the total amount of South Carolina housing tax credits allocated for one full year of the credit period applicable to each qualified project, and not the total amount of South Carolina housing tax credits allocated for the entire credit period applicable to each qualified project. Compliance with the dollar limitations of subitems (b) and (c) must be determined within each calendar year at the time the state housing authority makes a preliminary determination of

any qualified project's eligibility for the South Carolina housing tax credit.

(e) In addition to the dollar limitation of subitem (b), allocation of any South Carolina housing tax credit to any qualified project utilizing the federal 4 percent tax credit is conditioned on among other things availability and allocation to the extent necessary for the qualified project of any state ceiling made pursuant to Article 3, Chapter 11, Title 1.

(C)(1) The state housing authority shall promulgate rules establishing criteria upon which the eligibility statements are issued which must include consideration of evidence of local support for the project. The eligibility statement must specify the amount of the South Carolina housing tax credit allowed, and must include: (i) the annual amount of South Carolina housing tax credit allocated to the qualified project for each year of credit period; and (ii) the total amount of South Carolina housing tax credit allocated to the qualified project for the entire credit period.

(2) The state housing authority may not issue an eligibility statement until the taxpayer provides a report to the state housing authority detailing how the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ will benefit the tenants of the project, once placed in service, ~~including, but not limited to,~~ including without limitation reduced rent, ~~or~~ and why the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ is ~~necessary to undertake~~ essential to the financial feasibility of the project.

(3) The state housing authority must establish uniform criteria for allocating the South Carolina housing tax credit to eligible projects pursuant to a competitive process that promotes highest value and greatest public benefit. The state housing authority must establish the criteria required by this section as part of any qualified allocation plan adopted to administer the federal housing tax credit, which must include without limitation an opportunity for public comment at a public hearing conducted by the state housing authority. The criteria established pursuant to this section, and any qualified allocation plan are subject to the prior review and comment of the Joint Bond Review Committee.

(4) The state housing authority must furnish no later than January thirty-first of each year an annual report of South Carolina housing tax credits allocated pursuant to this section, which must include for the preceding calendar year the total amount of South Carolina housing tax credits allocated, and for each project, the project name and location, the amount of the South Carolina housing tax credits allocated to the project,

project ownership, total number of units assisted, and the public benefit achieved by the project. The annual report must be furnished to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority.

(D) The Department of Revenue, in consultation with the ~~South Carolina State Housing Finance and Development Authority~~ state housing authority, may adopt rules and policies necessary to implement and administer the provisions of this section; provided, however, that the state housing authority has the responsibility for: (i) allocation and administration of the South Carolina housing tax credit; and (ii) ensuring that the limits prescribed by subsections (B)(5)(b) and (B)(5)(c) are not exceeded.

(E) Notwithstanding any other provision of law, the provisions of this section and administration thereof are subject to the oversight, and review and comment as appropriate, of the Joint Bond Review Committee."

B.1. Notwithstanding the limitations prescribed by Section 12-6-3795(B)(5)(b), (c), and (d) in SECTION 1.A., the General Assembly hereby provides a one-time authorization of South Carolina housing tax credits in an amount necessary but not exceeding one hundred million dollars for qualified projects approved before December 31, 2021, by the State Fiscal Accountability Authority or the South Carolina State Housing and Finance Development Authority, as applicable. Any allocations of South Carolina housing tax credits made pursuant to this provision are subject to the review and comment of the Joint Bond Review Committee. Not later than thirty days following enactment hereof, the South Carolina State Housing and Finance Development Authority must identify and report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority all qualified projects to which this one-time authorization of South Carolina housing tax credits is proposed to apply. The report must be made in such form and substance as may be directed by the Joint Bond Review Committee. Nothing in this provision grants any rights to, or in the processes used in the determination of, allocation of this one-time authorization of South Carolina housing tax credits. Decisions made pursuant to this provision are final and are not subject to judicial or administrative review.

2. This subsection B takes effect upon approval by the Governor.

C. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2021. /

Amend the bill further, SECTION 2, by striking Sections 1-11-520 and 1-11-530 and inserting:

/ Section 1-11-520. (A) ~~The private activity bond limit for all state government issuing authorities now or hereafter authorized to issue private activity bonds as defined in the act, to be known as the "state government pool", is forty percent of the state ceiling less any amount shifted to the local pool as described in subsection (B) of this section or plus any amount shifted from that pool~~ No later than September thirtieth of the year preceding the calendar year to which the state ceiling applies, and subject to review and comment by the Joint Bond Review Committee, the state authority must publish a State Ceiling Allocation Plan that assigns percentages of the state ceiling to categories of any of the permitted purposes prescribed by the Internal Revenue Code. Without limitation, categories of permitted purposes may include industrial and economic development bonds; single family housing bonds; multifamily housing bonds; student loan bonds; and any other bonds eligible for tax exemption as a private activity bond pursuant to the Internal Revenue Code. No initial assignment to any single category may exceed forty percent of the state ceiling, and no minimum assignment is required for any category.

(B) ~~The private activity bond limit for all issuing authorities other than state government agencies, to be known as the "local pool", is sixty percent of the state ceiling plus any amount shifted from the state government pool or less any amount shifted to that pool~~ Further, the allocation plan must provide for a process of periodic allocations of the state ceiling within each category, which for any period generally may not exceed an amount of the state ceiling allocated to that category equally divided among the number of periods in the year during which allocations are to be made; provided, however, that the state authority may, upon findings of exceptional and compelling circumstances, amend the annual allocation plan following review and comment by the committee.

(C) ~~The board, with review and comment by the Joint Bond Review Committee, may shift unallocated amounts from one pool to the other at any time~~ Notwithstanding the assigned percentages set forth in the allocation plan, the state authority may but need not reassign any state ceiling unused in prior periods as a supplement to and means to address demand for ceiling allocation in a subsequent period. Such re-assignment

may be made for any allocation category, notwithstanding its original assignment.

(D) Unless otherwise approved in writing by the state authority following justification and substantial findings of significance, no authorized request may receive an allocation of state ceiling applicable to that calendar year exceeding ten percent of the total state ceiling in the case of an industrial or economic development project, or five percent of the total state ceiling for any other allocation category.

(E) The allocation plan must establish competitive criteria for allocation of state ceiling to authorized requests. Competitive criteria may be unique to each category but must be uniform within each category and established to achieve highest value and greatest public benefit. Discussions of matters related to the periodic evaluation of authorized requests may be conducted in executive session. The state authority may utilize the services of the South Carolina Department of Commerce, the South Carolina State Housing Finance and Development Authority, any other state agency, and any other public or private resources to inform and provide services for the development of the allocation plan, including the evaluation and competitive criteria; and the periodic evaluation of authorized requests. The Department of Commerce and the State Housing Finance and Development Authority are directed to provide to the state authority such assistance as may be requested or required to accomplish the purposes of this article.

(F) Allocations of state ceiling to authorized requests must be made in accordance with the provisions of the allocation plan and policies and procedures adopted by the state authority.

(G) The state authority must determine the disposition of any remaining, unused state ceiling during the final period of the calendar year pursuant to a petition submitted in accordance with Section 1-11-530(D).

Section 1-11-530. (A) For private activity bonds proposed for issue by other than state government issuing authorities, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a copy of the Inducement Contract, Inducement Resolution, or other comparable preliminary approval entered into or adopted by the issuing authority, if any, relating to the bonds~~. The board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(B) For private activity bonds proposed for issue by any state government issuing authority, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a bond resolution or comparable action by the issuing authority authorizing the issuance of the bonds~~. The board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(C) Each authorized request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

(D) An issuing authority seeking an allocation of any remaining unused state ceiling for carry-forward designation must submit to the state authority a petition identifying the types of tax-exempt bonds to which the carry-forward designation will apply. The petition must be accompanied by such other supporting documentation as the state authority may by policy prescribe. Such allocations are not subjected to the provisions of Section 1-11-520(D), (E), and (F).

(E) Notwithstanding any other provision of this article, the state authority may disapprove, reduce, or defer any authorized request or petition for carry forward.

(F) The state authority must periodically furnish to the Joint Bond Review Committee a report of petitions received, along with their dispositions. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer

Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Kimbrell	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--37

NAYS

Cash	*Johnson, Michael*

Total--2

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson, Harpootlian and Loftis: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST

COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\945C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

"Section 59-19-85. (A) For the purpose of increasing public engagement in district business and making the decision-making process more visible and accessible to the community it serves, each public school governing body, including the governing bodies of charter schools and special schools, must make reasonable and necessary efforts to ensure the entirety of meetings of its regularly scheduled or special called meetings of its full governing body are open and accessible to the public and also available by means of live electronic access, such as livestream transmission, except during a lawful executive session.

(B) Even if a governing body cannot provide such live electronic public access despite making reasonable and necessary efforts to restore

livestream transmission during the meeting, it must make a clear audio and video recording of the meeting in its entirety available on its website as soon as practicable and in no event more than two business days after the meeting.

(C) The State Board of Education shall adopt, and revise as necessary, a model livestream meeting policy suitable for governing bodies of public schools, including charter and special schools, to comply with provisions in this section. The policy must include, at a minimum:

(1) resources, recommendations, and best practices facilitating requirements for all portions of streamed meetings to be visible and audible in real-time and subsequently posted on applicable websites within two business days of the meeting;

(2) suggested approaches for developing and implementing livestreaming and expanding or improving existing livestream capacity;

(3) publicizing availability of livestream meetings;

(4) allowances for executive sessions; and

(5) penalties for policy violations or noncompliance not to exceed one percent of state funds to the district, charter school, or special school, with escalating tiers based on frequency, duration, and severity that the State Board of Education determines are reasonable and necessary to ensure the integrity of meeting governance.

(D)(1) Each public school governing body, including the governing bodies of charter schools and special schools, shall adopt a local policy applicable to its meetings within three months after adoption of the model policy by the State Board of Education. A local policy must include, at a minimum, the State Board of Education model policy.

(2) If the State Board of Education adopts a revision to the model policy, then the governing body shall adopt and incorporate the revision into its local policy within three months after the adoption of the revision by the State Board of Education.

(3) A governing body only may adopt or revise its local policy at a regularly scheduled meeting, which must be successfully livestreamed.

(4) A governing body may not adopt or follow a livestream policy that prevents or impedes in-person participation by the public except as may be reasonable and necessary for the orderly transaction of its business.

(5) Within thirty days after adoption of a local policy or revision to the policy, a governing body shall submit a copy of the policy or revision to the State Superintendent of Education for State Board of Education approval."

SECTION 2. The provisions of this act must be implemented before July 1, 2023.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (WAB\ op), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-19-85(C) by adding an appropriately numbered item to read:

/ ( ) the process for allowing a governing body with evidence of limited or no broadband access to request approval from the State Board of Education for up to an additional twelve months to comply with provisions in this section. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice

Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO

AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER

23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

S. 1179 -- Senator Shealy: A BILL TO AMEND SECTION 40-63-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF SOCIAL WORKERS, SO AS TO DEFINE THE TERM "TELEHEALTH"; TO AMEND SECTION 40-63-290, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS SOCIAL WORKERS, SO AS TO SIMILARLY EXEMPT CERTAIN INDEPENDENT SOCIAL WORKERS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE; TO AMEND SECTION 40-75-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO DEFINE THE TERM "TELEHEALTH"; AND TO AMEND SECTION 40-75-290, AS AMENDED, RELATING TO CERTAIN CATEGORIES OF PERSONS EXEMPT FROM REGULATION AS PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO SIMILARLY EXEMPT SUCH PROFESSIONALS LICENSED IN THIS STATE OR ANOTHER STATE WHEN PROVIDING SERVICES USING TELEHEALTH TO PATIENTS LOCATED IN THIS STATE.

S. 1200 -- Senators Kimbrell and Talley: A BILL TO AMEND SECTION 50-25-1320 OF THE 1976 CODE, RELATING TO RESTRICTIONS ON LAKE WILLIAM C. BOWEN, TO REVISE THE MOTOR RESTRICTIONS ON THE LAKE.

S. 1204 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

READ THE SECOND TIME

S. 1032 -- Senators Martin, Verdin, Kimbrell and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

CARRIED OVER

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSEN, the Resolution was carried over.

READ THE SECOND TIME

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 544 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS, AND TO PROVIDE RELATED APPLICATION AND ENROLLMENT PROCEDURES; TO AMEND SECTION 59-40-145, RELATING TO INTERDISTRICT ATTENDANCE IN CHARTER SCHOOLS, SECTION 59-63-30, RELATING TO PUBLIC SCHOOL ATTENDANCE QUALIFICATIONS, SECTION 59-63-32, RELATING TO PUBLIC SCHOOL ENROLLMENT REQUIREMENTS, AND SECTION 59-63-480, RELATING TO PUBLIC SCHOOL ATTENDANCE REQUIREMENTS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 59-63-45, RELATING TO INTERDISTRICT STUDENT TRANSFER REIMBURSEMENTS, AND SECTION 59-63-500, RELATING TO INTERDISTRICT STUDENT TRANSFER CONSENT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (544R001.KMM.GH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

"Section 59-63-25. (A) Beginning with the 2023-2024 School Year, each local board of trustees shall follow the policy and procedures established pursuant to this section for extending open enrollment opportunities that allow parents to apply for their child to enroll in any particular program or school.

(B) Using a template developed and provided by the Department of Education and approved by the State Board of Education, each local board of trustees shall develop and adopt an open enrollment policy

based on its evaluation of available data reflecting student, school, district, and community needs. The board shall ensure that the policy developed, and data used to develop the policy, and related procedures are posted prominently on the district website, and shall provide the department with its policy in a web-posting format.

(1) The open enrollment policy and process must:

(a) adhere to federal desegregation and other educational requirements;

(b) identify and describe the application requirements, timeline, and communication plan;

(c) allow parents to declare school preferences, including placement of siblings within the same school;

(d) describe lottery and wait list policies, and an appeal process for adverse decisions;

(e) include the policies adopted by the board regarding capacity standards, standards of approval and denial, priorities of acceptance for enrollment, and transportation;

(f) include a disclosure of:

(i) whether the district will charge nonresident students a fee to cover costs associated with their enrollment that are not covered by federal or state funding;

(ii) itemized fees, including the amount of each fee, charged by the district to nonresident students to cover the costs associated with their enrollment that is not covered by federal and state funding; and

(iii) whether the district has a mitigation or fee waiver process, and a description of such process for any fees charged under this section; and

(g) include a component addressing public awareness of open enrollment opportunities, accessing data on the open enrollment capacity of a school, the district application process and timeline, and written procedures for notification of acceptance or denial of an application.

(2) In implementing the provisions of this section, a school district may, but is not required to:

(a) make alterations in the structure of a requested school or to the arrangement or function of rooms within a requested school;

(b) establish and offer any particular program in a school if such program is not currently offered in the school;

(c) alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance;

(d) expand the capacity of a program or school for the purpose of accommodating increased demand for open enrollment opportunities;

(e) provide transportation to a student accepted pursuant to this section who is attending a school outside of the attendance zone of their residence; however, nothing in this section may be construed to prohibit the district from providing bus transportation on an approved route, from requesting state or federal funds for this purpose, or from entering into an agreement with another district to provide transportation; or

(f) have more than one open enrollment application deadline for intra-district applications, or for inter-district applications. Applications shall be accepted no earlier than November 1 in a calendar year with a cut off for applications no later than January 31 of the subsequent calendar year; however, a district may establish one or more subsequent deadlines as may be reasonable and necessary and in conformance with this section.

(3) In complying with this section, a school district is not required to transfer local funds for a student enrolling in a nonresident school district.

(4) The State Board of Education through the State Superintendent of Education shall establish a standard inter-district open enrollment timeline for parents and districts to follow.

(C)(1) In implementing the provisions of this section, a student who:

(a) currently resides in the attendance zone of a school;

(b) qualifies to attend a school within the attendance zone pursuant to Section 59-63-30(c), 59-63-31, 59-63-425, or 59-63-550; or

(c) is a returning student who continues to meet the requirements of the program or school, must not be displaced by a student transferring from outside the attendance zone.

(2) In the assignment of students for enrollment opportunities remaining after students assigned pursuant to subitem (1), enrollment priority shall be given as follows, unless and until a district has a policy in place in the school year prior to implementation of this section that is revised to conform pursuant to subsection (G):

(a) first, to students who meet the requirements of the program or school and who seek to attend the designated school in the district's feeder pattern;

(b) second, to the siblings of students residing in the same household already enrolled in the school, provided that any siblings seeking priority under this section meet the requirements of the program or school; and

(c) third, to students whose parent or legal guardian is assigned to the school as his primary place of employment, with any remaining spaces being filled pursuant to a lottery procedure:

(i) for intra-district open enrollment applicants, then

(ii) if any remaining, for interdistrict open enrollment applicants.

(3) The policies must not have the purpose or effect of causing racial segregation in a school or the school district.

(4) Denial of permission to enroll in a particular program or school may only be provided in the following situations:

(a) there is a documented lack of capacity in the school, level, or program requested, in which case priority must be given to a student who currently resides in the attendance zone of a school;

(b) the school requested does not offer a particular program requested;

(c) the pupil does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance;

(d) a desegregation plan is in effect for the school district and the denial is necessary to enable compliance with the desegregation plan;

(e) the student is subject to provisions in Section 59-63-210 or Section 59-63-217; or

(f) any combination of subitems (a) through (e).

(5) A school or district receiving an application request for enrollment from a student pursuant to this section and district policy shall respond with a written decision accepting or denying the request within thirty days after the application deadline as published.

(a) If a request is denied, the written decision must cite the specific reasons for the denial and include notice of the opportunity for the parent to appeal the denial pursuant to the district grievance policy and timeline developed and adopted pursuant to this chapter and in accordance with state statute.

(b) If a school or district fails to respond with its written decision within thirty days after the application deadline as published or to respond to a request for a subsequent appeal in a timely manner, the request shall be considered accepted and the student may enroll in the program or school, subject to other applicable laws regarding the enrollment of students in public schools.

(D) An open enrollment policy adopted by a local board of trustees shall:

(1) clearly distinguish intra-district policies from inter-district policies;

(2) be reviewed and updated periodically by the board, using the template provided by the department; and

(3) be submitted initially and, if and is amended, to the Department of Education.

(E) The department shall include all district open enrollment policies on its School Choice website portal, and shall annually by October 1 provide an update to the State Board of Education, the Senate Education Committee Chair, and House Education and Public Works Chair on the status, progress, innovations, evolving best practices, and challenges of implementing the program, including identifying districts which have not submitted a policy.

(F) A school district in the process of consolidation may apply to the State Board of Education for a waiver from compliance with some or all of the requirements of this chapter until the consolidation is completed. Thereafter, the provisions of this section must apply to the district pursuant to the manner and timeline specified in the waiver request.

(G) Except as provided herein, provisions in this section apply to a district which has a documented open enrollment procedure in place during the school year prior to implementation of this chapter. Using a template provided by the department, such districts shall develop and submit a plan for conforming to provisions for State Board of Education approval, and annual updates on status of meeting the agreed upon timeline."

SECTION 2. Section 59- 63-30 of the 1976 Code is amended to read:

"Section 59-63-30. ~~Children~~ A pupil within the ages prescribed by Section 59-63-20 ~~shall be~~ is entitled to attend the public schools of any school district, without charge, ~~only~~ if ~~qualified under the following provisions of this section~~ the pupil has maintained a satisfactory scholastic record in accordance with scholastic standards of achievement prescribed by the trustees pursuant to Section 59-19-90, has not been guilty of an infraction of the rules of conduct promulgated by the trustees of such school district pursuant to Section 59-19-90, and:

~~(a)~~(1) ~~Such child~~ resides with ~~its~~ his parent or legal guardian at the parent's or legal guardian's primary residence in the school district; or

~~(b) The parent or legal guardian, with whom the child resides, is a resident of any such school district; or~~

~~(c)~~(2) on or before June 30, 2022, ~~The child owns~~ owned real estate in the district having an assessed value of three hundred dollars or more, and attended a school in that district.~~;~~

~~and~~

~~(d) The child has maintained a satisfactory scholastic record in accordance with scholastic standards of achievement prescribed by the trustees pursuant to Section 59-19-90; and~~

~~(e) The child has not been guilty of an infraction of the rules of conduct promulgated by the trustees of such school district pursuant to Section 59-19-90.~~"

SECTION 3. Section 59-63-32 of the 1976 Code is amended to read:

"Section 59-63-32. (A) The school district may require an adult seeking to enroll a child who resides with the adult pursuant to Section 59-63-31(1)(c) to accept responsibility for making educational decisions concerning the child. These educational decisions may include, but not be limited to, receiving notices of discipline pursuant to Sections 59-63-230 and 59-63-240, attending conferences with school staff, and granting permission for athletic activities, field trips, and other activities as required.

(B) The school district also must require an adult to complete and sign an affidavit:

(1) confirming the qualifications set out in Section 59-63-31(A)(1)(c) establishing residency of the child in the school district;

(2) attesting that the child's claim of residency in the district is not primarily related to attendance or achieving an unreasonable advantage in enrollment priority at a particular school within the district; and

(3) accepting responsibility for educational decisions for the child.

(C) Upon receipt of the affidavit provided for in subsection (B), the child must be admitted to an appropriate school pending the results of any further procedures for determining eligibility and priority for attendance within the school district.

(D) If it is found that information contained in the affidavit provided for in subsection (B) is false, the child must be removed from the school after notice of an opportunity to appeal the removal pursuant to the appropriate district grievance policy.

(E) If it is found that a person wilfully and knowingly has provided false information in the affidavit provided for in subsection (B) to enroll a child in a school or district for which the child is not eligible or eligible for enrollment priority, the maker of the false affidavit is guilty of a misdemeanor and, upon conviction, must be fined an amount not to exceed two hundred dollars or imprisoned for not more than thirty days and also must be required to pay to the school district an amount equal

to the cost to the district of educating the child during the period of enrollment. Repayment does not include funds paid by the State.

(F) The affidavit which is required by school districts under this section must include, in large print, the penalty for providing false information on the affidavit."

SECTION 4. Section 59-63-480 of the 1976 Code is amended to read:

"Section 59-63-480. If ~~school children~~ a pupil in one county ~~reside~~ resides closer to ~~schools~~ a school in a school district located in an adjacent county, ~~they~~ then he may attend ~~such schools upon~~ that school by applying for enrollment through the applicable school district's open enrollment procedures and policies. Alternatively, the school ~~authorities~~ district board of trustees of the school district in which the pupil resides ~~of the county of their residence arranging~~ may arrange with the school ~~officials~~ district board of trustees of the school district in the adjacent county for ~~such~~ admission to the school and upon payment of appropriate charges as ~~herein authorized~~ as provided for in this section. The school board of trustees in the school district in which the ~~pupils reside~~ pupil resides shall make written application for the pupil's admission ~~through its county board of education~~ to the school board of trustees of the district in which the school is located ~~for the admission of such children.~~, The written application must include the pupil's age, ~~giving full information as to ages,~~ residence, and school attainment~~,~~. Upon receipt of the pupil's application, the school board of trustees of the receiving school district shall calculate the monthly per pupil cost not covered by state funds. Upon proper arrangement being made for the monthly payment of the per pupil cost not covered by state funds, the pupil shall be admitted to the school in the adjacent county. ~~and the~~ The board of trustees in the receiving school district, agreeing to accept ~~such pupils~~ the pupil, shall give a written statement of agreement to the school district board of trustees in the school district in which the pupil resides. ~~Upon receipt of such application the board of trustees of the school and its county board of education shall determine the monthly per pupil cost of all overhead expenses of the school, which will include all expenses of the school not paid by the State. Upon proper arrangement being made for the payment monthly of such overhead per pupil cost for each such child the same shall be admitted to the schools of the adjacent county.~~"

SECTION 5. Section 59-63-500 of the 1976 Code is repealed.

SECTION 6. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the

constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 7. This act takes effect upon approval by the Governor . /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the Bill.

Senator SABB objected to further consideration of the Bill.

CARRIED OVER

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

On motion of Senator BENNETT, the Bill was carried over.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE;

AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MARTIN, the Resolution was carried over.

AMENDMENT PROPOSED
READ THE SECOND TIME

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0022.001):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be referred to as the "South Carolina Juvenile Justice Reform Act".

SECTION 2. Section 63-1-20 of the 1976 Code is amended to read:

"Section 63-1-20. (A) A children's policy is hereby established for this State.

(B) This policy shall be interpreted in conjunction with all relevant laws and regulations and shall apply to all children who have need of services including, but not limited to, those mentally, socially, emotionally, physically, developmentally, culturally, educationally or economically disadvantaged or handicapped, those dependent, neglected, abused or exploited and those who by their circumstance or action violate the laws of this State and are found to be in need of treatment or rehabilitation.

(C) It shall be the policy of this State to concentrate on the prevention of children's problems as the most important strategy which can be planned and implemented on behalf of children and their families. The State shall encourage community involvement in the provision of children's services including, as an integral part, local government, public and private voluntary groups, public and private nonprofit groups and private-for-profit groups in order to encourage and provide innovative strategies for children's services. To maximize resources in providing services to children in need, all agencies providing services to children shall develop methods to coordinate their services and resources. For children with multiple needs, the furtherance of this policy requires all children's services agencies to recognize that their jurisdiction in meeting these children's needs is not mutually exclusive.

(D) When children or their families request help, state and local government resources shall be utilized to compliment community efforts to help meet the needs of children by aiding in the prevention and resolution of their problems. The State shall direct its efforts first to strengthen and encourage family life as the most appropriate environment for the care and nurturing of children. To this end, the State shall assist and encourage families to utilize all available resources. For children in need of services, care and guidance the State shall secure those services as are needed to serve the emotional, mental and physical welfare of children and the best interests of the community, preferably in their homes or the least restrictive environment possible. When children must be placed in care away from their homes, the State shall ~~insure~~ ensure that they are protected against any harmful effects resulting from the temporary or permanent inability of parents to provide care and protection for their children. It is the policy of this State to reunite the child with his family in a timely manner, whether or not the child has been placed in the care of the State voluntarily. When children must be permanently removed from their homes, they shall be placed in adoptive

homes so that they may become members of a family by legal adoption or, absent that possibility, other permanent settings.

(E) It shall be the policy of this State that the primary goal of the juvenile justice system is to provide for any child who comes within the jurisdiction of the family court with the care and guidance as will secure his or her physical, emotional, moral, and mental well-being as well as to provide for the safety and security of the child and the community as a whole. It is the intent of the General Assembly to promote a system that will impose accountability for violations of the law, while also providing the treatment, rehabilitation, and education that will equip our children with the ability to live responsible and productive lives, preferably in the child's own home. These policies seek to guarantee due process of law in every proceeding, through which all interested parties are assured fair hearings at which legal rights are recognized and enforced. Above all, this chapter shall be liberally construed to reflect that the paramount juvenile justice policy of this state is to ensure the best interests of children who fall within the family court's jurisdiction.

To accomplish these goals, juvenile justice policies shall be designed and construed to recognize that the ultimate solutions to juvenile crime must be family-based and community-centered. The policy implementation must protect the public safety and support the strengthening of families and educational institutions. Policies must facilitate efficient and effective cooperation, coordination and collaboration among agencies of the local, state and federal government; be outcome-based, allowing for the effective and accurate assessment of program performance; and encourage public and private partnerships to address community risk factors.

The General Assembly also recognizes that placing children in state custody is associated with higher rates of repeat offenses and negative outcomes for the child. It is, therefore, the intent of the General Assembly to preserve and strengthen family relationships, countenancing the removal of a child from his or her home only when it is essential to protect the child. Whenever the court places children in state custody or requires children to participate in community-based interventions, every effort shall be made to ensure these removals or interventions are supported by researched evidence and are mindful of and influenced by research into the effects of trauma, mental health disorders, and other factors on children's development and rehabilitation.

~~(E)~~(F) The children's policy provided for in this chapter shall be implemented through the cooperative efforts of state, county and

municipal legislative, judicial and executive branches, as well as other public and private resources. Where resources are limited, services shall be targeted to those children in greatest need.

~~(F)~~(G) In order to carry out this policy each agency, department, institution, committee, and commission which is concerned or responsible for children shall submit as a part of its annual budget request a listing of programs and services for children, the priority order of these programs and services in relation to other services, if any, that are provided by the agency, department, institution, committee, or commission, and a summary of the expenses incurred for the administration of its children's services and programs. In addition, each agency, department, institution, committee, and commission which must submit pursuant to law an annual report to the General Assembly shall include as part of the report a comprehensive statement of how its children's services and programs contributed to the implementation of this policy. Copies of all these budget requests and annual reports must be provided to the Office of the Governor by the agency, department, institution, committee, or commission."

SECTION 3. Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Article 6

Juvenile Offender Civil Citations

Section 63-19-700. Each circuit solicitor may establish a juvenile offender civil citation program to provide a civil alternative to criminal prosecution for eligible children who have committed acts of delinquency as set forth in this article. The Juvenile Offender Civil Citation Program shall be coordinated by a statewide civil citation coordinator within the Department of Juvenile Justice and shall include assessment and intervention services that a child voluntarily agrees to complete in lieu of formal custody and prosecution.

Section 63-19-710. A law enforcement officer having probable cause to believe that a child has committed or attempted to commit an eligible offense of delinquency may refer an eligible child to the Juvenile Offender Civil Citation Program through the issuance of a civil citation. The issuance of a civil citation shall be at the discretion of the law enforcement officer and limited to qualified child offenders. Participation in the Juvenile Offender Civil Citation Program is voluntary on the part of the child offender. Referral to the Juvenile Offender Civil Citation Program shall be made with the consent of the victim if one exists, however, ultimate discretion to admit the child

remains with the solicitor's office. The parent or guardian of the child may refuse the child's participation at any time.

Section 63-19-720. (A) A child is eligible to participate in a civil citation program only if he is alleged to have committed an eligible offense. An allegation of the commission of an ineligible offense in addition to an eligible offense precludes participation in the program. An eligible offense includes all alleged offenses except:

(1) any violent offense as defined by Section 16-1-60;

(2) any offense that may be classified as an A, B, C, or D felony; and

(3) any offense involving allegations of harassment or stalking, involving a firearm, or of failure to stop for a blue light.

(B) For the purposes of this article, an 'eligible child offender' means a child who meets both of the following:

(1) no prior adjudication of delinquency, and

(2) no prior referral to the Juvenile Offender Civil Citation Program or any other diversion program unless more than one year has elapsed since the first referral and the prior referral was for a different offense.

(C) A law enforcement officer who chooses not to refer an otherwise eligible child to a civil citation program must provide the reason or reasons for the lack of the referral on a report provided to the program administrator within ten business days from the date the child was taken into custody. The officer must provide the justifications with reasonable specificity for each instance.

Section 63-19-730. (A) A civil citation provided to the child shall include a description of the offense alleged to have been committed; contact information for the designated civil citation program; notification that the child must contact the identified civil citation program within seven business days to schedule their intake and initial assessment; and a warning that failure to contact and to participate with the identified civil citation program may result in the child's detention and the commencement of delinquency proceedings as otherwise provided in this chapter.

(B) At the time of issuance of a civil citation by the law enforcement officer, the law enforcement officer shall advise the child that the child has the option to refuse the civil citation and instead be taken into custody and be subject to the jurisdiction of the family court and prosecution as otherwise provided in this chapter. Upon issuance of a civil citation, the law enforcement officer shall submit the civil citation to the appropriate juvenile civil citation program administrator.

(C) A child issued a civil citation shall contact the identified civil citation program office within seven business days or as otherwise directed in the civil citation and thereafter report to the identified program office to which the child is referred.

(D) Program administrators shall assess referred children using an approved risk assessment tool and may recommend the child to participate in counseling, treatment, community service, or other interventions appropriate to the needs of the child as identified by the assessment.

(E) Upon successful completion of all terms and conditions of the Juvenile Offender Civil Citation Program, the child shall be discharged without detention.

(F) If the child fails to comply with any requirements of the Juvenile Offender Civil Citation Program, including any assessments or required services, or otherwise violates any terms or conditions imposed by the program, the child shall be unsuccessfully discharged from the Juvenile Offender Civil Citation Program. The civil citation program administrator shall serve notice upon on the child to appear before the family court and shall advise the referring law enforcement officer of a child's unsuccessful termination from the program. If the child is not able to be served by the program administrators, the officer, upon receiving notice that the child to whom they have issued a civil citation has been unsuccessfully discharged from the Juvenile Offender Civil Citation Program, shall be authorized to take the child into custody or serve notice to appear before the family court and to commence delinquency proceedings as otherwise provided in this chapter.

(G) The solicitor's office and program administrators may not impose a fee for participation in the program.

(H) Participation in the Juvenile Offender Civil Citation Program shall not, with respect to a subsequent detention, serve to disqualify or otherwise preclude a child from participating in any diversion program at the discretion of the circuit solicitor.

Section 63-19-740. Final discretion regarding the eligibility of program participants remains with the program administrators who may waive requirements of victim consent or failure to contact the office within the required time periods if it is in the best interest of the child to do so.

Section 63-19-750. The Department of Juvenile Justice shall maintain a database of program participants for the purpose of identifying eligibility and overall program statistics. Specific information pertaining to each participant is confidential and not subject to disclosure under the

Freedom of Information Act unless otherwise provided for by law. Any necessary information shall be disclosed to law enforcement, civil citation program offices, circuit solicitor's offices, or the Attorney General's office for the purposes of establishing eligibility of participants, or may be disclosed by court order. The results of the offender's participation in the program shall be disclosed to the victim of the offense if one exists. Generalized program statistics, data, and information that do not identify a specific program participant are not considered confidential under this subsection."

SECTION 4. Section 16-17-425 of the 1976 Code is amended to read:

"Section 16-17-425. (A) It is unlawful for a student of a school or college in this State to make threats to ~~take the life of or to inflict bodily harm upon another~~ commit an act of mass violence at a school, college, or school- or college-sponsored activity by using any form of communication whatsoever. As used in this section, 'an act of mass violence' means an act that a reasonable person would conclude could lead to serious bodily injury or death to two or more people.

(B) A person who violates subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than one year, or both.

(C) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other criminal statute."

SECTION 5. Section 16-23-430 of the 1976 Code is amended to read:

"Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a ~~blackjack, a metal pipe or pole,~~ ~~firearms~~ firearm, or any other type of weapon, device, or object ~~which may be used~~ with the intent by the person to inflict serious bodily injury or death.

(B) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property a weapon, device, or object with the intent to inflict bodily injury.

(C) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or

in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

~~(C)~~(D) A person who violates the provisions of subsection (A) of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. A person who violates the provisions of subsection (B) of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both. Subsection (B) is a lesser-included offense of subsection (A). Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest."

SECTION 6. Section 63-3-520 of the 1976 Code is amended to read:

"Section 63-3-520.(A) The magistrate courts and municipal courts of this State have concurrent jurisdiction with the family courts for the trial of persons under ~~seventeen~~ eighteen years of age charged with traffic violations or violations of the provisions of Title 50 relating to fish, game, and watercraft when these courts would have jurisdiction of the offense charged if committed by an adult.

(B) The family court shall report to the Department of Motor Vehicles all adjudications of a child for moving traffic violations and other violations that affect the child's privilege to operate a motor vehicle including, but not limited to, controlled substance and alcohol violations as required by other courts of this State pursuant to Section 56-1-330 and shall report to the Department of Natural Resources adjudications of the provisions of Title 50."

SECTION 7. Section 63-7-310 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( ) A person required to report pursuant to subsection (A) or (B) is not required to report when employed by a lawyer who is providing representation in a criminal, delinquency, civil, or family law matter, and the basis for the suspicion arises in the course of that representation."

SECTION 8. Chapter 19, Title 63 of the 1976 Code is amended by adding:

"ARTICLE 2

Children's Bill of Rights

Section 63-19-100. A child in the care and custody of a state, county, municipal or regional institutional facility for the detention of children or for the treatment and rehabilitation of children within this State has the right:

(1) to be treated with basic human dignity and respect, without intentional infliction of humiliation;

(2) to have fair and equal access to services, placement, care, treatment, and benefits;

(3) to a program of education that meets the requirements of law and is appropriate for the developmental maturity of the child;

(4) to receive adequate, healthy, and appropriate food;

(5) to receive adequate, appropriate and accessible basic necessities, including, without limitation, shelter, clean clothing, and personal hygiene products and facilities;

(6) to have access to necessary medical and behavioral health care services, including, without limitation:

(a) dental, vision, and mental health services,

(b) medical and psychological screening, assessment and testing, and

(c) referral to, and receipt of, medical, emotional, psychological or psychiatric evaluation and treatment as soon as practicable after the need for such services has been identified;

(7) to be free from:

(a) abuse or neglect, as defined in Section 63-7-20(6),

(b) corporal punishment, except the reasonable use of force that is necessary to preserve the order, security or safety of the child, the public, the staff of the facility or other children who are detained in the facility,

(c) discrimination or harassment on the basis of his or her actual or perceived race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity or expression, mental or physical disability, or exposure to any communicable disease,

(d) the deprivation of food, sleep, exercise, education, pillows, blankets, or personal hygiene products as a form of punishment or discipline,

(e) searches for the purpose of harassment or as a form of punishment or discipline, or

(f) restrictions from a daily shower, clean clothing, drinking water, a toilet, or reading materials relating to the education as a form of punishment or discipline;

(8) to have reasonable access and accommodations to participate in religious services of his or her choice when reasonably available on the premises of the facility or to refuse to participate in religious services;

(9) to communicate with other persons, including, without limitation, the right:

(a) to have regular contact through visits, telephone calls and mail with:

(i) parents,

(ii) guardians,

(iii) siblings,

(iv) biological or adoptive children,

(v) attorneys, and

(vi) other adults with whom the child has established a familial or mentoring relationship, including, without limitation, clergy, caseworkers, teachers, mentors and other persons, upon approval of the facility;

(b) to communicate confidentially with:

(i) any agency which provides child welfare services to the child concerning his or her care,

(ii) attorneys, legal services organizations, and their employees or staff,

(iii) ombudspersons and other advocates,

(iv) members of the clergy, and

(v) holders of public office, and people who work at a state or federal court;

Except as otherwise provided by specific statute, a communication made pursuant to this subsection is not a privileged communication.

(c) to report any alleged violation of his or her rights pursuant to Section 63-19-130 without being threatened or punished; and

(10) to receive information concerning his or her rights set forth in this title.

Section 63-19-110. A detention facility shall:

(1) inform the child of his or her rights as set forth in Section 63-19-100;

(2) provide the child with a written copy of those rights;

(3) provide an additional written copy of those rights to the child upon request;

(4) to the extent that it is practicable, provide a written copy of those rights to the parent or guardian of the child; and

(5) post a written copy of the rights set forth in Section 63-19-100 in a conspicuous place inside the facility.

Section 63-19-120. An institutional facility may impose reasonable restrictions on the time, place, and manner in which a child may exercise his or her rights set forth in Section 63-19-100 if such restrictions are necessary to preserve the order, security or safety of the child, the public, the staff of the facility, or other children who are held in the facility.

Section 63-19-130. If a child believes that any of his or her rights set forth in Section 63-19-100 have been violated, the child may raise and redress a grievance through, without limitation:

(A) a member of the staff of the facility,

(B) a probation officer or parole officer,

(C) an agency which provides child welfare services to the child, and any employee thereof,

(D) a juvenile court with jurisdiction over the child,

(E) a guardian ad litem for the child,

(F) an attorney for the child, or

(G) the Department of Children's Advocacy."

SECTION 9. Section 63-19-340 of the 1976 Code is amended to read:

"Section 63-19-340. An annual report of the department must be prepared by the director which shall include an account of all funds received and expended, persons served by the department including a report of the state and condition of the correctional institutions, and community programs operated by the department. The annual report must include:

(1) the total number of

(a) offenses referred to the department;

(b) the top ten most frequent offenses referred to the department;

(c) status offenses referred to the department;

(d) probation violation or contempt of court charges referred to the department following one or more adjudications for a status offense;

(e) misdemeanor referrals;

(f) probation violation or contempt of court charges referred to the department following an adjudication for one or more misdemeanors;

(g) non-violent felony referrals;

(h) probation violation or contempt of court charges referred to the department following an adjudication for one or more non-violent felonies;

(i) violent offenses as defined in Section 16-1-60; and

(j) probation violation or contempt of court charges referred to the department following an adjudication for one or more violent offenses as defined in Section 16-1-60; and

(2) the number of cases in each category listed in subitems (1)(c) through (1)(j) associated with the following outcomes:

(a) cases which are dismissed or diverted;

(b) cases in which a child is detained pre-trial, separately counting children detained in the department's custody and children detained in a facility operated by another state or local government entity;

(c) adjudications after which a child is placed on probation;

(d) adjudications after which a child is ordered to undergo a community evaluation;

(e) adjudications after which a child is committed to the department's custody for a residential evaluation;

(f) adjudications after which a child is committed to the department for a determinate sentence;

(g) adjudications after which the department places a child in an alternative placement; and

(h) adjudications after which the child is committed to the department for an indeterminate period of time;

(3) the department must also provide the totals of each category specified in subsections (1) and (2) broken down by the sex and race of the child; and

(4) the number of individual children placed in corrective room restriction while in the department's custody, the number of corrective room restrictions imposed (including multiple restrictions placed on an individual child), the average and median length of time children were placed in corrective room restriction, and the number of corrective room restrictions which lasted for seventy-two consecutive hours or more."

SECTION 10. Section 63-19-350 of the 1976 Code is amended by adding an appropriately numbered new subsection to read:

"( ) developing and utilizing structured decision-making tools at all key points in the juvenile justice process, to include detention, diversion, disposition, and release from commitment."

SECTION 11. Section 63-19-360(3) of the 1976 Code is amended to read:

"(3) establishing and maintaining residential and nonresidential reception and evaluation centers at which all children committed to its custody by a circuit or family court must be received, examined, and evaluated before assignment to one of its institutions or before other disposition or recommendation is made concerning the child. The commitment of a child to a reception and evaluation center or youth ~~correctional~~ rehabilitative institution of the department may be made only after the child has been adjudicated delinquent. The evaluation conducted by the reception and evaluation centers includes, but is not limited to:

(a) a ~~complete~~ comprehensive, individualized biopsychosocial assessment to include an examination of the child's social, physical, ~~psychological,~~ and mental health functioning ~~examination~~;

(b) an investigation and consideration of family and community environment and other facts in the background of the person concerned that might relate to the person's delinquency;

(c) a determination of the ~~correctional~~ rehabilitative or custodial care that would be most appropriate. The department shall create facilities and employ personnel ~~as will~~ that enable the centers to conduct the necessary ~~physical, mental, and psychological~~ examinations and assessments required by this section;"

SECTION 12. Article 3, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-365. (A) As used in this section, 'isolation' means the placement of a child alone in a cell, room, or other area where the child is unable to leave, excluding during sleeping hours for a child housed in his/her own room.

(B) No child shall at any time be held in isolation for purposes of discipline, punishment, retaliation, or any reason other than as a response to behavior that poses a serious and immediate danger to self or others.

(C) A child who is held in a state, county, municipal or regional institutional facility for the detention of children or for the treatment and rehabilitation of children may be subjected to isolation only if the child poses a serious and immediate danger to self or others and staff has made reasonable efforts to attempt and exhaust de-escalation strategies.

(D) A child must only be subjected to isolation for the minimum time required to address the unsafe behavior and the child must be returned to the general population or other appropriate living unit of the facility as soon as reasonably possible.

(E) Any action that results in isolation for more than two hours must be documented in writing. A child must not remain in isolation for longer than four hours, except when approved by a supervisor.

(F) The facility shall conduct a safety and well-being check on a child subjected to isolation at least once every ten minutes while the child is subjected to isolation.

(G) A child who is subjected to isolation for more than twenty-four hours must be provided:

(1) not less than one hour of out-of-room, large-muscle exercise each day, including, without limitation, access to outdoor recreation if weather permits;

(2) access to the same meals and medical and mental health treatment, the same or equivalent access to contact with parents or legal guardians, and the same or equivalent access to legal assistance and

educational services as is provided to children in the general population of the facility; and

(3) a review of the isolation status at least once every twenty-four hours. If, upon review, the isolation is continued, the continuation must be documented in writing, including, without limitation, an explanation as to why no other less restrictive option is available.

(H) Each county, municipal, regional, or state institutional facility for the detention of children or for the treatment and rehabilitation of children shall report monthly to the Department of Children's Advocacy the number of children who were subjected to isolation during that month and the length of time that each child was in isolation. Any incident that resulted in the use of isolation for more than seventy-two consecutive hours must be addressed in the monthly report, and the report must include the reason or reasons any attempt to return the child to the general population of the facility was unsuccessful."

SECTION 13. Section 63-19-370 of the 1976 Code is amended to read:

"Section 63-19-370. The department may enter into agreements with the governing bodies of other state departments or institutions for the purpose of effecting a more efficient and economical management of any institution or program under its supervision. The department is authorized to make contracts and expend public funds as required to carry out the functions prescribed for it in this chapter within the limits of appropriated funds.

<u>The department may establish agreements with the Department of Education, the Department of Mental Health, individual school districts, private providers, and other state and local departments specific to reentry services for children returning to schools and communities after being in the department's custody including, but not limited to, mental health counseling, mentoring programs, and educational support services. Programs, resources and services provided under such agreements shall be accessible to students if they are needed while under supervision by the department and for a reasonable time after supervision has concluded.</u>

All revenues generated from United States Department of Agriculture grants, the Education Finance Act, the Detention Center, and Medicaid federal funding may be retained, carried forward, and expended by the Department of Juvenile Justice, in accordance with applicable regulations, for the costs associated with related programs."

SECTION 14. Article 3, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-500. (A) At least one pre-detention intervention program shall be established in each judicial circuit in the State to provide services to children in all counties in that circuit for the purpose of offering an alternative to referral to the juvenile justice system for children who commit first-time, non-violent as defined in Section 16-1-70, delinquent acts. Each program shall be available to serve all eligible children in each county in that circuit, and no child shall be required to pay program fees. These programs must divert eligible children from initial contact with the juvenile justice system using approaches that are evidence-based, culturally relevant, trauma-informed, developmentally appropriate, and that promote long-term success for children.

(B) The department shall develop a plan for the establishment, implementation, and oversight of pre-detention diversion programs around the state to which all first-time, non-violent offenders must be referred. The department shall provide competitively awarded funding to at least one such program in each judicial circuit to supplement other funding received by the program. Programs receiving funding from the department must adhere to the standards and procedures for such programs developed by the department, which must include requirements for applicants, organizational characteristics, reporting and auditing criteria, and such other standards for eligibility and accountability, and funding shall be based on the number of children served and such other requirements as may be established by the department. Pre-detention diversion programs may incorporate some or all of the following: educational services, including academic and vocational services; mentoring services; mental health services; and behavioral health services.

(C) A law enforcement officer who takes a child into custody for a non-violent offense as defined in Section 16-1-70 shall utilize a database system provided by the department to review the child's criminal history with the juvenile justice system. If the child has no prior referral to the department, the law enforcement officer must refer the child to the local pre-detention diversion program for that circuit utilizing a referral form provided by the department, and must provide a copy of the referral form to the child's parent or guardian, the department, and the entity designated to run the pre-detention diversion program.

(D) If a referral to the juvenile justice system is received for a first-time non-violent offender, the referral shall not be accepted and shall be returned to the referral source with instructions to refer the child

to the entity designated to run the pre-detention diversion program in that respective circuit.

(E) All records of a child's referral to and participation in a pre-detention diversion program must be kept separate from records of children referred to the juvenile justice system. A referral to a pre-detention diversion program is not a referral to the juvenile justice system, and accordingly, must not be reflected on a child's criminal history.

(F) Each pre-detention diversion program shall submit data to the department on at least an annual basis which identifies for each child participating in the diversion program:

(1) the race, ethnicity, gender, and age of that child;

(2) the alleged offense committed, including the statute number of the offense;

(3) the county in which the offense was committed and the law enforcement agency that had contact with the child for the offense; and

(4) other information as specified by the department."

SECTION 15. Article 3, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-520. (A) There is hereby established in the department's budget the Juvenile Justice Improvement Fund. All expenditures from the Juvenile Justice Improvement Fund shall be for the development, implementation, or monitoring of community-based diversion or intervention programs, practices, and services for children and their families that reduce youth risk factors and/or rates of recidivism. The department shall at least annually transfer into the Juvenile Justice Improvement Fund available state general recurring funds identified as savings as a result of decreased reliance on out-of-home placement of youth.

(B) The department shall create a plan to incentivize the development of a continuum of evidence-based community intervention programs and services for children under supervision of the department. These programs and services shall serve to divert children from further involvement with the juvenile justice system. Intervention programs may incorporate some or all of the following: educational services, including academic and vocational services; mentoring services; mental health services; and behavioral health services. Funding prioritization shall be given to community-based intervention programs that provide services to counties that demonstrate a high rate of out-of-home placement of children and that have few existing community-based alternatives.

(C) The department may contract with a service coordination agency or agencies to assist the department with building a continuum of community-based services for children and families across the state. Among other services, a service coordination agency may provide referral processing, billing, reporting, monitoring of the quality of direct service providers, monitoring of evidence-based programs for fidelity, completion of on-going service gaps analyses, filling of service gaps, assessment of existing treatment capacity, development of new treatment capacity, and selection of and subcontracting with direct service providers."

SECTION 16. Section 63-19-820 of the 1976 Code is amended to read:

"Section 63-19-820. (A) When the officer who took the child into custody determines that placement of a ~~juvenile~~ child outside the home is necessary, the authorized representative of the Department of Juvenile Justice shall make a diligent effort to place the child in an approved home, program, or facility, other than a secure juvenile detention facility, when these alternatives are appropriate and available.

(B) Pre-trial detention is authorized only when that is the least restrictive appropriate option available to prevent an unreasonable flight or public safety risk, taking into account the overall rehabilitative purposes of the juvenile justice system, the likely harm to children and to public safety from unnecessary detention, and the child's presumption of innocence. If a child is eligible for detention, authorities should consider what alternatives to detention, if any, would mitigate any unreasonable flight or public safety risk. A child is eligible for detention in a secure juvenile detention facility only if the child:

(1) is charged with a violent crime as defined in Section 16-1-60;

(2) is charged with a crime which, if committed by an adult, would be a felony; ~~or a misdemeanor other than a violent crime, and the child:~~

~~(a) is already detained or on probation or conditional release or is awaiting adjudication in connection with another delinquency proceeding;~~

~~(b) has a demonstrable recent record of wilful failures to appear at court proceedings;~~

~~(c) has a demonstrable recent record of violent conduct resulting in physical injury to others; or~~

~~(d) has a demonstrable recent record of adjudications for other felonies or misdemeanors; and~~

~~(i)there is reason to believe the child is a flight risk or poses a threat of serious harm to others; or~~

~~(ii) the instant offense involved the use of a firearm;~~

(3) is a fugitive from another jurisdiction;

(4) ~~requests protection in writing under circumstances that present an immediate threat of serious physical injury;~~

~~(5)~~ had in his possession a deadly weapon;

~~(6)~~(5) ~~has a demonstrable recent record of wilful failure to comply with prior placement orders including, but not limited to, a house arrest order~~ is charged with a violation of a prior court order and the violation alleges that the child was unsuccessfully discharged from a court-ordered alternative placement;

~~(7) has no suitable alternative placement~~ and it is determined that detention is ~~in the child's best interest or is~~ necessary to protect the child or public, or both; ~~or~~

~~(8) is charged with an assault and battery or an assault and battery of a high and aggravated nature on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity.~~

(6) is charged with unlawful student threats pursuant to Section 16-17-425 or failure to stop for a blue light pursuant to Section 56-5-750; or

(7) is court ordered to be detained.

~~A~~ Only a child who meets the criteria provided in this subsection is eligible for detention. Detention is not mandatory for a child meeting the criteria if that child can be supervised adequately at home or in a less secure setting or program. The use of secure detention shall be limited to a child who poses a current risk to public safety or is a current flight risk. If the officer does not consent to the release of the child, the parents or other responsible adult may apply to the family court within the circuit for an ex parte order of release of the child. The officer's written report must be furnished to the family court judge who may establish conditions for the release.

(C) A child must not be detained in secure confinement if the child could not be committed to the custody of the Department of Juvenile Justice pursuant to Section 63-19-1450. The family court shall consider any past mental health, disability services, special education or similar records provided by any of the parties to determine if that section applies. A child considered not competent to stand trial by a competency evaluator is presumed to be ineligible for detention in secure confinement.

(D) ~~No~~ A child ~~may~~ must not be placed in secure confinement or ordered detained by the court in secure confinement in an adult jail or

other place of detention for adults for more than six hours. ~~However, the prohibition against the secure confinement of juveniles in adult jails does not apply to juveniles who have been waived to the court of general sessions for the purpose of standing trial as an adult. Juveniles~~ A child placed in secure confinement in an adult jail during this six-hour period must be confined in an area of the jail which is separated by sight and sound from adults similarly confined.

~~(D)~~(E) Temporary holdover facilities may hold ~~juveniles~~ children during the period between initial custody and the initial detention hearing before a family court judge for a period up to forty-eight hours, excluding weekends and state holidays.

~~(E)~~(F) A child who is taken into custody because of a violation of law which would not be a criminal offense under the laws of this State if committed by an adult or because of a violation of a court order related to a status offense must not be placed or ordered detained in an adult or a juvenile detention facility. ~~A child who is taken into custody because of a violation of the law which would not be a criminal offense under the laws of this State if committed by an adult must not be placed or ordered detained more than twenty-four hours in a juvenile detention facility, unless an order previously has been issued by the court, of which the child has notice and which notifies the child that further violation of the court's order may result in the secure detention of that child in a juvenile detention facility. If a juvenile is ordered detained for violating a valid court order, the juvenile may be held in secure confinement in a juvenile detention facility for not more than seventy-two hours, excluding weekends and holidays~~. However, nothing in this section precludes a law enforcement officer from taking a status offender into custody.

~~(F)~~(G) Children ten years of age and younger must not be incarcerated in a jail or detention facility for any reason. Children eleven or twelve years of age who ~~are taken into custody for a violation of law which would be a criminal offense under the laws of this State if committed by an adult or who violates conditions of probation for such an offense~~ meet the eligibility criteria for detention outlined above ~~must~~ may be incarcerated in a ~~jail or~~ juvenile detention facility only by order of the family court.

~~(G)~~(H) For purposes of this section, 'adult jail' or other place of detention for adults includes a state, county, or municipal police station, law enforcement lockup, or holding cell. 'Secure confinement' means an area having bars or other restraints designed to hold one person or a group of persons at a law enforcement location for any period of time and for any reason. Secure confinement in an adult jail or other place of

detention does not include a room or a multipurpose area within the law enforcement center which is not secured by locks or other security devices. Rooms or areas of this type include lobbies, offices, and interrogation rooms. ~~Juveniles~~ Children held in these areas are considered to be in nonsecure custody as long as the room or area is not designed for or intended for use as a residential area, the ~~juvenile~~ child is not handcuffed to a stationary object while in the room or area, and the ~~juvenile~~ child is under continuous visual supervision by facility staff while in this room or area which is located within the law enforcement center. Secure confinement also does not include a room or area used by law enforcement for processing 'booking' purposes, irrespective of whether it is determined to be secure or nonsecure, as long as the ~~juvenile's~~ child's confinement in the area is limited to the time necessary to fingerprint, photograph, or otherwise 'book' the ~~juvenile~~ child in accordance with state law."

SECTION 17. Section 63-19-830(A) of the 1976 Code is amended to read:

"(A) If the officer who took the child into custody has not released the child to the custody of the child's parents or other responsible adult, the court shall hold a detention hearing within forty-eight hours from the time the child was taken into custody, excluding Saturdays, Sundays, and holidays. At this hearing, the authorized representative of the department shall submit to the court a report stating the facts surrounding the case and a recommendation as to the child's continued detention pending the adjudicatory and dispositional hearings. The court shall appoint counsel for the child if none is retained. No child may proceed without counsel in this hearing, unless the child waives the right to counsel and then only after consulting at least once with an attorney. At the conclusion of this hearing, the court shall determine whether probable cause exists to justify the detention of the child and the appropriateness of, and need for, the child's continued detention. If continued detention of a ~~juvenile~~ child is considered appropriate by the court and if a juvenile detention facility exists in that county which meets state and federal requirements for the secure detention of ~~juveniles~~ children or if that facility exists in another county with which the committing county has a contract for the secure detention of its ~~juveniles~~ children and if commitment of a ~~juvenile~~ child by the court to that facility does not cause the facility to exceed its design and operational capacity, the family court shall order the detention of the ~~juvenile~~ child in that facility. The family court may also order that the child be detained or remain detained in an approved home, program, or facility, other than a secure juvenile detention facility. A ~~juvenile~~ child

must not be detained in secure confinement or in an approved home, program, or facility, other than a secure juvenile detention facility in excess of ninety days except in exceptional circumstances as determined by the court. A detained ~~juvenile~~ child is entitled to further and periodic review:

(1) within ten days following the ~~juvenile's~~ child's initial detention hearing;

(2) within thirty days following the ten-day hearing; and

(3) at any other time for good cause shown upon motion of the child, the State, or the department.

If the child does not qualify for detention or otherwise require continued detention under the terms of Section 63-19-820(A) or (B), the child must be released to a parent, guardian, or other responsible person."

SECTION 18. Section 63-19-1010 of the 1976 Code is amended to read:

"Section 63-19-1010. (A) The Department of Juvenile Justice shall provide intake and probation services for ~~juveniles~~ children brought before the family courts of this State and for persons committed or referred to the department in cooperation with all local officials or agencies concerned. The role and function of intake is to independently assess the circumstances and needs of children referred for possible prosecution in the family court. Recommendations by the department as to intake must be reviewed by the office of the solicitor in the circuit concerned, and the final determination as to whether or not the ~~juvenile~~ child is to be prosecuted in the family court must be made by the solicitor or by the solicitor's authorized assistant, consistent with subsection (C). Statements of the ~~juvenile~~ child contained in the department's files must not be furnished to the solicitor's office as part of the intake review procedure, and the solicitor's office must not be privy to these statements in connection with its intake review.

(B) Where circumstances do not warrant prosecution in the discretion of the solicitor, the intake counselor shall offer referral assistance for services as appropriate for the child and family. In the event that a ~~juvenile~~ child is adjudicated to be delinquent or found by the family court to be in violation of the terms of probation, the intake counselor shall offer appropriate dispositional recommendations to the family court for its consideration and determination of the disposition of the case.

(C)(1) A child brought before the family court or referred to the department for a status offense or an offense which would be a crime if committed by an adult shall be referred to a diversion program and not for prosecution if the following criteria are met:

(a) the child has no prior adjudications;

(b) the child has not been referred to a diversion program within the last twelve months; and

(c) the child is not referred for a violent offense as defined in Section 16-1-60.

(2) If the solicitor or solicitor's authorized assistant has good cause to believe that diversion is insufficient to meet the purposes of this chapter, the solicitor or solicitor's authorized assistant may prosecute the child in family court. The petition shall include notice of the departure from the presumption of diversion and reasons for that departure. Upon motion of the child and upon a finding that no good cause exists, the family court may refer the child for diversion."

SECTION 19. Section 63-19-1020 of the 1976 Code is amended to read:

"Section 63-19-1020. (A) The parent, guardian, or custodian of a child, an official of a child welfare board, a public official charged by law with the care of the poor, the recognized agents of an agency, association, society, or institution, a person having knowledge or information of a nature which convinces the person that a child is delinquent or that a child, by reason of his own acts in accordance with this chapter, is subject to the jurisdiction of the court, any person who has suffered injury through the delinquency of a child, or an officer having an arrested child in charge, may institute a proceeding respecting the child.

(B) Before the department may accept a referral for the status offenses of incorrigibility or runaway, or before a petition for the offenses of incorrigibility or runaway may be filed, the person or entity seeking to institute the proceeding first shall provide documentation indicating that the parent, guardian, or custodian and the child have made reasonable efforts to resolve the challenges confronting the family through participation in family counseling, pastoral counseling, parenting improvement classes, or other family therapy services. If no prior assistance has been sought, the department shall refer the parent, guardian, or custodian to service providers in the family's community or provide services itself to assist the family.

(C) The department may accept a referral for a school-related offense and a petition may be filed for a school-related offense if the child is: (1) charged with a felony offense, or (2) charged with a misdemeanor offense and the referring entity attaches documentation to the referral demonstrating that the child has three or more prior discipline referrals for related conduct within the prior six months for which the child

received a school-based consequence and/or appropriate community referral for services. Discipline referrals for being tardy to class, voluntarily missing class, violating school policy regarding school identification, violating school dress code policy, refusing to obey instruction of school personnel, using profanity, using or possessing tobacco products or paraphernalia, and other minor student misconduct shall not count as prior discipline referrals for purposes of this section. The department shall not accept a referral for and a petition shall not be filed for a school-based misdemeanor offense unless documentation is provided by the referring entity that meets this criteria and further demonstrates that prior consequences, interventions, or community referrals instituted by the school have been attempted and proven unsuccessful. Any referral for a school-based offense must include a copy of the child's school disciplinary history for at least the current school year, including documentation of consequences instituted by the school for the alleged conduct being referred. Before filing of a petition for a school-based offense, consideration must be given to the school-based discipline or other consequences the child received for the alleged conduct subject to the petition.

(D) In addition to the requirements of subsection (C), any school or school district in such a case must provide to the solicitor information regarding:

(1) whether the child accused of an offense is a child with a disability pursuant to 20 U.S.C. section 1400 et seq., as and if amended, and Chapter 33, Title 59 of the South Carolina Code of Laws;

(2) if the child is a child with a disability, whether a manifestation review determination pursuant to 20 U.S.C. section 1415(k)(1)(E), as and if amended, occurred and, if so, whether the child's conduct was determined to be a manifestation of the child's disability;

(3) if the child's conduct was determined to be a manifestation of the child's disability, whether the school district followed the process set forth in 20 U.S.C. section 1415(k)(1)(F), as and if amended; and

(4) any efforts by the school or school district to review the appropriateness of the child's current individualized education program (IEP), behavior intervention plan, compliance with Section 504 of the Federal Rehabilitation Act of 1973, as amended, and placement, and any modifications where appropriate."

SECTION 20. Sections 63-19-1030(C) and (D) of the 1976 Code are amended to read:

"(C) Before the hearing of a case of a child, the judge ~~shall~~ may cause an investigation of all the facts pertaining to the issue to be made. The

investigation, if ordered, shall consist of an examination of the parentage and surroundings of the child, the child's age, habits and history, and also shall include inquiry into the home conditions, habits and character of the child's parents or guardian or other responsible person, if that is necessary in the discretion of the court. In these cases the court, if advisable, shall cause the child to be examined as to the child's ~~mentality~~ mental health by a competent and experienced psychologist or psychiatrist who shall make a report of the findings. Before the hearing in the case of a child, if the child attends school, a report on the child must be obtained from the school which the child attends. The school officials shall furnish the report upon the request of the court or its probation counselor. The court, when it is considered necessary, shall cause a complete physical examination to be made of the child by a competent physician.

(D) In ~~a~~ any case ~~where the delinquency proceedings may result in commitment to an institution in which the child's freedom is curtailed~~ upon service of a petition under this chapter, the child or the child's parents or guardian must be given written notice with particularity of the specific charge or factual allegations to be considered at the hearing. The notice must be given as soon as practicable and sufficiently in advance to permit preparation. The child or the child's parent or guardian also must be advised in the notice of their right to be represented by counsel and that, if they are unable to employ counsel, counsel will be appointed to represent them. In the hearing, the parent or guardian and child also must be expressly informed of their right to counsel and must be specifically required to consider whether they do or do not waive the right of counsel."

SECTION 21. Article 9, Chapter 19, Title 63 is amended by adding:

"Section 63-19-1050. Notwithstanding any other provision of law, no child respondent in a case filed under this chapter may be charged a fee to participate in any diversion or intervention program nor shall any child respondent be required to pay more than five hundred dollars in restitution as a requirement of any diversion or intervention program. An otherwise eligible child must not be denied admission into a diversion or intervention program for owing a restitution amount greater than five hundred dollars."

SECTION 22. Article 9, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-1070. (A) Except where the petition alleges that the respondent has committed a violent offense, the court may at any time prior to an adjudication of the petition under Section 63-19-1410 and

with the consent of the respondent order that the proceeding be adjourned in contemplation of dismissal. An adjournment in contemplation of dismissal is an adjournment of the proceeding, for a period not to exceed six months, with a view to ultimate dismissal of the petition in furtherance of justice. The court may provide such terms and conditions for such an order as the court finds appropriate, consistent with subsection (D).

(B) An order adjourning a petition in contemplation of dismissal may be issued upon motion of any party, or on the court's own motion. Upon issuing such an order, the court must set forth its reasons on the record.

(C) Upon motion of any party, or upon the court's own motion, the court may restore the matter to the calendar at any time during the pendency of the order. If the proceeding is not restored, the petition is, at the expiration of the order, deemed to have been dismissed by the court in furtherance of justice.

(D) Permissible terms and conditions of an adjournment in contemplation of dismissal order may include supervision by the Department of Juvenile Justice; a requirement that the respondent cooperate with a mental health, social services or other appropriate community facility or agency to which the respondent may be referred based on evidence available to the court or the Department of Juvenile Justice; payment of restitution orders determined by agreement of the parties or consistent with the procedures of Section 63-19-1410(A)(3) not to exceed five hundred dollars, or other conditions agreed to by the parties; and a requirement that the respondent comply with other reasonable conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct that gave rise to the filing of the petition or to prevent commitment to the Department of Juvenile Justice."

SECTION 23. Section 63-19-1210 of the 1976 Code is amended to read:

"Section 63-19-1210. In accordance with the jurisdiction granted to the family court pursuant to Sections 63-3-510, 63-3-520, and 63-3-530, jurisdiction over a case involving a child must be transferred or retained as follows:

(1) If, during the pendency of a criminal or quasi-criminal charge against a child in a circuit court of this State, it is ascertained that the child was under the age of eighteen years at the time of committing the alleged offense, it is the duty of the circuit court immediately to transfer the case, together with all the papers, documents, and testimony connected with it, to the family court of competent jurisdiction, except

in those cases where the Constitution gives to the circuit court exclusive jurisdiction or in those cases where jurisdiction has properly been transferred to the circuit court by the family court under the provisions of this section. The court making the transfer shall order the child to be taken immediately to the place of detention designated by the court or to that court itself, or shall release the child to the custody of some suitable person to be brought before the court at a time designated. The court then shall proceed as provided in this chapter. The provisions of this section are applicable to all existing offenses and to offenses created in the future unless the General Assembly specifically directs otherwise.

(2) Whenever a child is brought before a magistrate or city recorder and, in the opinion of the magistrate or city recorder, the child should be brought to the family court of competent jurisdiction under the provisions of this section, the magistrate or city recorder shall transfer the case to the family court and direct that the child involved be taken there.

(3) When an action is brought in a circuit court which, in the opinion of the judge, falls within the jurisdiction of the family court, he may transfer the action upon his own motion or the motion of any party.

(4) If a child seventeen years of age or older at the time of the alleged commission of the offense is charged with an offense which, if committed by an adult, would be a misdemeanor, a Class E or F felony as defined in Section 16-1-20, or a felony which provides for a maximum term of imprisonment of ten years or less, and if the court, after full investigation, considers it contrary to the best interest of the child or of the public to retain jurisdiction, the court, in its discretion, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult.

(5) If a child ~~fourteen, fifteen, or~~ who was sixteen years of age at the time of the alleged commission of the offense is charged with an offense which, if committed by an adult, would be a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides for a maximum term of imprisonment of fifteen years or more, the court, after full investigation and hearing, may determine it contrary to the best interest of the child or of the public to retain jurisdiction. The court, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(6) Within thirty days after the filing of a petition in the family court alleging ~~the~~ a child fifteen or sixteen years of age has committed the

offense of murder or criminal sexual conduct, the person executing the petition may request in writing that the case be transferred to the court of general sessions with a view to proceeding against the child as a criminal rather than as a child coming within the purview of this chapter. The judge of the family court is authorized to determine this request. If the request is denied, the petitioner may appeal within five days to the circuit court. Upon the hearing of the appeal, the judge of the circuit court is vested with the discretion of exercising and asserting the jurisdiction of the court of general sessions or of relinquishing jurisdiction to the family court. If the circuit judge elects to exercise the jurisdiction of the general sessions court for trial of the case, he shall issue an order to that effect, and then the family court has no further jurisdiction in the matter. Notwithstanding any other provision of law, for any child who has been charged with murder who was seventeen years of age or younger at the time of the alleged commission of the offense whose case is within or has been transferred to the jurisdiction of the general sessions court, the court may upon conviction sentence the child to a term of imprisonment less than the mandatory minimum sentence established under Section 16-3-20(A).

(7) Once the family court relinquishes its jurisdiction over the child and the child is bound over to be treated as an adult, Section 63-19-2020 dealing with the confidentiality of identity and fingerprints does not apply.

(8) When jurisdiction is relinquished by the family court in favor of another court, the court shall have full authority and power to grant bail, hold a preliminary hearing and any other powers as now provided by law for magistrates in such cases.

(9) If a child ~~fourteen~~ sixteen years of age or older is charged with a violation of Section 16-23-430, Section 16-23-20, or Section 44-53-445, the court, after full investigation and hearing, if it considers it contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(10) If a child ~~fourteen~~ sixteen years of age or older at the time of the alleged commission of the offense is charged with an offense which, if committed by an adult, provides for a term of imprisonment of ten years or more and the child previously has been adjudicated delinquent in family court or convicted in circuit court for two prior offenses which, if committed by an adult, provide for a term of imprisonment of ten years or more, the court, after full investigation and hearing, if it considers it

contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult. For the purpose of this item, an adjudication or conviction is considered a second adjudication or conviction only if the date of the commission of the second offense occurred subsequent to the imposition of the sentence for the first offense.

(11) The determination of the family court regarding whether the child is to be transferred or bound over to the court of general sessions is a final order, appealable to the Supreme Court. Both the petitioner and the child have a right of appeal. An appeal must be taken under the appellate rules governing criminal appeals. The appeal pursuant to this subsection must be heard and a determination must be made within one hundred twenty days from the filing of the appeal, absent exceptional circumstances justifying a longer time period. The South Carolina Supreme Court may create rules governing the procedures for the appeal within its rulemaking authority pursuant to Article V of the Constitution of South Carolina."

SECTION 24. Section 63-19-1410 of the 1976 Code, as last amended by Act No. 268 of 2016, is amended to read:

"Section 63-19-1410. (A) When a child is found by decree of the court to be subject to this chapter, the court shall in its decree make a finding of the facts upon which the court exercises its jurisdiction over the child. Following the decree, the court shall enter the least restrictive appropriate disposition order from the following options in view of the seriousness of the delinquent act, such child's culpability as indicated by the circumstances of the particular case, the age of such child, such child's prior record, and such child's strengths and needs and by order may:

(1) cause a child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist, or psychologist and for that purpose place the child in a hospital or other suitable facility;

(2) order care and treatment as it considers best, except as otherwise provided in this section and may designate a state agency as the lead agency to provide a family assessment to the court. The assessment shall include, but is not limited to, the strengths and weaknesses of the family, problems interfering with the functioning of the family and with the best interests of the child, and recommendations for a comprehensive service plan to strengthen the family and assist in resolving these issues.

The lead agency shall provide the family assessment to the court in a timely manner, and the court shall conduct a hearing to review the proposed plan and adopt a plan as part of its order that will best meet the needs and best interest of the child. In arriving at a comprehensive plan, the court shall consider:

(a) additional testing or evaluation that may be needed;

(b) economic services including, but not limited to, employment services, job training, food stamps, and aid to families with dependent children;

(c) counseling services including, but not limited to, marital counseling, parenting skills, and alcohol and drug abuse counseling; and

(d) any other programs or services appropriate to the child's and family's needs.

The lead agency is responsible for monitoring compliance with the court-ordered plan and shall report to the court as the court requires. In support of an order, the court may require the parents or other persons having custody of the child or any other person who has been found by the court to be encouraging, causing, or contributing to the acts or conditions which bring the child within the purview of this chapter to do or omit to do acts required or forbidden by law, when the judge considers the requirement necessary for the welfare of the child. In case of failure to comply with the requirement, the court may proceed against those persons for contempt of court;

(3) place the child on probation or under supervision in the child's own home or in the custody of a suitable person elsewhere, upon conditions as the court may determine.

(a) A child placed on probation by the court remains under the authority of the court only until the expiration of the specified term of the child's probation. This specified term of probation ~~may~~ shall not exceed two years for a felony offense or one year for a misdemeanor or status offense, but in no case may probation ~~expire before but not~~ extend after the ~~twentieth~~ nineteenth birthday of the child. A child adjudicated delinquent for a probation violation or held in contempt for violation of a prior court order may be placed on probation for up to an additional six months. When a child is adjudicated for multiple offenses, the maximum term of probation shall be calculated based on the most severe adjudicated offense; however, in no case may probation extend after the child's nineteenth birthday.

(b) Probation means casework services during a continuance of the case. Probation must not be ordered or administered as punishment but as a measure for the protection, guidance, and well-being of the child

and the child's family. Probation methods must be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community.

(c) As a condition of probation, the court may order the child to participate in a community mentor program as provided for in Section 63-19-1430.

(d) The court may impose monetary restitution or participation in supervised work or community service, or both, as a condition of probation. Restitution presumptively shall not be ordered for any child who is under the age of sixteen at the time of the offense. To overcome this presumption, the state has a burden of proving by a preponderance of the evidence that the child has the ability to pay the restitution. The Department of Juvenile Justice, in coordination with local community agencies, shall develop and encourage employment of a constructive nature designed to make reparation and to promote the rehabilitation of the child. When considering the appropriate amount of monetary restitution to be ordered, the court shall establish the monetary loss suffered by the victim and then weigh and consider this amount against the number of individuals involved in causing the monetary loss, the child's particular role in causing this loss, and the child's ability to pay the amount over a reasonable period of time. The order for monetary restitution shall specify a monthly payment schedule that will result in full payment for the established amount of restitution by the end of the child's probationary period. In the absence of a monthly payment schedule, the Department of Juvenile Justice shall impose a payment schedule of equal monthly payments that will result in full restitution being paid by the end of the child's probationary period. If the court determines at a contempt of court hearing that the basis for holding the child in contempt is that the child has willfully failed to pay restitution, the court shall make specific findings on the record of the child's willful failure to pay and shall issue an order, other than a commitment order, that addresses the child's failure to pay. The Department of Juvenile Justice shall develop a system for the transferring of court-ordered restitution from the child to the victim or owner of property injured, destroyed, or stolen. ~~As a condition of probation the court may impose upon the child a fine not exceeding two hundred dollars when the offense is one in which a magistrate, municipal, or circuit court judge has the authority to impose a fine. A fine may be imposed when commitment is suspended but not in addition to commitment;~~

(e) If a child is ordered to complete drug screens as a condition of probation or during the community evaluation period and if the child's health insurance does not cover the costs of the drug screens, the Department of Juvenile Justice shall pay for the drug screens or administer them at their local offices at no charge for the child. A child must not be required to pay for drug screens as part of any court order.

(4) order the child to participate in a community mentor program as provided in Section 63-19-1430;

(5) commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes or under the guardianship of a suitable person. Commitment must be for an indeterminate period but in no event beyond the child's twenty-second birthday. Such commitment only may be ordered subject to the commitment limitations established by Section 63-19-1440;

(6) require that a child under twelve years of age who is adjudicated delinquent for an offense listed in Section 23-3-430(C) be given appropriate psychiatric or psychological treatment to address the circumstances of the offense for which the child was adjudicated; ~~and~~

(7) place a child on administrative supervision with the Department of Juvenile Justice for a period of up to one year in order to pay restitution calculated pursuant to subitem (A)(3)(d), or complete community service or other sanction. Administrative supervision is not probation, and administrative supervision terminates automatically upon completion of the ordered sanction or sanctions; and

(8) dismiss the petition or otherwise terminate ~~it's~~ the court's jurisdiction at any time on the motion of either party or on its own motion.

(B) Whenever the court commits a child to an institution or agency, it shall transmit with the order of commitment a summary of its information concerning the child, and the institution or agency shall give to the court information concerning the child ~~which~~ that the court may require. Counsel of record, if any, must be notified by the court of an adjudication under this section, and in the event there is no counsel of record, the child or the child's parents or guardian must be notified of the adjudication by regular mail from the court to the last address of the child or the child's parents or guardian.

(C) No adjudication by the court of the status of a child is a conviction, nor does the adjudication operate to impose civil disabilities ordinarily resulting from conviction, nor may a child be charged with crime or convicted in a court, except as provided in Section 63-19-

1210(6). The disposition made of a child or any evidence given in court does not disqualify the child in a future civil service application or appointment."

SECTION 25. Article 13, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-1415. (A) Each Circuit Solicitor may operate one or more specialty treatment court programs, such as a Juvenile Drug Court or a Juvenile Mental Health Court, if authorized by the South Carolina Supreme Court.

(B) Such specialty treatment court programs are to be operated in accordance with national guidelines and evidence based research.

(C) When a child is charged with an offense which places him under the jurisdiction of the family court and the child has substance abuse or mental health issues, the child may be referred to a specialty treatment court program. Upon successful completion of the specialty treatment court program, the proceedings in the family court must be dismissed and the record of the child's offenses for which the child participated in the program must be automatically expunged at no charge to the child.

(D) The participation in the specialty treatment court program shall be voluntary and a child must not be ordered to participate in such program against his will."

SECTION 26. Section 63-19-1440 of the 1976 Code as last amended by Act No. 268 of 2016 is amended to read:

"Section 63-19-1440.(A) A child, after the child's twelfth birthday and before the child's eighteenth birthday or while under the jurisdiction of the family court for disposition of ~~an~~ a criminal offense that occurred prior to the child's eighteenth birthday, or for conduct that is a violation of probation or an act of contempt of court where the prior order of probation or court order arose from an adjudication for a criminal offense, may be committed to the custody of the Department of Juvenile Justice which shall arrange for placement in a suitable corrective environment. Children under the age of twelve years may be committed ~~only~~ to the custody of the department which shall arrange for placement in a suitable corrective environment other than institutional confinement. ~~No~~ A child under the age of eighteen years may not be committed or sentenced to any other penal or correctional institution of this State.

(B) A child may be committed to the custody of the Department of Juvenile Justice as provided below if:

(1) the child has a current adjudication for an offense which would be an A, B, C, or D felony if committed by an adult;

(2) the child has a current adjudication for an offense which would be a misdemeanor if committed by an adult and one or more of the following apply:

(a) the current adjudicated offense involved the use of a firearm, as defined in section 16-23-490(D); or

(b) the child has had at least one prior adjudication for an offense that would be a felony if committed by an adult and at least three other prior adjudications for a delinquent act; or

(3)(a) the child is petitioned for an offense which would be a felony if committed by an adult;

(b) the child is adjudicated for an offense which is a lesser included offense to the petitioned felony offense; and

(c) the parties agree that a commitment is in the child's best interest.

In any case in which the court commits the child to the custody of the department, the court shall issue individualized written findings as to why a less restrictive disposition option would not adequately protect the public or rehabilitate the child. For the purposes of this section, an adjudication is considered a prior adjudication only if the date of the commission of the subsequent offense or delinquent act occurred after the imposition of the sentence for the prior offense or delinquent act.

(C) A child must not be committed to the Department of Juvenile Justice for a status offense or any violation of a court order related to a status offense. A child who is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense may not be committed to the Department of Juvenile Justice.

(D) All commitments to the custody of the Department of Juvenile Justice for delinquency as opposed to the conviction of a specific crime may be made only for the reasons and in the manner prescribed in Sections 63-3-510, 63-3-520, 63-3-580, 63-3-600, 63-3-650, and this chapter, with evaluations made and proceedings conducted only by the judges authorized to order commitments in this section. When a child is committed to the custody of the department, ~~commitment must be for~~ the court must order:

(1) an indeterminate sentence, not extending beyond the twenty-second birthday of the child unless sooner released by the department, ~~or~~

(2) ~~for~~ a determinate commitment sentence not to exceed ninety days~~.~~, or

(3) if the child is adjudicated delinquent for an offense which provides for a maximum term of imprisonment of fifteen years or more if committed by an adult, the court may order the child committed for a determinate sentence not to exceed one hundred eighty days.

If a child is subject to a disposition order for more than one adjudicated offense, the child may not be committed for consecutive determinate commitment sentences when the total length of the determinate commitment would be for longer than the minimum parole guideline as established by the release authority, pursuant to Article 17 of this Title, if the child were to be committed to the Department of Juvenile Justice for an indeterminate period of time.

A child adjudicated delinquent for a violation of a probation order or held in contempt of court for a violation of a court order related to a misdemeanor or felony offense must not receive an indeterminate commitment sentence but may receive a determinate commitment sentence not to exceed seventy-two hours for a first commitment and a sentence not to exceed ninety days for a second commitment.

~~(C)~~(E)(1) The court, before committing a child as a delinquent ~~or as a part of a sentence including commitments for contempt~~, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than ~~forty-five~~ thirty days for evaluation, subject to the exceptions listed below. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition. ~~The department is authorized to allow any child adjudicated delinquent for a status offense, a misdemeanor offense, or violation of probation or contempt for any offense who is temporarily committed to the department's custody for a residential evaluation, to reside in that child's home or in his home community while undergoing a community evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community evaluation of the child must not be conducted because the child presents an unreasonable flight or public safety risk to his home community.~~

(2) The court shall only order an evaluation if the child is eligible for commitment pursuant to Section 63-19-1440(B). There is a presumption for a community evaluation. The court may order a residential evaluation for the child in the custody of the department only if the court finds that the child presents an unreasonable flight or public

safety risk to his home community. The court shall issue individualized written findings why a community evaluation with additional supervision measures arranged by the Department of Juvenile Justice would not adequately protect the public or reasonably ensure the child's presence at a dispositional hearing. The court also may commit a child to the Department of Juvenile Justice for a residential evaluation if the court finds at a contempt hearing that the child willfully failed to cooperate with or successfully complete a community evaluation ordered pursuant to this section.

(3) The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:

~~(1)~~ (a) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;

~~(2)~~ (b) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or

~~(3)~~ (c) receives a determinate commitment sentence not to exceed ninety days.

~~(D)~~(F) When a ~~juvenile~~ child is adjudicated delinquent or convicted of a crime or has entered a plea of guilty or nolo contendere in a court authorized to commit to the custody of the Department of Juvenile Justice, the ~~juvenile~~ child may be committed for an indeterminate period until the ~~juvenile~~ child has reached age twenty-two or until sooner released by the releasing entity or released by order of a judge of the Supreme Court or the circuit court of this State, rendered at chambers or otherwise, in a proceeding in the nature of an application for a writ of habeas corpus. A ~~juvenile~~ child who has not been paroled or otherwise released from the custody of the department by the ~~juvenile's~~ child's nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the ~~juvenile~~ child must be released by age twenty-two according to the provisions of the ~~juvenile's~~ child's commitment; however, notwithstanding the above provision, any ~~juvenile~~ child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

~~(E)~~(G) A ~~juvenile~~ child committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 ~~or for the offense of assault and battery of a high and aggravated nature~~, who has not been paroled or released from the

custody of the department by his eighteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. A ~~juvenile~~ child who has not been paroled or released from the custody of the department by his nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections at age nineteen. If not released sooner by the Board of Juvenile Parole, a ~~juvenile~~ child transferred pursuant to this subsection must be released by his twenty-second birthday according to the provisions of his commitment. Notwithstanding the above provision, a ~~juvenile~~ child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

~~(F) Notwithstanding subsections (A) and (E), a child may be committed to the custody of the Department of Juvenile Justice or to a secure evaluation center operated by the department for a determinate period not to exceed ninety days when:~~

~~(1) the child has been adjudicated delinquent by a family court judge for a status offense, as defined in Section 63-19-20, excluding truancy, and the order acknowledges that the child has been afforded all due process rights guaranteed to a child offender;~~

~~(2) the child is in contempt of court for violation of a court order to attend school or an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20; or~~

~~(3) the child is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20 including truancy.~~

~~Orders issued pursuant to this subsection must acknowledge:~~

~~(a) that the child has been advised of all due process rights afforded to a child offender; and~~

~~(b) that the court has received information from the appropriate state or local agency or public entity that has reviewed the facts and circumstances causing the child to be before the court.~~

~~(G)~~(H) A child committed under this section may not be confined with a child who has been determined by the department to be violent.

~~(H)~~(I) After having served at least two-thirds of the time ordered by a court, a child committed to the Department of Juvenile Justice for a determinate period pursuant to this section may be released by the department prior to the expiration of the determinate period for 'good behavior' as determined by the department. ~~The court, in its discretion,~~

~~may state in the order that the child is not to be released prior to the expiration of the determinate period ordered by the court.~~

~~(I)~~(J) ~~Juveniles~~ A child detained in any temporary holding facility or juvenile detention center or who ~~are~~ is temporarily committed for evaluation to a Department of Juvenile Justice evaluation center for the offense for which ~~they were~~ he is subsequently committed by the family court to the custody of the Department of Juvenile Justice shall receive credit toward ~~their~~ his parole guidelines, if indeterminately sentenced, or credit toward ~~their~~ his date of release, if determinately sentenced, for each day ~~they are~~ he is detained in or temporarily committed to any secure pre-dispositional facility, center, or program. A child detained in an approved home, program, or facility other than a secure juvenile detention facility or a child placed in an out-of-home alternative placement residential setting while undergoing a community evaluation shall also receive time-served credit as described above."

SECTION 27. Section 63-19-1450(A) of the 1976 Code is amended to read:

"(A)(1) No ~~juvenile~~ child may be committed to an institution under the control of the Department of Juvenile Justice who is seriously handicapped by mental illness or ~~retardation~~ intellectual disability.

(a) The Family Court may order an evaluation by the Department of Mental Health or the Department of Disabilities and Special Needs for a determination of serious mental illness or intellectual disability sua sponte or upon a motion of any party involved with the case or upon a recommendation from the Department of Juvenile Justice pursuant to Section 44-24-150(A) and (B) or Section 44-20-450. Nothing within this section prohibits the Department of Mental Health or the Department of Disabilities and Special Needs from using local providers for an evaluation.

(b) Upon the return of the evaluation the court must hold a hearing to determine whether to proceed pursuant to Section 44-24-150(C), Section 44-20-450 or under Title 63 to determine if the child meets the definition of seriously handicapped by mental illness or intellectual disability and whether the child must be committed to the supervision of the Department of Mental Health or the Department of Disabilities and Special Needs. In making the determination the court shall consider, in addition to any evaluation ordered by the court or requested by the parties, the child's past mental health, disability services, special education or similar records provided by any of the parties to determine if this section applies.

(2) If, after a ~~juvenile~~ child is referred to the ~~Reception and Evaluation Center~~ custody of the Department of Juvenile Justice, it is determined that the ~~juvenile~~ child is mentally ill, as defined in Section 44-23-10, or a person with intellectual disability to an extent that the ~~juvenile~~ child could not be properly cared for in its custody, the department through the voluntary admission process or by instituting necessary legal action may accomplish the transfer of the ~~juvenile~~ child to another state agency which in its judgment is best qualified to care for the ~~juvenile~~ child in accordance with the laws of this State. This legal action pursuant to Section 63-3-510(A)(2) must be brought in the ~~juvenile's~~ child's resident county. The department shall establish standards with regard to the physical and mental health of ~~juveniles~~ children whom it can accept for commitment."

SECTION 28. Article 13, Chapter 19, Title 63 of the 1976 Code is amended by adding:

"Section 63-19-1480. (A) Any case remaining open for twelve months after the date of the disposition shall be reviewed by the court at least annually and closed, unless the court finds by a preponderance of the evidence that the continued provision of services and court involvement are necessary and shall be fruitful to rehabilitate the child or protect the public interest. Upon making a finding that the purposes of this chapter have been met with regard to the child named in the petition, or for such other reason the court may consider appropriate and consistent with the purposes of this chapter, the court may order a case closed. If after the hearing, the court does not close the case, the court may amend earlier dispositional orders when supported by developments since the issuance of such orders. An amended dispositional order shall not result in an increased period of probation or commitment beyond the terms of the original dispositional order. All such findings shall be in writing and shall include the individualized basis upon which those findings were made.

(B) Upon request by the child, the solicitor, or the Department of Juvenile Justice, the court shall also review any case in which the child remains at the Department of Juvenile Justice more than six months after an order of commitment without having been released on parole or having been returned to the department's custody following revocation of parole, and may amend earlier dispositional orders at such hearings. Successive requests for review shall be granted upon request by the child, the solicitor, or the Department of Juvenile Justice, but the court may deny such requests without a hearing if a review was held less than ninety days prior to receipt of a request for review. Any such request for

review by the court shall be decided within forty-five days of the filing of that request. In each instance that the court reviews a case in which the child remains at the department or remains under the supervision of the department at the time of review, the child shall be entitled to the assistance of counsel."

SECTION 29. Section 63-19-1810(A) of the 1976 Code is amended to read:

"(A) The release and revocation of release of ~~juveniles~~ children adjudicated delinquent and committed to the department must be determined by:

(1) the department for ~~juveniles~~ children adjudicated delinquent and committed ~~after March 31, 2007,~~ for an indeterminate period for ~~a status offense or~~ a misdemeanor~~, other than assault and battery of a high and aggravated nature or assault with intent to kill,~~ and for ~~juveniles~~ children who have violated probation for ~~a status offense or~~ a misdemeanor~~, other than assault and battery of a high and aggravated nature or assault with intent to kill~~;

(2) the Board of Juvenile Parole for ~~juveniles~~ children adjudicated delinquent and committed for an offense other than an offense provided for in item (1)."

SECTION 30. Section 63-19-1820 of the 1976 Code is amended to read:

"Section 63-19-1820. (A)(1) The Board of Juvenile Parole shall meet monthly and at other times as may be necessary to review the records and progress of ~~juveniles~~ children committed to the custody of the Department of Juvenile Justice for the purpose of deciding the release or revocation of release of these ~~juveniles~~ children. The board shall make periodic inspections, at least quarterly, of the records of these ~~juveniles~~ children and may issue temporary and final discharges or release these ~~juveniles~~ children conditionally and prescribe conditions for release into aftercare. Before a ~~juvenile~~ child is conditionally released, the ~~juvenile~~ child must agree in writing to be subject to search or seizure, without a search warrant, with or without cause, of the ~~juvenile's~~ child's person, any vehicle the ~~juvenile~~ child owns or is driving, and any of the ~~juvenile's~~ child's possessions by:

(a) the ~~juvenile's~~ child's aftercare counselor;

(b) any probation agent employed by the Department of Probation, Parole and Pardon Services; or

(c) any other law enforcement officer.

A ~~juvenile~~ child may not be conditionally released by the parole board if he fails to comply with this provision. However, a ~~juvenile~~ child who

was adjudicated delinquent of a Class C misdemeanor or an unclassified misdemeanor that carries a term of imprisonment of not more than one year may not be required to agree to be subject to search or seizure, without a search warrant, with or without cause, of the ~~juvenile's~~ child's person, any vehicle the ~~juvenile~~ child owns or is driving, or any of the ~~juvenile's~~ child's possessions.

Immediately before each search or seizure conducted pursuant to this item, the law enforcement officer seeking to conduct the search or seizure must verify with the Department of Probation, Parole and Pardon Services or by any other means available to the officer that the individual upon whom the search or seizure will be conducted is currently on parole or probation or that the individual is currently subject to the provisions of his conditional release. A law enforcement officer conducting a search or seizure without a warrant pursuant to this item shall report to the law enforcement agency that employs him all of these searches or seizures, which shall include the name, address, age, gender, and race or ethnicity of the person that is the subject of the search or seizure. The law enforcement agency shall submit this information at the end of each month to the Department of Probation, Parole and Pardon Services for review of abuse. A finding of abuse of the use of searches or seizures without a search warrant must be reported by the Department of Probation, Parole and Pardon Services to the State Law Enforcement Division for investigation. If the law enforcement officer fails to report each search or seizure pursuant to this item, he is subject to discipline pursuant to the employing agency's policies and procedures.

(2)(a) It is the right of a ~~juvenile~~ child who has not committed a violent offense, as defined by Section 16-1-60, and for whom the board is the releasing entity, to appear personally before the board every three months for the purpose of parole consideration, but no appearance may begin until the board determines that an appropriate period of time has elapsed since the ~~juvenile's~~ child's commitment.

(b) The board may waive the quarterly review of ~~juveniles~~ children committed to the department, for whom the board is the releasing entity, for the commission of a violent crime, as defined in Section 16-1-60, until the ~~juvenile~~ child reaches the minimum parole guidelines the board establishes for the ~~juvenile~~ child. At that point, the board may schedule its first review of the ~~juvenile~~ child from three months up to twelve months after the ~~juvenile~~ child reaches the minimum parole guidelines established by the board. The scheduling of subsequent reviews is in the discretion of the board but must occur within three to twelve months of the ~~juvenile's~~ child's last appearance.

(3) In order to allow reviews and appearances by ~~juveniles~~ children, for whom the board is the releasing entity, the board may assign the members or individuals to meet in panels of not less than three members or individuals, to receive progress reports and recommendations, review cases, meet with ~~juveniles~~ children, meet with counselors, and to hear matters and consider cases for release, parole, and parole revocation. Membership on these panels must be periodically rotated on a random basis. At the meetings of the panels, a unanimous vote must be considered the final decision. A panel vote that is not unanimous must not be considered as a final decision, and the matter must be referred to the full parole board, which shall determine the matter by a majority vote of its membership.

(4) The board may conduct parole hearings by means of a two-way, closed circuit television system.

(5) The board shall develop written guidelines for the consideration of parole release of ~~juveniles~~ children committed to the department for offenses for which the parole board is the releasing entity. The guidelines shall be based on evidence-based, nationally recognized length-of-stay best practices.

The board shall provide these guidelines to ~~juveniles~~ children, for whom the board is the releasing entity, upon commitment and periodically reviewed with each ~~juvenile~~ child to assess the progress made toward achieving release on parole.

(B) In the cases of ~~juveniles~~ children for whom the department is the releasing entity, the department shall establish policies and procedures governing the review and release procedures for these ~~juveniles~~ children.

(C) In the determination of the type of discharges or conditional releases granted, the releasing entity shall consider the interests of the person involved and the interests of society and shall employ the services of and consult with the personnel of the Department of Juvenile Justice. The releasing entity may from time to time modify the conditions of discharges or conditional releases previously granted."

SECTION 31. Section 63-19-1835 of the 1976 Code is amended to read:

"Section 63-19-1835. (A) The department may grant up to a ten-day reduction of the probationary or parole term to probationers and parolees who are under the department's supervision for each month they are compliant with the terms and conditions of their probation or parole order.

(B) Except for an alleged community safety violation, in response to an alleged technical violation of the terms and conditions of a child's

probationary or parole term the department must serve on the child a notice of administrative sanctions as an alternative to pursuing a probation violation or parole revocation. Prior to implementation of administrative sanctions, the child and the child's parent or guardian or responsible person must agree in writing to the additional conditions set forth in the notice of administrative sanctions. Once the notice of administrative sanctions is signed, these additional conditions are considered to be incorporated as part of the original probation or parole order, and the department shall file a copy of the notice of administrative sanctions with the court or parole authority. The department shall establish a listing of administrative sanctions for the most common types of supervision violations. The sanctions shall consider the severity of the current violation, the child's previous juvenile record, and the child's risk and needs. The department, in determining the administrative sanctions, shall consider the availability of community-based programs and treatment options. Nothing in this section precludes the department from responding immediately to an alleged community safety violation by initiating violation proceedings with the appropriate authority."

SECTION 32. Sections 63-19-2050(A) and (C) of the 1976 Code as last amended by Act No. 254 of 2018, are further amended to read:

"(A)(1) A person who has been taken into custody for, charged with, or adjudicated delinquent for having committed a ~~status offense or a~~ nonviolent crime, as defined in Section 16-1-70, may petition the court for an order expunging all official records relating to:

(a) being taken into custody;
(b) the charges filed against the person;
(c) the adjudication; and
(d) the disposition.

(2) A person may not petition the court if the person has a prior adjudication for an offense that would carry a maximum term of imprisonment of five years or more if committed by an adult."

"(C)(1) ~~If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense, the court shall grant the expungement order. If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed multiple status offenses, the court may grant an expungement order for the multiple status offenses.~~ All official records relating to the taking into custody, the charges filed, the adjudication, and the disposition for committing a status offense, as defined in Section 63-19-20, must be expunged subject to eligibility when the person has reached the age of eighteen. The expungements must occur if the person

has no family court delinquency cases pending or family court delinquency sentences to be completed, or as soon thereafter once the person has completed the sentence for any pending cases, the service of any pending dispositional sentences imposed by the family court including probation or parole, or upon the final conclusion of any pending case in the family court if there is a dismissal, a finding of no delinquency, or no sentence is imposed. The expungements must occur after appropriate eligibility verifications upon the earliest of the following:

(a) after notice or written request by the eligible child;

(b) after a regular quarterly system-wide check of children in the system eligible to receive an expungement; or

(c) if technology allows within a jurisdiction, the review for eligibility must occur automatically upon each eligible child's eighteenth birthday.

(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order. For the purpose of this section, any number of offenses for which the individual received youthful offender sentences at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(3) The court shall not grant the expungement order unless the court finds that the person is at least eighteen years of age, has successfully completed any dispositional sentence imposed, has not been subsequently adjudicated for or convicted of any criminal offense, and does not have any criminal charges pending in family court or general sessions court. If the person was found not guilty in an adjudicatory hearing in the family court or the charge was dismissed, the court shall grant the expungement order regardless of the person's age and the person must not be charged a fee for the expungement. An adjudication for a violent crime, as defined in Section 16-1-60, must not be expunged."

SECTION 33. Section 63-19-2050 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

"( ) Notwithstanding any other provision of law, an individual who is qualified to petition for record destruction under this section may not be charged a fee to petition for or obtain an order for record destruction, or for any part of the process for adjudicating such a petition."

SECTION 34. Article 19, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1970. (A) For purposes of this section, 'a student who has experienced a disruption in the student's education' means a student who experiences one or more changes in public school or school district enrollment during a single school year as the result of:

(1) homelessness as defined in the federal McKinney Vento Homeless Assistance Act and as determined by the public school or school district;

(2) adjudication as:

(a) a victim of child abuse or neglect, pursuant to Chapter 7, Title 63; or

(b) having committed a status offense or an act which, if committed by an adult, would be a crime, pursuant to Chapter 19 of Title 63; or

(3) placement in a mental health treatment facility or habilitation program for developmental disabilities.

(B) If a student who has experienced a disruption in the student's education transfers to a new public school or school district, the receiving public school or school district shall communicate with the sending public school or school district within two business days of the student's enrollment. The sending public school or school district shall provide the receiving public school or school district with any requested records within two business days of having received the receiving public school's or school district's communication.

(C) A student who has experienced a disruption in the student's education because of transferring to a new public school as the result of circumstances set forth in this section shall have:

(1) priority placement in classes that meet state graduation requirements;

(2) timely placement in elective classes that are comparable to those in which the student was enrolled at the student's previous public school or schools as soon as the public school or school district receives verification from the student's records;

(3) equal access to participation in sports and other extracurricular activities, career and technical programs or other special programs for which the student qualifies;

(4) timely assistance and advice from counselors to improve the student's college or career readiness; and

(5) all special education services to which the student is entitled."

SECTION 35. Article 19, Chapter 18, Title 59 of the 1976 Code is amended by adding:

"Section 59-18-1980. (A) As used in this section, 'involved in the juvenile justice system' means a student who has been referred to the Department of Juvenile Justice or the family court due to allegations that the student has committed a delinquent or status offense and voluntary or involuntary conditions have been imposed on the student, including a student who is participating in a diversion program, is under a probation order, is currently supervised by the Department of Juvenile Justice, or has recently entered or left a juvenile or criminal justice placement or is on supervised release or parole.

(B) Each school district and charter school authorized by the Charter School Board or a local school board shall designate an individual to serve as a point of contact for students involved in the juvenile justice system. Charter schools authorized by school districts may use the district's point of contact. Multiple school districts may share a single designated point of contact with approval from the Department of Education and from the Department of Juvenile Justice.

(C) For students transferring into the school district or charter school, the point of contact person shall be responsible for:

(1) ensuring that a student is immediately enrolled regardless of whether the records normally required for enrollment are produced by the last school the student attended or by the student;

(2) ensuring that the enrolling school communicates with the last school attended by a transferring student to obtain relevant academic and other records within two business days of the student's enrollment;

(3) ensuring that the enrolling school performs a timely transfer of credits that the student earned in the last school attended; and

(4) collaborating with the education program staff in a juvenile or criminal justice placement, the child, and the child's parent, guardian, or other legal educational decision maker to develop and implement a plan for assisting the transition of a student to the school district or charter school authorized by the department to minimize disruption to the student's education.

(D) For students transferring out of the school district or charter school authorized by the department, the point of contact person shall be responsible for providing all records to the new school within two business days of receiving a request from the receiving school.

(E) For students involved in the juvenile justice system, the point of contact person shall be responsible for:

(1) ensuring that a student has equal opportunity to participate in sports and other extracurricular activities, career and technical programs or other special programs for which the student qualifies;

(2) ensuring that a student in high school receives timely and ongoing assistance and advice from counselors to improve the student's college and career readiness;

(3) ensuring that a student receives all special education services and accommodations to which the student is entitled under state and federal law;

(4) identifying school staff at each school site who can ensure that students are appropriately supported throughout their enrollment;

(5) supporting communication among the school; the Department of Social Services; the student; the student's parent or guardian; the student's educational decision maker appointed by the children's court; caregivers; and other supportive individuals that the student identifies to ensure that the responsibilities listed in this subsection are implemented; and

(6) ensuring that other school staff and teachers have access to training and resources about the educational challenges and needs of system-involved youth, including trauma-informed practices and the impact of trauma on learning.

(F) The Department of Social Services shall notify a school when a student in the school enters foster care or a student in foster care enrolls in another school.

(G) The student or the student's educational decision maker may notify a school that the student is involved in the juvenile justice system to obtain support and services from the point of contact."

SECTION 36. Section 59-24-60 of the 1976 Code is amended to read:

"Section 59-24-60. In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which ~~may result or~~ <u>if committed by an adult would be a felony or a crime punishable by a maximum sentence of five years or more of incarceration or which</u> results in ~~injury or~~ serious ~~threat of~~ injury to the person or to another person ~~or his property~~ as defined in local board policy."

SECTION 37. Section 59-63-210 of the 1976 Code is amended to read:

"Section 59-63-210. (A) Any district board of trustees may authorize or order the expulsion, suspension, or transfer of any pupil for the commission of any ~~crime~~ act which if committed by an adult would be a felony or a crime punishable by a maximum term of imprisonment of five years or more, any violation related to a threat of violence to the school or any person at the school, any act for which there a victim who attends the school who has a reasonable fear for his safety, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and promulgated regulations established by the district board, county board, or the State Board of Education, or when the presence of the pupil is detrimental to the best interest of the school. If the action by the district board of trustees is based on conduct by the student that occurred outside of school or school-sanctioned or sponsored activity, such action is permitted only when the conduct at issue amounts to a violent offense as defined in Section 16-1-60 or resulted in moderate or great bodily injury. Each expelled pupil has the right to petition for readmission for the succeeding school year. Expulsion or suspension must be construed to prohibit a pupil from entering the school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. The provisions of this section do not preclude enrollment and attendance in any adult or night school.

(B) A district board of trustees shall not authorize or order the expulsion, suspension, or transfer of any pupil for a violation of Section 59-150-250(B)."

SECTION 38. Section 59-63-1320 of the 1976 Code is amended to read:

"Section 59-63-1320. Eligible alternative school programs shall be provided for, but not limited to, students in grades 6-12 as follows:

(1) Students referred for voluntary attendance at the alternative school program and meeting the district criteria to attend based upon a documented need for the attention and assistance beyond that of a traditional program as established by the academic history of the student, ~~including the student's academic plan as required in Section 59-18-500,~~ and following other policies and procedures for documenting need established by the district board of trustees.

(2) Students referred for voluntary attendance at the alternative school program and meeting the district criteria to attend based upon a documented need for the program due to habitual exhibitions of disruptive behavior in violation of the student conduct policies and behavior codes approved by the school board of trustees.

Districts must establish clear guidelines and procedures for the referral of any student into an alternative school program and before a decision is made to assign a student to an alternative school program, a determination must be made that the written and distributed academic and disciplinary policies of the district have been followed.

(3) Students placed in an alternative school program by the district board of trustees as an option to suspension or expulsion or by the dispositive order of a family court judge, with the consent of the local board of trustees. However, before a student may be placed in an alternative school program, a determination must be made by the local board that the written and distributed disciplinary policy of the district has been followed. Districts must establish clear guidelines and procedures for the placement of any student into an alternative school program and at a minimum they shall prescribe due process procedures for placement actions.

(4) When a child who has been enrolled in a Department of Juvenile Justice school district leaves the department's school district and enrolls or re-enrolls in a school district, the district must not require that student to attend alternative school programs unless:

(a) a student is referred for voluntary attendance at the alternative school program and an intervention team, including parent or guardian and child, agrees such placement is appropriate;

(b) an intervention assessment reveals an imminent threat of injury or a likelihood of serious misconduct that exceeds routine discipline matters will occur if the child remains or reenrolls at his assigned school; or

(c) if the child or the child's parent or guardian objects to the placement in an alternative school, a due process hearing must be held by the district within ten business days and there must be a determination by the hearing officer that the student would be better served in the alternative setting based on clear guidelines and procedures for placement established by the school district.

(5) When students are being considered for placement in an alternative school program, districts must consider the requirements of the Federal Individuals with Disabilities Education Act (IDEA). If a child with a disability for purposes of the IDEA who has been in the custody of the Department of Juvenile Justice leaves the department's custody and enrolls or re-enrolls in a school district, the district must hold a team meeting to determine on an individualized basis the child's most appropriate educational placement.

(6) If a student placed by the board of trustees in an alternative school program enrolls in another school district before the expiration of the period of placement, the board of trustees of the district requiring the placement shall provide to the district in which the student enrolls, at the same time other records of the student are provided, information concerning the student's placement in an alternative school program. Upon review of the information, the district in which the student enrolls may continue an alternative education program placement or may allow the student to attend regular classes without completing the period of the placement."

SECTION 39. Sections 63-19-2420 and 63-19-2430 are repealed.

SECTION 40. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in that each provision relates directly to or in conjunction with other sections to the subject of juvenile justice reform as recommended by the Senate Select Committee on Raise the Age. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 41. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 42. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then being second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator HEMBREE asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

OBJECTION

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

Senator JACKSON objected to further consideration of the Bill.

READ THE SECOND TIME

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning and Adams: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question then being second reading of the Bill, as amended.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

Senator RANKIN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3105.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Title 1 of the 1976 Code is amended by adding:

"CHAPTER 33

Protection of the Exercise of Religion During a State of Emergency

Section 1-33-10. For purposes of this chapter:

(1) 'Discriminatory action' means any action undertaken by the State to:

(a) alter in any way the tax treatment of a religious organization, or cause any tax, fine, civil or criminal penalty, payment, damages award, or injunction to be assessed against a religious organization;

(b) deny, delay, revoke, or otherwise make unavailable an exemption from taxation for a religious organization; or

(c) withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any grant, contract, scholarship, license, accreditation, certification, entitlement, or other benefit under any government program.

(2) 'Exercise of religion' means the exercise of religion as protected under the First Amendment to the United States Constitution, Article I, Section 2 of the State Constitution, and Title 1, Chapter 32, of the South Carolina Code of Laws.

(3) 'Religious organization' includes, but is not limited to, houses of worship, religious ministries, organizations, social agencies, groups, corporations, educational institutions and other entities whose principal purpose is the study, practice, or advancement of religion and their officers, owners, clergy, religious leaders, and ministers.

(4) 'Religious services' means a meeting, gathering, or assembly of two or more persons organized by a religious organization for the purpose of worship, teaching, training, providing educational services, conducting religious rituals, or other activities that are deemed necessary by the religious organization for the exercise of religion.

(5) 'State' means the State of South Carolina and any political subdivision of the State and includes a branch, department, agency, board, commission, instrumentality, entity, or officer, employee, official of the State or a political subdivision of the State, or any other person acting under color of law or suing under or attempting to enforce a state law, rule, or regulation.

(6) 'State of emergency' means any declaration or proclamation issued under the authority of state law that an emergency has occurred including, but not limited to:

(a) a proclamation of emergency issued by the Governor pursuant to Section 1-3-420;

(b) a declaration of emergency issued by the Governor pursuant to Section 25-1-440;

(c) a declaration of emergency issued by a county governing body pursuant to Section 4-9-130; and

(d) a declaration of emergency issued by a municipal governing body pursuant to Section 5-7-250.

Section 1-33-20. (A) During a state of emergency, religious services are deemed an essential service and are considered necessary and vital to the health and welfare of the public.

(B) The State may not limit the ability of a religious organization to continue operating and to engage in religious services during a state of emergency to a greater extent than it limits operations or services of other organizations or businesses that provide essential services.

(C) The State may require a religious organization to comply with neutral health, safety, or occupancy requirements during a state of emergency that:

(1) are applicable to all organizations or businesses providing essential services; and

(2) do not impose a substantial burden on religious services, unless the State demonstrates that the burden is necessary to further a compelling state interest and is the least restrictive means of furthering that interest.

(D) The State may not take any discriminatory action against a religious organization on the basis that the organization is religious, operates or seeks to operate during a state of emergency, and engages in the exercise of religion.

Section 1-33-30. A religious organization may assert a violation of this title as a claim or defense in a judicial proceeding. If the religious organization prevails in such a proceeding, the court must award attorney's fees and costs and may award other appropriate relief including, but not limited to, injunctive relief, declaratory relief, and compensatory damages for pecuniary and nonpecuniary losses.

Section 1-33-40. (A) This chapter applies to all state and local laws and ordinances and the implementation of those laws and ordinances, whether statutory or otherwise, and whether adopted before or after the effective date of this act.

(B) Nothing in this chapter may be construed to authorize the State to burden any religious belief."

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs,

sentences, clauses, phrases, or words thereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Turner
Verdin	Williams	Young

Total--39

NAYS

Matthews	Stephens

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3524.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting language, and inserting:

/ SECTION 1. SECTION 2 of Act 205 of 2016, as last amended by Act 156 of 2018, is further amended to read:

"SECTION 2. Unless the General Assembly amends Section 58-7-10 in any manner before the passing of three years after the effective date of this act or if the language of subsection (B) is reenacted or otherwise extended by the General Assembly, the provisions of subsection (B), as added by this act, are repealed ~~November 30, 2020~~ June 30, 2024."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (JUD3524.004), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting language, and inserting:

/ SECTION 1. Section 58-7-10, as last amended by Act 205 of 2016, is amended to read:

"Section 58-7-10. (A) Subject to the same duties and liabilities, all the rights, powers, and privileges conferred upon telegraph and telephone companies under Article 17, Chapter 9 of this title are hereby granted to pipeline companies incorporated under the laws of this State or to such companies incorporated under the laws of any other state when such

companies have complied with the laws of this State regulating the doing of business herein by foreign corporations.

(B) The provisions of Section 58-9-2030 and of Chapter 2, Title 28 do not apply to private, for-profit pipeline companies, including publicly traded for-profit companies, that are not defined within this title as a public utility."

SECTION 2. This act takes effect upon approval by the Governor and Section 58-7-10(B), as added by this act, is repealed June 30, 2024, unless the General Assembly amends the language of Section 58-7-10(B) or it is reenacted or otherwise extended by the General Assembly before June 30, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3773.003), which was adopted:

Amend the bill, as and if amended, page 3, by striking line 1 through line 4, as contained in SECTION 2, and inserting therein the following:

/ provide the restoration treatment in a hospital or detention facility. Restoration treatment shall only occur in a detention facility with the consent and approval of the sheriff or local government, whichever has lawful custody of the detention facility. If the person is on bond, the Department of Mental Health has the discretion to provide the restoration treatment in a hospital or on an outpatient basis. If the person is found to be unfit at the conclusion /

Amend the bill further, as and if amended, page 3, by striking line 15 through line 32, as contained in SECTION 2, and inserting therein the following:

/ (C) Persons against whom criminal charges are pending but who are not involuntarily committed following judicial admission proceedings shall be released unless: (1) the person is charged with a violent crime or (2) the person is charged with a non-violent crime and the solicitor files a motion to require bond for release. If the pending charge is a violent crime, a hearing must be held by the court in which the charges are pending, prior to release, on the issue of whether the person shall be released on bond with terms and conditions appropriate for the safety of the community and the well-being of the person. If the pending charge is a non-violent crime, and the solicitor files a motion to require bond for release, a hearing may be held by the court in which the charges are pending to determine whether the person poses such a risk of danger to the community that he must not be released without bond. In addition to any terms or conditions of bond allowed under Section 17-15-10, the court must include terms or conditions of bond that are therapeutic in nature. Therapeutic terms and conditions may include, but not be limited to, a requirement that the person cooperate in any treatment indicated for their psychiatric or intellectual impairments, including the keeping of scheduled appointments, the taking of all prescribed medications, the abstaining from alcohol or illegal drug use, and a requirement that the person comply with random or scheduled drug screens to insure sobriety and medication compliance. For purposes of this subsection, 'violent crime' means any offense included in Section 16-1-60." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator RANKIN, the Bill was carried over.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:40 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

S. 203--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

On motion of Senator BENNETT, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator BENNETT spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb

Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 203--Conference Report

The General Assembly, Columbia, S.C., April 5, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59-16-60 of the 1976 Code is amended to read:

"Section 59-19-60. Notwithstanding any provision of law to the contrary, school district trustees ~~shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59-19-560.~~ who wilfully commit or engage in an act of

malfeasance, misfeasance, chronic unexcused absenteeism, conflicts of interest, misconduct in office, or persistent neglect of duty in office, or are deemed medically incompetent or medically incapacitated, are subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term ~~by the county board of education~~ in the same manner as provided for full-term appointments."

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Sean M. Bennett	/s/Rep. R. Raye Felder
/s/Sen. Greg Hembree	/s/Rep. Terry Alexander
/s/Sen. Margie Bright-Matthews	/s/Rep. Thomas C. "Case" Brittain, Jr.
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The Committee on FINANCE proposed the following amendment (3126R006.KMM.HSP), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. The General Assembly declares the practice of discrimination against an individual because the individual has chosen not to receive a COVID-19 vaccination or booster is a matter of state concern and is in conflict with the ideals of South Carolina and the nation, as this discrimination interferes with opportunities of the individual to receive employment and to develop according to the individual's own ability.

SECTION 2. The General Assembly believes that a federal vaccine mandate is unconstitutional and shall not be enforced by this State unless, after legal challenge, courts of this State or of the United States of America hold the federal vaccine mandate to be enforceable.

SECTION 3.(A) Except as provided in subsection (B), the State or any political subdivision thereof, including a school district, may not enact a COVID-19 vaccine mandate for:

(1) any employee, independent contractor, or nonemployee vendor as a condition of employment or conducting business with the State or a political subdivision; or

(2) any student as a condition of attendance.

(B) If the State or any political subdivision thereof, including a school district, is subject to a federal requirement that would lead to the forfeiture of federal funds due to a failure to require employees, independent contractors, or nonemployee vendors to receive a COVID-19 vaccination:

(1) the employer may require an unvaccinated employee, independent contractor, or nonemployee vendor to undergo weekly COVID-19 testing if the federal requirement allows for testing as an alternative to vaccination; or

(2) the employee is eligible for unemployment benefits subject to the benefit amounts, duration, and requirements as provided in Article 1, Chapter 35, Title 14 if the federal mandate gives the employer no alternative to terminating the employee without forfeiting federal funds.

(C) The Department of Health and Environmental Control and the Medical University of South Carolina shall partner with state and local government employers to provide COVID-19 testing as provided in subsection (B)(1).

SECTION 4. Chapter 15, Title 8 of the 1976 Code is amended by adding:

"Section 8-15-80. (A) Neither the State, nor any of its political subdivisions, may terminate, suspend, or otherwise reduce the compensation of a person employed as a first responder if the first responder does not undergo a COVID-19 vaccination.

(B) For purposes of this section, 'first responder' means a law enforcement officer, firefighter, emergency medical technician, or paramedic who is paid from public funds."

SECTION 5. (A) If a private employer terminates, suspends, or otherwise reduces the compensation of an employee because the employee does not receive a COVID-19 vaccination or booster, that employee is eligible for unemployment benefits subject to the benefit amounts, duration, and requirements as provided in Article 1, Chapter 35, Title 14.

(B)(1) An employer who terminates, suspends, or otherwise reduces the compensation of an employee because the employee does not receive the COVID-19 vaccination or booster must pay a surcharge equal to ten times the amount of unemployment taxes the employer would pay if the employer were assigned to rate class 20. This surcharge must be deposited into the unemployment insurance trust fund, must be in effect for a period of four years, and is in addition to the unemployment taxes the employer is required to pay as determined by the Department of Employment and Workforce in the employer's most recent tax rate notice.

(2) The Department must enforce the payment of the surcharge imposed in subsection (1) in the same manner it enforces the payment of unemployment taxes.

(C) For purposes of this section, "private employer" means all employers other than the State and its political subdivisions, including school districts.

(D)(1) Employee eligibility for unemployment benefits pursuant to this section is retroactive to nine months prior to the effective date of this act. From the Contingency Reserve Fund, there is appropriated up to ten million dollars to the Department of Employment and Workforce to cover all expenses associated with providing retroactive unemployment benefits to individuals eligible for unemployment benefits pursuant to this subsection. Employees receiving retroactive benefits pursuant to this subsection do not factor into determining an employer's unemployment tax rate.

(2) The disqualification from receipt of unemployment benefits does not apply to a claimant who left employment because the claimant's employer required its employees to receive a COVID-19 vaccine and the claimant failed or refused a COVID-19 vaccine. Eligibility for unemployment benefits pursuant to this SECTION is retroactive to nine months prior to the effective date of this act.

(E) The provisions contained in subsection (B) do not apply to an employer if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that the employer has a contract with the federal government that contains a valid, enforceable vaccine mandate and further attesting that a failure to adhere to the provisions contained in the vaccine mandate would place jobs at risk. The provisions contained is subsection (B) do not apply to an employer seeking to enter into a federal contract that includes a valid, enforceable vaccine mandate if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that if the employer is awarded the contract, then the employer must enforce the valid, enforceable vaccine mandate in the contract in order to preserve existing jobs or to create new jobs. An affidavit filed with the Department of Employment and Workforce pursuant to this subsection remains in effect until revoked by the employer.

(F)(1) Nothing in this section shall be construed to alter or amend the ability of an employer to terminate an employee for reasons other than the employee's COVID-19 vaccination status.

(2) This section does not create or imply a private cause of action for employees who are terminated after refusing to receive a vaccination mandated by their employer.

SECTION 6. Nothing contained in this act shall prevent an employer from encouraging, promoting, or administering vaccinations, and nothing in this joint resolution shall prevent an employer from offering incentives to employees who elect to be vaccinated.

SECTION 7. (A) A private employer's vaccine mandate may not:

(1) extend to independent contractors, nonemployee vendors, or other third-parties that provide goods or services to the employer; and

(2) be used to coerce independent contractors, nonemployee vendors, or other third-parties that provide goods or services to the employer into implementing a vaccine mandate to maintain the business relationship.

(B) A private employer that violates a provision of this section must pay a surcharge equal to ten times the amount of unemployment taxes the employer would pay if the employer were assigned to rate class 20.

SECTION 8. Notwithstanding any other provision of law, a religious exemption or medical exemption must be honored in regards to any COVID-19 vaccine or booster requirement. A medical exemption may include the presence of antibodies, a prior positive COVID-19 test, or pregnancy. To claim a religious exemption, a person must provide his employer with a short, plain statement attesting to the fact that a tenet of his deeply held religious convictions would be violated by receiving the COVID-19 vaccine and booster.

SECTION 9. (A) All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation without discrimination or segregation on the basis of the person's vaccination status.

(B) No person shall withhold, deny, or attempt to withhold or deny, or deprive, or attempt to deprive any person of any right or privilege secured by the provisions of subsection (B); or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person with the purpose of interfering with any right or privilege secured by the provisions of subsection (B); or punish or attempt to punish any person for exercising or attempting to exercise any right or privilege secured by the provisions of subsection (B).

(C) Each of the following establishments which serves the public is a place of public accommodation within the meaning of this section if discrimination or segregation by it is supported by state action:

(1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises including, but not limited to, any such facility located on the premises of any retail establishment, or any gasoline station;

(3) any hospital, clinic, or other medical facility which provides overnight accommodations;

(4) any retail or wholesale establishment;

(5) any motion picture house, theater, concert hall, billiard parlor, saloon, barroom, golf course, sports arena, stadium, or other place of amusement, exhibition, recreation, or entertainment; and

(6) any establishment which is physically located within the premises of any establishment otherwise covered by this subsection, or within the premises of which is physically located any such covered establishment, and which holds itself out as serving patrons of such covered establishment.

(D) The provisions of this chapter do not apply to a private club or other establishment not in fact open to the general public. An institution, a club, an organization, or a place of accommodation, as defined in subsection (D), which offers memberships for less than thirty days is not private within the meaning of this section.

(E) Complaints concerning violations of the provisions of this section must be processed and heard pursuant to Article 3, Chapter 9, Title 43. Penalties and remedies for violations of this section are governed by the provisions contained in Article 5, Chapter 9, Title 43.

(F) For the purposes of this section:

(1) "Supported by state action" means the licensing or permitting of any establishment or any agent of an establishment listed above, subject to the exclusion provided in Section 45-9-20, which has or must have a license or permit from the State, its agencies, or local governmental entities to lawfully operate.

(2) "Vaccination status" means whether a person has been vaccinated against COVID-19, or has received a COVID-19 vaccination booster.

SECTION 10. The provisions contained in Act 99 of 2021, the South Carolina COVID-19 Liability Immunity Act, are hereby reenacted, retroactive to the date that Act 99 of 2021 expired, by this act. Act 99 of 2021's provisions apply to all civil and administrative causes of action that arise between March 13, 2020, and December 31, 2023, and are based upon facts that occurred during this time period.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect upon approval by the Governor. All provisions of this act are repealed on December 31, 2023, unless reauthorized by the General Assembly. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 2A

Senator MASSEY proposed the following amendment (3126R014.SP.ASM), which was adopted:

Amend the bill, as and if amended, by striking SECTIONS 7 and 8 and inserting:

/ SECTION 7. (A) A private employer's vaccine mandate may not:

(1) extend to independent contractors, nonemployee vendors, or other third-parties that provide goods or services to the employer; and

(2) be used to coerce independent contractors, nonemployee vendors, or other third-parties that provide goods or services to the employer into implementing a vaccine mandate to maintain the business relationship.

(B) For purposes of this section, "private employer" means all employers other than the State and its political subdivisions, including school districts.

(C)(1) The provisions of this SECTION do not apply to an employer if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that the employer has a contract with the federal government, a subcontract with a federal contractor, or is subject to a federal regulation that contains a valid, enforceable provision that is contrary to the requirements of this SECTION.

(2) The provisions of this SECTION do not apply to an employer seeking to enter into a federal contract, or a subcontract with a prospective federal contractor, that includes a valid, enforceable provision that is contrary to the requirements of this SECTION if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that if the employer is awarded the contract or subcontract, then the employer must enforce a provision that is contrary to the requirements of this SECTION.

(3) An affidavit filed with the Department of Employment and Workforce pursuant to this subsection remains in effect until revoked by the employer.

SECTION 8. (A) Notwithstanding any other provision of law, a religious exemption or medical exemption must be honored regarding any COVID-19 vaccine or booster requirement. A medical exemption may include the presence of antibodies, a prior positive COVID-19 test, or pregnancy. To claim a religious exemption, a person must provide his employer with a short, plain statement attesting to the fact that a tenet of his deeply held religious convictions would be violated by receiving the COVID-19 vaccine and booster.

(B)(1) The provisions of this SECTION do not apply to an employer if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that the employer has a contract with the federal government, a subcontract with a federal contractor, or is subject to a federal regulation that contains a valid, enforceable provision that is contrary to the requirements of this SECTION.

(2) The provisions of this SECTION do not apply to an employer seeking to enter into a federal contract, or a subcontract with a prospective federal contractor, that includes a valid, enforceable provision or would be subject to a federal regulation that is contrary to the requirements of this SECTION if the employer submits an affidavit with the Department of Employment and Workforce attesting to the fact that if the employer is awarded the contract or subcontract, then the employer must enforce a provision that is contrary to the requirements of this SECTION.

(3) An affidavit filed with the Department of Employment and Workforce pursuant to this subsection remains in effect until revoked by the employer. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 3A

Senators MARTIN and CORBIN proposed the following amendment (3126R016.KMM.SRM), which was tabled:

Amend the bill, as and if amended, by striking SECTION 5 and inserting:

/ SECTION 5. (A)(1) If a private employer terminates, suspends, or otherwise reduces the compensation of an employee because the employee does not receive a COVID-19 vaccination or booster, that

employee is eligible for unemployment benefits subject to the benefit amounts, duration, and requirements as provided in Article 1, Chapter 35, Title 41, except as otherwise provided in this Section. An employee who is eligible for unemployment benefits pursuant to this subsection is exempt from the one-week waiting period contained in Section 41-35-110(4).

(2) An employee eligible for unemployment benefits pursuant to this subsection (A) is exempt from the eligibility conditions contained in:

(a) Section 41-35-110(3)(b), relating to self-employment;

(b) Section 41-35-110(3)(c), relating to temporary work assignments; and

(c) Section 41-35-110(6), relating to reemployment services.

(B) For purposes of this section, "private employer" means all employers other than the state and its political subdivisions, including school districts.

(C) Employee eligibility for unemployment benefits pursuant to this section is retroactive to nine months prior to the effective date of this act.

(D)(1) Notwithstanding the provisions of Section 41-35-50, employee eligible for unemployment benefits pursuant to this subsection (A), the maximum potential benefits of any insured worker in a benefit year are the lesser of:

(a) forty times his weekly benefit amount;

(b) one-half of his wages for insured work paid during his base period.

(2) If the resulting amount is not a multiple of one dollar, the amount must be reduced to the next lower multiple of one dollar, except that no insured worker may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed 'insured work' as defined in Section 41-27-300 and earned wages in the employ of a single employer in an amount equal to not less than eight times the weekly benefit amount established for the individual in the preceding benefit year.

(E) Employees eligible for and receiving benefits pursuant to this section are exempt from the provisions contained in Section 41-35-60, relating to weekly benefits for partial unemployment. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator K. JOHNSON spoke on the amendment.

Senator SABB spoke on the amendment.

Senator TURNER moved to lay the amendment on the table.

The amendment was laid on the table.

Recorded Vote

Senators MARTIN and VERDIN desired to be recorded as voting against the motion to table the amendment.

Amendment No. 4B

Senator TURNER proposed the following amendment (3126R015.SP.RT), which was adopted:

Amend the bill, as and if amended, SECTION 5, on page 3, by striking lines 4 - 6.

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

Senator MASSEY spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

Having failed to receive the necessary votes, the motion to table failed.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 14; Abstain 1

AYES

Allen	Bennett	Climer
Cromer	Gambrell	Goldfinch
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
McElveen	McLeod	Rankin
Scott	Senn	Setzler

Shealy	Stephens	Turner
Williams	Young	

Total--26

NAYS

Adams	Alexander	Campsen
Cash	Corbin	Davis
Garrett	Gustafson	Martin
Massey	Matthews	Peeler
Rice	Verdin	

Total--14

ABSTAIN

Sabb

Total--1

The amendment was adopted.

Amendment No. 5

Senator KIMBRELL proposed the following amendment (3126R013.SP.JK), which was tabled:

Amend the bill, as and if amended, SECTION 5, on page 3, after line 6, by adding an appropriately lettered new subsection to read:

/ ( ) A private employer who terminates, suspends, or otherwise reduces the compensation of an employee because the employee does not receive a COVID-19 vaccination or booster, but the private employer took such action as the consequence of a federal requirement, shall not be penalized for the action by having his average rate of total unemployment affected. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator MARTIN moved to lay the amendment on the table.

The amendment was laid on the table.

On motion of Senator MASSEY, with unanimous consent, the committee amendment was withdrawn.

Amendment No. 7

Senator CASH proposed the following amendment (3126R019.SP.RJC), which was tabled:

Amend the bill, as and if amended, SECTION 5, by adding an appropriately lettered new subsection to read:

/( ) Employee eligibility for unemployment benefits pursuant to this SECTION is retroactive to January 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator TURNER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 16; Abstain 1

AYES

Allen	Bennett	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Rankin	Scott
Senn	Setzler	Shealy
Stephens	Turner	Williams

Total--24

NAYS

Adams	Alexander	Campsen
Cash	Climer	Davis
Grooms	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Rice	Verdin
Young		

Total--16

ABSTAIN

Sabb

Total--1

The amendment was laid on the table.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 12; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Senn	Shealy	Turner
Verdin	Young	

Total--29

NAYS

Allen	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	McLeod	Scott
Setzler	Stephens	Williams

Total--12

ABSTAIN

Sabb

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:29 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 7, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joel 2:12

We read in the book of Joel: "Yet even now, says the Lord, return to me with all your heart, with fasting, with weeping, and with mourning."

Join me as we pray, please: Most Holy and loving Lord, we find ourselves on the verge of yet another Holy Week, that period when many of us will continue to reflect upon how we live moment by moment, day by day. So we do ask You, O God, to forgive us for those many times when we have likely disappointed You through some of our decisions and a lot of our actions. Rather, in weeks and months to come may we all be more determined than ever to live in ways that are pleasing to You. And especially bless these servants of Yours here in this Senate, O God. May they always labor diligently to bring about good for the people of this State. We so pray in Your loving and hope-filled name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator SCOTT made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Doctor of the Day

Senator GAMBRELL introduced Dr. T. Edwin Evans of Seneca, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:31 A.M., Senator McLEOD was granted a leave of absence for the balance of the day.

THURSDAY, APRIL 7, 2022

Leave of Absence

On motion of Senator TURNER, at 11:31 A.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 11:31 A.M., Senator KIMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator KIMPSON, at 11:40 A.M., Senator MATTHEWS was granted a leave of absence until 12:30 P.M.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 1077 Sen. Scott
S. 1237 Sen. Malloy

RECALLED AND ADOPTED

S. 1245 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS AND MARKERS TO COMMEMORATE THE LADY GAMECOCKS BASKETBALL TEAM WINNING THE 2022 NCAA CHAMPIONSHIP.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 4938 -- Reps. Parks and Howard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 10 IN MCCORMICK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 28 TO ITS INTERSECTION WITH THE MCCORMICK/GREENWOOD COUNTY LINE "CAPTAIN JUNNE 'J.R.' JONES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1249 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO SEPARATION NOTICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5093, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1250 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS

OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1251 -- Senator Malloy: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO SECTION 1, ARTICLE XVII OF THE CONSTITUTION OF THIS STATE, RELATING TO QUALIFICATIONS FOR OFFICE, TO PROVIDE THAT A RESIDENT OF ANOTHER STATE MAY BE ELECTED TO SERVE ON A COLLEGE OR UNIVERSITY BOARD OF TRUSTEES.
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Read the first time and referred to the Committee on Judiciary.

H. 3106 -- Reps. Bannister, G. R. Smith, Dillard, Elliott, Hosey and Willis: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

Read the first time and referred to the Committee on Finance.

H. 3120 -- Reps. Hyde, V. S. Moss, Cobb-Hunter, Long, Cogswell, W. Cox, Gagnon, T. Moore, W. Newton, Finlay, Huggins, Ballentine, Caskey, Wooten, Crawford, Henderson-Myers, Erickson, Bradley, Herbkersman, J. E. Johnson, Carter, S. Williams and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

Read the first time and referred to the Committee on Finance.

H. 3252 -- Reps. White, Blackwell, Whitmire, W. Cox, McGarry and B. Newton: A BILL TO AMEND SECTION 23-9-25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE V-SAFE PROGRAM, SO AS TO SIMPLIFY THE DEFINITION OF FIRE DEPARTMENTS AND THE PROJECTS ON WHICH GRANT FUNDS MAY BE EXPENDED, TO INCREASE GRANT AMOUNTS, AND TO SPECIFY PROJECTS FOR WHICH GRANTS MAY BE AWARDED; TO AMEND SECTION 38-7-20, AS AMENDED, RELATING TO INSURANCE PREMIUM TAXES, SO AS TO DIRECT ADDITIONAL FUNDS TO THE V-SAFE PROGRAM; TO AMEND SECTION 12-37-935, RELATING TO THE ADDITIONAL DEPRECIATION REIMBURSEMENT, SO AS TO DIRECT A PERCENTAGE OF SUCH FUNDS TO THE V-SAFE PROGRAM; AND TO AMEND SECTION 11-11-150, RELATING TO DEDUCTIONS FROM THE ESTIMATE OF REVENUES, SO AS TO MAKE A CONFORMING CHANGE.

Read the first time and referred to the Committee on Finance.

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

Read the first time and referred to the Committee on Finance.

H. 3669 -- Reps. Hart, Gilliard, Weeks, Caskey, Wooten, B. Cox, Gilliam, Hosey, Clyburn, Bailey, J. E. Johnson, W. Cox, White, R. Williams, McDaniel, King and Rivers: A BILL TO AMEND SECTION 12-37-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

Read the first time and referred to the Committee on Finance.

H. 3709 -- Reps. J. L. Johnson, M. M. Smith, Brawley, Govan, Pendarvis, Tedder, Matthews, Henegan, McDaniel, Henderson-Myers, Yow, McGarry, Rivers and S. Williams: A BILL TO AMEND SECTION 12-36-2630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEVEN PERCENT SALES TAX ON ACCOMMODATIONS, SO AS TO CHANGE THE AGE THAT A CERTAIN ONE PERCENT SALES TAX DOES NOT APPLY FROM INDIVIDUALS OVER THE AGE OF EIGHTY-FIVE TO INDIVIDUALS OVER THE AGE OF SEVENTY.

Read the first time and referred to the Committee on Finance.

H. 3840 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G. R. Smith, Huggins, Murray and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION,

AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Read the first time and referred to the Committee on Medical Affairs.

H. 4048 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

Read the first time and referred to the Committee on Judiciary.

H. 4243 -- Reps. Crawford, McGinnis, Hardee, J. E. Johnson, Brittain, Weeks, Erickson and Bradley: A BILL TO AMEND SECTION 12-39-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE.

Read the first time and referred to the Committee on Finance.

H. 4252 -- Reps. Bannister, West, Anderson, B. Cox, Elliott, Willis, W. Cox, B. Newton, Pendarvis, Ballentine, Crawford, Daning, Gagnon, Herbkersman, W. Newton, Erickson and Bradley: A BILL TO AMEND SECTION 12-10-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LEGISLATIVE INTENT OF THE ENTERPRISE ZONE ACT OF 1995, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-10-30, RELATING TO DEFINITIONS, SO AS TO ADD A DEFINITION OF "RELATED PERSON"; TO AMEND SECTION 12-10-50, RELATING TO QUALIFICATIONS FOR BENEFITS, SO AS TO PROVIDE THAT TO QUALIFY FOR BENEFITS A BUSINESS MUST ENTER INTO A RETAINING AGREEMENT WITH A CERTAIN TECHNICAL COLLEGE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO PROVIDE FOR CERTAIN DESIGNATIONS OF QUALIFYING BUSINESSES AND TO INCREASE THE AMOUNT OF CERTAIN GROSS WAGES AN EMPLOYEE MUST EARN; TO AMEND SECTION 12-10-81, RELATING TO THE JOB DEVELOPMENT TAX CREDITS, SO AS TO INCREASE THE AMOUNT OF CERTAIN GROSS WAGES AN EMPLOYEE MUST EARN; AND TO AMEND SECTION 12-10-100, RELATING TO THE CRITERIA FOR DETERMINATION AND SELECTION OF A QUALIFYING BUSINESS, SO AS TO MAKE A CONFORMING CHANGE.

Read the first time and referred to the Committee on Finance.

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4541 -- Reps. Haddon, Erickson, Cobb-Hunter, Bennett, Bustos, Jones, Matthews, McCravy and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-13-37 SO AS TO PROVIDE FOR THE TREATMENT OF PREGNANT AND POSTPARTUM INMATES.

Read the first time and referred to the Committee on Corrections and Penology.

H. 4614 -- Reps. B. Cox, White, Wooten, Caskey, Elliott, T. Moore, G. R. Smith, M. M. Smith, Bennett, Ballentine, Jones, Morgan, McCabe, Blackwell, Oremus, Atkinson, Davis, Kirby, B. Newton, Willis, Taylor, Hill, W. Cox, Garvin and Fry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-2250 SO AS TO PERMIT A PERSON AUTHORIZED TO HUNT ON A WILDLIFE MANAGEMENT AREA TO HUNT ON A SUNDAY.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF

HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Read the first time and referred to the Committee on Medical Affairs.

H. 4805 -- Rep. Elliott: A BILL TO AMEND SECTION 12-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF LICENSE TAXES ON CORPORATIONS, SO AS TO PROVIDE THAT THE FEE DOES NOT APPLY TO ANY PORTION OF THE FIRST FIFTY MILLION DOLLARS OF CERTAIN CAPITAL STOCK AND PAID-IN OR CAPITAL SURPLUS.

Read the first time and referred to the Committee on Finance.

H. 4817 -- Reps. Ligon, Simrill, McGarry, B. Newton, Atkinson, R. Williams, Wheeler, Hardee, Gagnon, Hill, Huggins, Taylor and Blackwell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SHORT LINE RAILROAD MODERNIZATION ACT" BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT EQUAL TO FIFTY PERCENT OF AN ELIGIBLE TAXPAYER'S QUALIFIED RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES, AND TO PROVIDE FOR THE ADMINISTRATION OF THE TAX CREDIT.

Read the first time and referred to the Committee on Finance.

H. 4918 -- Reps. Thayer, Pope, White, Erickson, Gilliam, Long, Wooten, Atkinson, Magnuson, Haddon, T. Moore, Hyde, Allison, R. Williams, Jefferson, Yow, Forrest, B. Newton, W. Newton, Herbkersman and McGarry: A BILL TO AMEND SECTION 9-11-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCREASE THE AMOUNT THAT MAY BE EARNED WITHOUT AFFECTING THE MONTHLY RETIREMENT ALLOWANCE FROM TEN THOUSAND DOLLARS

TO FIFTY THOUSAND DOLLARS FOR CERTAIN RETIRED MEMBERS.

Read the first time and referred to the Committee on Finance.

H. 4948 -- Rep. Rutherford: A BILL TO AMEND SECTION 17-5-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AUTHORIZED TO VIEW PHOTOGRAPHS AND VIDEOS OF AN AUTOPSY, SO AS TO RESTRUCTURE THE CIRCUMSTANCES UNDER WHICH PHOTOGRAPHS AND VIDEOS OF AN AUTOPSY MAY BE DISSEMINATED.

Read the first time and referred to the Committee on Judiciary.

H. 4985 -- Reps. Hosey, Henegan, Clyburn, Rivers, Tedder, R. Williams, K. O. Johnson, Thigpen, Bamberg, Kirby, Govan, Cobb-Hunter, S. Williams, J. L. Johnson, Alexander, McKnight, Weeks, Murray and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 11 SO AS TO ESTABLISH THE "I-95 CORRIDOR AUTHORITY ACT" AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

Read the first time and referred to the Committee on Finance.

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4994 -- Reps. Ligon, B. Newton, Hiott, Haddon, Nutt, Ott, Kirby, Chumley, Burns, Bryant and V. S. Moss: A BILL TO AMEND SECTION 27-50-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCLOSURE STATEMENTS REQUIRED FOR REAL PROPERTY TRANSACTIONS, SO AS TO REQUIRE THE DISCLOSURE OF ADJACENT PROPERTY UTILIZED FOR AGRICULTURAL PURPOSES.

Read the first time and referred to the Committee on Judiciary.

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

Read the first time and referred to the Committee on Medical Affairs.

H. 5075 -- Reps. G. M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Read the first time and referred to the Committee on Finance.

H. 5144 -- Reps. G. M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

Read the first time and referred to the Committee on Finance.

H. 5198 -- Reps. Lucas, G. M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO

PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Education.

H. 5215 -- Reps. Rutherford and Rose: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

Read the first time and referred to the Committee on Transportation.

H. 5222 -- Reps. Kirby, Lowe, Alexander, Jordan, R. Williams, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, King, Ligon, Long, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen,

Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOSEPH W. KING, EXECUTIVE DIRECTOR FOR FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP, UPON THE OCCASION OF HIS RETIREMENT AFTER A DISTINGUISHED TENURE OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator ALEXANDER from the Committee on Operations and Management polled out S. 1107 favorable:

S. 1107 -- Senators Shealy and Senn: A SENATE RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 17, 2022.

Poll of the Labor, Commerce and Industry Committee
Polled 9; Ayes 9; Nays 0; Not Voting 0

AYES

Alexander	Peeler	Setzler
Rankin	Hutto	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Operations and Management polled out S. 1231 favorable:

S. 1231 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

Poll of the Labor, Commerce and Industry Committee
Polled 9; Ayes 9; Nays 0; Not Voting 0

AYES

Alexander	Peeler	Setzler
Rankin	Hutto	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2020, and to expire June 30, 2024

1st Congressional District:

Barry D. Malphrus, 6036 Vaux Road, Beaufort, SC 29906-9472

Received as information.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2021, and to expire June 30, 2025

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

4th Congressional District:

Bobby H. Mann, 140 Hammond Dr., Taylors, SC 29687-6923 *VICE* Sharon L. Wilson

Received as information.

Message from the House

Columbia, S.C., April 6, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 7, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 7, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4571 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET IN THE CITY OF DILLON FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH NORTH ELEVENTH AVENUE “CASEY MANNING DRIVE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION

WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS.

and has ordered the Concurrent Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1220 -- Senator Rice: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF PICKENS COUNTY BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5159 -- Reps. G.R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1235 -- Senator Matthews: A BILL TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO REMOVE ARCHAIC LANGUAGE.

SECOND READING BILL

S. 1241 -- Senator Matthews: A BILL TO ADD TWO MEMBERS TO THE WALTERBORO-COLLETON COUNTY AIRPORT COMMISSION.

On motion of Senator MATTHEWS.

S. 1241--Ordered to a Third Reading

On motion of Senator MATTHEWS, S. 1241 was ordered to receive a third reading on Friday, April 8, 2022.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

The Senate proceeded to a consideration of the Bill.

Senators KIMPSON, HEMBREE and DAVIS proposed the following amendment (984R002.SP.MEK), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 1. This SECTION applies retroactively to any service or fee imposed after December 31, 1996. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senators RICE and FANNING proposed the following amendment (984R003.SP.MWF), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

"( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( ) A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county's website." /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The question being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 7; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Kimpson	Loftis	Malloy
Massey	McElveen	Rankin
Reichenbach	Rice	Sabb
Scott	Stephens	Turner
Verdin	Williams	

Total--32

NAYS

Climer	Cromer	*Johnson, Michael*
Martin	Peeler	Senn
Shealy		

Total--7

ABSTAIN

Hutto	Young

Total--2

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

Statement by Senators YOUNG and HUTTO

We abstained from voting on S. 984 because of a possible client conflict.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1032 -- Senators Martin, Verdin, Kimbrell, Garrett, Senn and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN explained the Bill.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3509 -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.

COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME
SENT TO THE HOUSE

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND

SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD1077.005), which was adopted:

Amend the bill, as and if amended, beginning on page 1, line 29, and ending on page 2, line 3, by striking Section 58-27-1100, and inserting:

/ Section 58-27-1100. Upon application by an electrical utility, the commission may by order authorize the issuance of bonds for the purposes of offsetting and reducing prudently incurred costs due to storm recovery activity. It is in the interest of the State and its citizens to encourage and facilitate the use of securitized bonds as a method for enabling electrical utilities to lower the cost of financing the costs of these activities under certain conditions, and to empower the commission to review a securitization mechanism to determine whether it is consistent with the public interest and worthy of approval. In order for the commission to authorize the issuance of these bonds, it must find that an electrical utility's use of this financing mechanism will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds, and will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in a financing order issued by the commission. /

Amend the bill further, as and if amended, page 3, by striking lines 32-39, and inserting:

/ (13)(a) The term 'storm recovery activity' means an activity or activities by an electrical utility, its affiliates, or its contractors directly and specifically in connection with the restoration of service and infrastructure associated with electric power outages affecting customers of an electrical utility as the result of a storm or storms, including activities related to mobilization, staging, and construction, reconstruction, replacement, or repair of electric generation, transmission, distribution, or general plant facilities.

(b) No electric utility is required to securitize nor is it prohibited from securitizing those capital improvements or infrastructure upgrades that have a quantifiable net benefit to consumers and that improve the resiliency of the transmission and distribution system. /

Amend the bill further, as and if amended, page 6, by striking lines 11-20 and inserting:

/ (7) a comparison between the net present value of the costs to customers that are estimated to result from the issuance of storm recovery bonds based on current market conditions and the costs that would result from the application of the traditional method of financing and recovering storm recovery costs from customers. The comparison should demonstrate that the issuance of storm recovery bonds and the imposition of storm recovery charges are expected to provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds; and /

Amend the bill further, as and if amended, page 12, by striking lines 3-20 and inserting:

/ (B) The commission may not order or otherwise directly or indirectly require an electrical utility to use storm recovery bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure except as permitted under this article. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to cause the storm recovery bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance, unless otherwise provided in the financing order. Nothing shall prevent the electrical utility from abandoning the issuance of storm recovery bonds under the financing order by filing with the commission a statement of abandonment and the reasons therefor. The commission may not refuse to allow an electrical utility to recover storm recovery costs in an otherwise permissible fashion, or refuse or condition authorization or approval of the issuance and sale by an electrical utility of securities or the assumption by the electrical utility of liabilities or obligations, solely because of the potential availability of storm recovery bond financing. /

Amend the bill further, as and if amended, page 17, by striking lines 18-35 and inserting:

/ (3) Any right that an electrical utility has in the storm recovery property before its pledge, sale, or transfer or any other right created under this article or created in the financing order and assignable under this article or assignable pursuant to a financing order is property in the form of a contract right or a chose in action. Transfer of an interest in storm recovery property to an assignee is enforceable only upon all of the following items having been attained: (i) the issuance of a financing order, (ii) the assignor having rights in such storm recovery property or the power to transfer rights in such storm recovery property to an assignee, (iii) the execution and delivery by the assignor of transfer

documents in connection with the issuance of storm recovery bonds, and (iv) the receipt of value for the storm recovery property. An enforceable transfer of an interest in storm recovery property to an assignee is perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with item (B)(3) of this section. The transfer is perfected against third parties as of the date of filing. /

Amend the bill further, as and if amended, page 18, by striking lines 41-43 and inserting:

/ Section 58-27-1135. All financing statements referenced in this article are subject to Part 5 of Chapter 9 of the 1976 Code, except that the requirement as to continuation statements does not apply. /

Amend the bill further, as and if amended, page 20, by striking lines 28-30 and inserting:

/ (B) Any person or entity that issues storm recovery bonds may include the language specified in this section in the storm recovery bonds and related documentation. /

Amend the bill further, as and if amended, page 20, by striking lines 35-39 and inserting:

/ Section 58-27-1165. If there is a conflict between this article and any other law regarding the attachment, assignment, perfection, effect of perfection, priority of, assignment or transfer of, or security interest in storm recovery property, this article shall govern. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senator HARPOOTLIAN proposed the following amendment (1077R002.SP.RAH), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/ SECTION 1. Chapter 27, Title 58 of the 1976 Code is amended by adding:

"Article 8

Section 58-27-1100. Upon application by an electrical utility, the commission may by order authorize the issuance of bonds for the purposes of offsetting and reducing prudently incurred costs due to qualified recovery activity. It is in the interest of the State and its citizens

to encourage and facilitate the use of securitized bonds as a method for enabling electrical utilities to lower the cost of financing the costs of these activities under certain conditions, and to empower the commission to review a securitization mechanism to determine whether it is consistent with the public interest and worthy of approval. In order for the commission to authorize the issuance of these bonds, it must find that an electrical utility's use of this financing mechanism will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds, and will result in the lowest qualified recovery charges consistent with market conditions at the time the recovery bonds are priced and the terms set forth in a financing order issued by the commission.

Section 58-27-1105. When used in this article:

(1) The term 'ancillary agreement' means a bond, insurance policy, letter of credit, reserve account, surety bond, liquidity or credit support arrangement, or other financial arrangement entered into in connection with recovery bonds.

(2) The term 'assignee' means a legally recognized entity to which an electrical utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to qualified recovery property. The term includes a corporation, limited liability company, general partnership or limited partnership, public authority, trust, financing entity, or any entity to which an assignee assigns, sells, or transfers, other than as security, all or a portion of its interest in or right to qualified recovery property.

(3) The term 'bondholder' means a person who holds a storm recovery bond.

(4) The term 'code' means The Uniform Commercial Code, Title 36 of the South Carolina Code of Laws.

(5) The term 'commission' means the Public Service Commission of South Carolina.

(6) The term 'electrical utility' is as defined in Section 58-27-10(7).

(7) The term 'financing costs' includes all of the following:

(a) interest and acquisition, defeasance, or redemption premiums payable on recovery bonds;

(b) any payment required under an ancillary agreement and any amount required to fund or replenish a storm reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to recovery bonds;

(c) any other cost related to issuing, supporting, repaying, refunding, and servicing recovery bonds, including servicing fees, accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of recovery or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

(d) any taxes and license fees or other fees imposed on the revenues generated from the collection of a qualified recovery charge or otherwise resulting from the collection of qualified recovery charges, in any such case whether paid, payable, or accrued;

(e) any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

(f) any costs incurred by the commission or the Office of Regulatory Staff for any outside consultants, including counsel and advisors, retained in connection with the securitization of qualified recovery costs.

(8) The term 'financing order' means an order that authorizes the issuance of recovery bonds; the imposition, collection, and periodic adjustments of a qualified recovery charge; the creation of qualified recovery property; and the sale, assignment, or transfer of qualified recovery property to an assignee.

(9) The term 'financing party' means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other person acting for the benefit of bondholders.

(10) The term 'financing statement' is as defined in Section 36-9-102.

(11) The term 'pledgee' means a financing party to which an electrical utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to qualified recovery property.

(12) The term 'storm' means, individually or collectively, a named tropical storm or hurricane, a tornado, ice storm or snowstorm, flood, an earthquake, or other significant weather or natural disaster.

(13)(a) The term 'qualified electric activity' means an activity or activities by an electrical utility, its affiliates, or its contractors directly and specifically in connection with the restoration of service and infrastructure associated with:

(i) electric power outages affecting customers of an electrical utility as the result of a storm or storms, including activities related to mobilization, staging, and construction, reconstruction, replacement, or repair of electric generation, transmission, distribution, or general plant facilities; or

(ii) clean-up or remediation of any coal combustion residuals (CCRs).

(b) No electric utility is required to securitize nor is it prohibited from securitizing those capital improvements or infrastructure upgrades that have a quantifiable net benefit to consumers and that improve the resiliency of the transmission and distribution system.

(14) The term 'recovery bonds' means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued by an electrical utility or an assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance commission-approved qualified recovery costs and financing costs, and that are secured by or payable from qualified recovery property. If certificates of participation or ownership are issued, references in this article to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

(15) The term 'qualified recovery charge' means the amounts authorized by the commission to repay, finance, or refinance qualified recovery costs and financing costs and that are nonbypassable charges (i) imposed on and part of all retail customer bills, (ii) collected by an electrical utility or its successors or assignees, or a collection agent, in full, separate and apart from the electrical utility's base rates, and (iii) paid by all existing or future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electricity supplier following a fundamental change in regulation of electrical utilities in this State.

(16) The term 'qualified recovery costs' means:

(a)(i) all incremental costs, including capital costs, appropriate for recovery from existing and future retail customers receiving transmission or distribution service from an electrical utility that an electrical utility has incurred or expects to incur as a result of the applicable storm that are caused by, associated with, or remain as a result of undertaking qualified recovery activity; or

(ii) commission-approved and prudently incurred costs related to clean-up and remediation of any CCR that have a quantifiable benefit to customers.

(b) Qualified recovery costs shall be net of applicable insurance proceeds, tax benefits, income tax savings, and any other amounts intended to reimburse the electrical utility for qualified recovery activities such as government grants, or aid of any kind and where determined appropriate by the commission, and may include adjustments for capital replacement and operating costs previously considered in determining normal amounts in the electrical utility's most recent general rate proceeding. Qualified recovery costs may include, to the extent determined appropriate by the commission, the cost to replenish and fund any storm reserves, the costs of retiring any existing indebtedness relating to qualified recovery activities, and carrying costs.

(c) With respect to qualified recovery costs that the electrical utility expects to incur, any difference between costs expected to be incurred and actual, reasonable and prudent costs incurred, or any other rate-making adjustments appropriate to fairly and reasonably assign or allocate cost recovery to customers over time, shall be addressed in a future general rate proceeding, as may be facilitated by other orders of the commission issued at the time or prior to such proceeding; provided, however, that the commission's adoption of a financing order and approval of the issuance of recovery bonds may not be revoked or otherwise modified.

(17) The term 'qualified recovery property' means:

(a) All rights and interests of an electrical utility or successor or assignee of the electrical utility under a financing order, including the right to impose, bill, charge, collect, and receive qualified recovery charges authorized under the financing order and to obtain periodic adjustments to such charges as provided in the financing order.

(b) All revenues, collections, claims, rights to payments, payments, money, or proceeds arising from the rights and interests specified in the financing order, regardless of whether such revenues, collections, claims, rights to payment, payments, money, or proceeds are imposed, billed, received, collected, or maintained together with or commingled with other revenues, collections, rights to payment, payments, money, or proceeds.

(18) The term 'early retirement' means the permanent closure, decommissioning, or retirement of a coal fired generation plant on a schedule that is earlier that its previously scheduled retirement with the

result that the utility has not recovered the entire commission-approved investment in the facility by the time of its retirement.

Section 58-27-1110. (A) An electrical utility may petition the commission for a financing order. The petition shall include all of the following:

(1) a description of the qualified recovery activities that the electrical utility has undertaken or proposes to undertake and the reasons for undertaking the activities, or if the electrical utility is subject to a settlement agreement that governs the type and amount of principal costs that could be included in qualified recovery costs, a description of the settlement agreement;

(2) the qualified recovery costs and an estimate of the costs of any qualified recovery activities that are being undertaken but are not completed;

(3) the level of the storm recovery reserve, if any, that the electrical utility proposes to establish or replenish and has determined would be appropriate to recover through recovery bonds and is seeking to so recover, and such level that the electrical utility is funding or will seek to fund through other means, together with a description of the factors and calculations used in determining the amounts and methods of recovery;

(4) an indicator of whether the electrical utility proposes to finance all or a portion of the qualified recovery costs using recovery bonds. If the utility proposes to finance a portion of such costs, the electrical utility must identify the specific portion in the petition. By requesting not to finance a portion of such qualified recovery costs using recovery bonds, an electrical utility shall not be deemed to waive its right to seek to recover such costs pursuant to a separate proceeding with the commission;

(5) an estimate of the financing costs related to the recovery bonds;

(6) an estimate of the qualified recovery charges necessary to recover the qualified recovery costs, including the storm recovery reserve amount, if any, determined appropriate by the commission, and financing costs and the period for recovery of such costs;

(7) a comparison between the net present value of the costs to customers that are estimated to result from the issuance of recovery bonds based on current market conditions and the costs that would result from the application of the traditional method of financing and recovering qualified recovery costs from customers. The comparison should demonstrate that the issuance of recovery bonds and the imposition of qualified recovery charges are expected to provide

quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds; and

(8) direct testimony, exhibits, and supporting work papers supporting the petition, testimony, and exhibits. Such work papers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and work papers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(B) If the principal costs the electrical utility proposes to finance using recovery bonds were not already subject to review by the commission in a general rate proceeding, then the electrical utility must file a petition with the commission for review and approval of those costs no later than one hundred and eighty days before filing a petition for a financing order pursuant to this section.

(1) Any petition for review and approval of the principal costs shall be accompanied by direct testimony, exhibits, and supporting work papers supporting the petition, testimony, and exhibits. Such work papers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and work papers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(2) If the electrical utility must file a petition for review and approval of the principal costs, the electrical utility shall not be required to provide additional notice prior to filing a petition for a financing order pursuant to this section; otherwise, the utility shall file a notice of its intent to file a petition for a financing order pursuant to this article not less than thirty days prior to filing any such petition.

(C)(1) Proceedings on a petition for a financing order submitted pursuant to this section begin with the petition by an electrical utility, filed subject to the time frame specified in subsection (B) of this section, as applicable, and shall be disposed of in accordance with the requirements of this chapter and the rules of the commission, except as follows:

(a) within fourteen days after the date the petition is filed, the commission shall establish a procedural schedule that permits a commission decision no later than one hundred thirty-five days after the date the petition is filed; and

(b) no later than one hundred thirty-five days after the date the petition is filed, the commission shall issue a financing order or an order rejecting the petition. A party to the commission proceeding may petition the commission for reconsideration of the financing order within the time prescribed in Section 58-27-2150.

(2) A financing order issued by the commission to an electrical utility shall include all of the following elements and shall not issue unless each of the following elements is met:

(a) except for changes made pursuant to the formula-based mechanism authorized under this section, the amount of qualified recovery costs, including the level of storm recovery reserves, if any, to be financed using recovery bonds. The commission shall describe and estimate the amount of financing costs that may be recovered through qualified recovery charges and specify the period over which qualified recovery costs and financing costs may be recovered;

(b) a finding that the proposed issuance of recovery bonds and the imposition and collection of a qualified recovery charge will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of recovery bonds;

(c) a finding that the structuring, marketing, and pricing of the recovery bonds will result in the lowest storm qualified charges consistent with market conditions at the time the recovery bonds are priced and the terms set forth in such financing order. The financing order must provide detailed findings of fact addressing cost effectiveness and associated rate impacts upon retail customers and retail customer classes;

(d) a requirement that, for so long as the recovery bonds are outstanding and until all financing costs have been paid in full, the imposition and collection of qualified recovery charges authorized under a financing order shall be nonbypassable and paid by all existing and future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electric supplier following a fundamental change in regulation of electrical utilities in this State;

(e) a determination of what portion, if any, of the storm recovery reserves, if any, must be held in a funded reserve and any limitations on how the reserve may be held, accessed, or used;

(f) a formula-based true-up mechanism for making, at least annually, expeditious periodic adjustments in the qualified recovery charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any over collection or under collection of the charges or to otherwise ensure the timely payment of recovery bonds, financing costs, and other required amounts and charges payable in connection with the recovery bonds;

(g) the qualified recovery property that is or shall be created in favor of an electrical utility or its successors or assignees, and that shall be used to pay or secure recovery bonds and all financing costs;

(h) the degree of flexibility to be afforded to the electrical utility in establishing the terms and conditions of the recovery bonds, including, but not limited to, repayment schedules, expected interest rates, and other financing costs, and subject to any conditions in the financing order, including the pre-bond issuance review process which the commission shall establish;

(i) how qualified recovery charges will be allocated among customer classes;

(j) a requirement that, after the final terms of an issuance of recovery bonds have been established and before the issuance of recovery bonds, the electrical utility determines the resulting initial qualified recovery charge in accordance with the financing order and that such initial qualified recovery charge be final and effective upon the issuance of such recovery bonds without further commission action so long as the recovery charge is consistent with the financing order and the pre-bond issuance review process established by the commission in the financing order is complete;

(k) a method of tracing funds collected as qualified recovery charges, or other proceeds of qualified recovery property, and the determination that such method shall be deemed the method of tracing such funds and determining the identifiable cash proceeds of any qualified recovery property subject to a financing order under applicable law; and

(l) any other conditions not otherwise inconsistent with this section that the commission determines are appropriate.

(3) A financing order issued to an electrical utility may provide that creation of the electrical utility's qualified recovery property is conditioned upon, and simultaneous with, the sale or other transfer of the qualified recovery property to an assignee and the pledge of the qualified recovery property to secure recovery bonds.

(4) If the commission issues a financing order and the recovery bonds are issued, the electrical utility shall file with the commission at least annually a petition or a letter applying the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make the applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any over collection or under collection of qualified recovery charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges with respect to recovery bonds approved under the financing order. Within sixty days after receiving an electrical utility's request pursuant to this paragraph, the commission shall either approve the request or inform the electrical utility of any mathematical or clerical errors in its calculation. If the commission informs the electrical utility of mathematical or clerical errors in its calculation, the electrical utility may correct its error and refile its request. The time frames previously described in this paragraph shall apply to a refiled request.

(5) Subsequent to the transfer of qualified recovery property to an assignee or the issuance of recovery bonds authorized thereby, whichever is earlier, a financing order is irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this article, the commission may not amend, modify, or terminate the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust recovery charges approved in the financing order. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to assign, sell, or otherwise transfer qualified recovery property or to cause recovery bonds to be issued, including the right to defer or postpone such assignment, sale, transfer, or issuance, unless otherwise provided in the financing order.

(6) If required by the commission in a financing order, within one business day after the final terms of the recovery bonds are determined, the electrical utility shall provide an issuance advice letter to the commission.

(a) Such issuance advice letter shall be in the form approved in a financing order and include the final terms of the recovery bond issuance, up-front financing costs and on-going financing costs. Such

issuance advice letter shall include a certification from the electrical utility, the primary underwriter(s), and a qualified independent third-party designated by the commission, as a condition to closing, certifying whether the sale of recovery bonds complies with the requirements of this article and the financing order. The certifications of the electrical utility and independent third-party shall certify whether the issuance of recovery bonds and the imposition and collection of a qualified recovery charge will in fact provide quantifiable net benefits to customers on a present-value basis as compared to the costs that would have been incurred absent the issuance of recovery bonds. The certifications of the electrical utility, primary underwriter(s), and independent third-party shall certify whether the structuring, marketing, and pricing of the recovery bonds will in fact result in the lowest qualified recovery charges consistent with market conditions at the time the recovery bonds were priced and the terms set forth in the financing order.

(b) Unless otherwise provided in the financing order, by no later than noon on the fourth business day after the final terms of the recovery bonds are determined, the commission shall either accept the issuance advice letter or deliver an order to the electrical utility to prevent the issuance of the recovery bonds. To the extent the commission does not deliver an order to prevent the issuance of the recovery bonds within the time period prescribed in the financing order, the recovery bonds may be issued without further action of the commission.

(D) At the request of an electrical utility, the commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding recovery bonds issued pursuant to the original financing order if the commission finds that the subsequent financing order satisfies all of the criteria specified in this article for a financing order. Effective upon retirement of the refunded recovery bonds and the issuance of new recovery bonds, the commission shall adjust the related qualified recovery charges accordingly.

(E) Within thirty days after the commission issues a financing order or a decision denying a request for reconsideration or, if the request for reconsideration is granted, within thirty days after the commission issues its decision on reconsideration, an adversely affected party may petition for judicial review in the Supreme Court of South Carolina. Review on appeal shall be based solely on the record before the commission and briefs to the court and is limited to determining whether the financing order, or the order on reconsideration, conforms to the State Constitution and to state and federal law, and is within the authority of the commission

under this article. The Supreme Court of South Carolina shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over other matters not accorded similar precedence by law.

(F)(1) A financing order remains in effect and qualified recovery property under the financing order continues to exist until recovery bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all commission-approved financing costs of such recovery bonds have been recovered in full.

(2) A financing order issued to an electrical utility remains in effect and unabated notwithstanding the reorganization, bankruptcy or other insolvency proceedings, merger, or sale of the electrical utility or its successors or assignees.

Section 58-27-1115. (A) The commission may not, in exercising its powers and carrying out its duties regarding any matter within its authority pursuant to this chapter, consider the recovery bonds issued pursuant to a financing order to be the debt of the electrical utility other than for federal income tax purposes, consider the qualified recovery charges paid under the financing order to be the revenue of the electrical utility for any purpose, or consider the qualified recovery costs or financing costs specified in the financing order to be the costs of the electrical utility, nor may the commission determine any action taken by an electrical utility which is consistent with the financing order to be unjust or unreasonable unless the electrical utility abandons the issuance of recovery bonds or the electrical utility's petition for a financing order is ultimately denied.

(B) The commission may not order or otherwise directly or indirectly require an electrical utility to use recovery bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure except as permitted under this article. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to cause the recovery bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance, unless otherwise provided in the financing order. Nothing shall prevent the electrical utility from abandoning the issuance of recovery bonds under the financing order by filing with the commission a statement of abandonment and the reasons therefor. The commission may not refuse to allow an electrical utility to recover qualified recovery costs in an otherwise permissible fashion, or refuse or condition authorization or approval of the issuance and sale by an electrical utility of securities or

the assumption by the electrical utility of liabilities or obligations, solely because of the potential availability of storm recovery bond financing.

Section 58-27-1120. The electric bills of an electrical utility that has obtained a financing order and caused recovery bonds to be issued must comply with the provisions of this section; however, the failure of an electrical utility to comply with this section does not invalidate, impair, or affect any financing order, qualified recovery property, recovery charge, or recovery bonds. The electrical utility must do the following:

(1) explicitly reflect that a portion of the charges on such bill represents recovery charges approved in a financing order issued to the electrical utility and, if the qualified recovery property has been transferred to an assignee, must include a statement to the effect that the assignee is the owner of the rights to recovery charges and that the electrical utility or other entity, if applicable, is acting as a collection agent or servicer for the assignee. The tariff applicable to customers must indicate the recovery charge and the ownership of the charge; and

(2) include the recovery charge on each customer's bill as a separate line item and include both the rate and the amount of the charge on each bill.

Section 58-27-1125. (A) Provisions applicable to qualified recovery property:

(1) All qualified recovery property that is specified in a financing order constitutes an existing, present intangible property right or interest therein, notwithstanding that the imposition and collection of recovery charges depends on the electrical utility to which the financing order is issued performing its servicing functions relating to the collection of recovery charges and on future electricity consumption. The property exists (i) regardless of whether or not the revenues or proceeds arising from the property have been billed, have accrued, or have been collected and (ii) notwithstanding the fact that the value or amount of the property is dependent on the future provision of service to customers by the electrical utility or its successors or assignees and the future consumption of electricity by customers.

(2) Qualified recovery property specified in a financing order exists until recovery bonds issued pursuant to the financing order are paid in full and all financing costs and other costs of such recovery bonds have been recovered in full.

(3) All or any portion of qualified recovery property specified in a financing order issued to an electrical utility may be transferred, sold, conveyed, or assigned to a successor or assignee, that is wholly owned, directly or indirectly, by the electrical utility and created for the limited

purpose of acquiring, owning, or administering qualified recovery property or issuing recovery bonds under the financing order. All or any portion of qualified recovery property may be pledged to secure recovery bonds issued pursuant to the financing order, amounts payable to financing parties and to counterparties under any ancillary agreements, and other financing costs. Any transfer, sale, conveyance, assignment, grant of a security interest in or pledge of qualified recovery property by an electrical utility or an affiliate of the electrical utility, to an assignee, to the extent previously authorized in a financing order, does not require the prior consent and approval of the commission.

(4) If an electrical utility defaults on any required payment of charges arising from qualified recovery property specified in a financing order, a court, upon application by an interested party, and without limiting any other remedies available to the applying party, shall order the sequestration and payment of the revenues arising from the qualified recovery property to the financing parties or their assignees. Any such financing order remains in full force and effect notwithstanding any reorganization, bankruptcy, or other insolvency proceedings with respect to the electrical utility or its successors or assignees.

(5) The interest of a transferee, purchaser, acquirer, assignee, or pledgee in qualified recovery property specified in a financing order issued to an electrical utility, and in the revenue and collections arising from that property, is not subject to setoff, counterclaim, surcharge, or defense by the electrical utility or any other person or in connection with the reorganization, bankruptcy, or other insolvency of the electrical utility or any other entity.

(6) Any successor to an electrical utility, whether pursuant to any reorganization, bankruptcy, or other insolvency proceeding or whether pursuant to any merger or acquisition, sale, or other business combination, or transfer by operation of law, as a result of electrical utility restructuring or otherwise, must perform and satisfy all obligations of, and have the same rights under a financing order as, the electrical utility under the financing order in the same manner and to the same extent as the electrical utility, including collecting and paying to the person entitled to receive the revenues, collections, payments, or proceeds of the qualified recovery property. Nothing in this subsection is intended to limit or impair any authority of the commission concerning the transfer or succession of interests of electrical utilities.

(7) Recovery bonds shall be nonrecourse to the credit or any assets of the electrical utility other than the qualified recovery property as

specified in the financing order and any rights under any ancillary agreement.

(B) Provisions applicable to security interests:

(1) The creation, perfection, and enforcement of any security interest in qualified recovery property to secure the repayment of the principal and interest and other amounts payable in respect of recovery bonds, amounts payable under any ancillary agreement, and other financing costs are governed by this section and not by the provisions of the code.

(2) A security interest in qualified recovery property is created, valid, and binding and perfected at the later of the times that: (i) the financing order is issued, (ii) a security agreement is executed and delivered by the debtor granting such security interest, (iii) the debtor has rights in such qualified recovery property or the power to transfer rights in such qualified recovery property, or (iv) value is received for the qualified recovery property. The description of qualified recovery property in a security agreement is sufficient if the description refers to this article and the financing order creating the storm recovery property.

(3) A security interest shall attach without any physical delivery of collateral or other act, and, upon the filing of a financing statement with the office of the Secretary of State, the lien of the security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the person granting the security interest, regardless of whether the parties have notice of the lien. Also upon this filing, a transfer of an interest in the qualified recovery property shall be perfected against all parties having claims of any kind, including any judicial lien or other lien creditors or any claims of the seller or creditors of the seller, and shall have priority over all competing claims other than any prior security interest, ownership interest, or assignment in the property previously perfected in accordance with this section.

(4) The Secretary of State shall maintain any financing statement filed to perfect any security interest under this article in the same manner that the Secretary maintains financing statements filed by transmitting utilities under the code. The filing of a financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code.

(5) The priority of a security interest in qualified recovery property is not affected by the commingling of qualified recovery charges with other amounts. Any pledgee or secured party shall have a perfected security interest in the amount of all qualified recovery charges that are

deposited in any cash or deposit account of the qualifying utility in which qualified recovery charges have been commingled with other funds and any other security interest that may apply to those funds shall be terminated when they are transferred to a segregated account for the assignee or a financing party.

(6) No application of the formula-based adjustment mechanism as provided in this article will affect the validity, perfection, or priority of a security interest in or transfer of qualified recovery property.

(7) If a default or termination occurs under the recovery bonds, the financing parties or their representatives may foreclose on or otherwise enforce their lien and security interest in any qualified recovery property as if they were secured parties with a perfected and prior lien under the code, and the commission may order amounts arising from qualified recovery charges be transferred to a separate account for the financing parties' benefit, to which their lien and security interest shall apply. On application by or on behalf of the financing parties, the Circuit Court of Richland County shall order the sequestration and payment to them of revenues arising from the recovery charges.

(C) Provisions applicable to the sale, assignment or transfer of qualified recovery property:

(1) Any sale, assignment, or other transfer of qualified recovery property shall be an absolute transfer and true sale of, and not a pledge of or secured transaction relating to, the seller's right, title and interest in, to, and under the qualified recovery property if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer other than for federal and state income tax purposes. For all purposes other than federal and State income tax purposes, the parties' characterization of a transaction as a sale of an interest in qualified recovery property shall be conclusive that the transaction is a true sale and that ownership has passed to the party characterized as the purchaser, regardless of whether the purchaser has possession of any documents evidencing or pertaining to the interest. A transfer of an interest in qualified recovery property may be created only when all of the following have occurred: (i) the financing order creating the qualified recovery property has become effective; (ii) the documents evidencing the transfer of qualified recovery property have been executed by the assignor and delivered to the assignee; and (iii) value is received for the qualified recovery property. After such a transaction, the qualified recovery property is not subject to any claims of the transferor or the transferor's creditors, other than creditors holding a prior security

interest in the qualified recovery property perfected in accordance with subsection (B) of this section.

(2) The characterization of the sale, assignment, or other transfer as an absolute transfer and true sale and the corresponding characterization of the property interest of the purchaser shall not be affected or impaired by the occurrence of any of the following factors:

(a) commingling of qualified recovery charges with other amounts;

(b) the retention by the seller of (i) a partial or residual interest, including an equity interest, in the qualified recovery property, whether direct or indirect, or whether subordinate or otherwise, or (ii) the right to recover costs associated with taxes, franchise fees, or license fees imposed on the collection of qualified recovery charges;

(c) any recourse that the purchaser may have against the seller;

(d) any indemnification rights, obligations, or repurchase rights made or provided by the seller;

(e) the obligation of the seller to collect qualified recovery charges on behalf of an assignee;

(f) the transferor acting as the servicer of the qualified recovery charges or the existence of any contract that authorizes or requires the electrical utility, to the extent that any interest in qualified recovery property is sold or assigned, to contract with the assignee or any financing party that it will continue to operate its system to provide service to its customers, will collect amounts in respect of the qualified recovery charges for the benefit and account of such assignee or financing party, and will account for and remit such amounts to or for the account of such assignee or financing party;

(g) the treatment of the sale, conveyance, assignment, or other transfer for tax, financial reporting, or other purposes;

(h) the granting or providing to bondholders a preferred right to the qualified recovery property or credit enhancement by the electrical utility or its affiliates with respect to such recovery bonds; or

(i) any application of the formula-based adjustment mechanism as provided in this article.

(3) Any right that an electrical utility has in the qualified recovery property before its pledge, sale, or transfer or any other right created under this article or created in the financing order and assignable under this article or assignable pursuant to a financing order is property in the form of a contract right or a chose in action. Transfer of an interest in qualified recovery property to an assignee is enforceable only upon all of the following items having been attained: (i) the issuance of a

financing order, (ii) the assignor having rights in such qualified recovery property or the power to transfer rights in such qualified recovery property to an assignee, (iii) the execution and delivery by the assignor of transfer documents in connection with the issuance of recovery bonds, and (iv) the receipt of value for the qualified recovery property. An enforceable transfer of an interest in qualified recovery property to an assignee is perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with item (B)(3) of this section. The transfer is perfected against third parties as of the date of filing.

(4) The Secretary of State shall maintain any financing statement filed to perfect any sale, assignment, or transfer of qualified recovery property under this section in the same manner that the Secretary maintains financing statements filed by transmitting utilities under the code. The filing of any financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code. The filing of such a financing statement is the only method of perfecting a transfer of qualified recovery property.

(5) The priority of a transfer perfected under this article is not impaired by any later modification of the financing order or qualified recovery property or by the commingling of funds arising from qualified recovery property with other funds. Any other security interest that may apply to those funds, other than a security interest perfected under subsection (B) of this section, is terminated when they are transferred to a segregated account for the assignee or a financing party. If qualified recovery property has been transferred to an assignee or financing party, any proceeds of that property must be held in trust for the assignee or financing party.

(6) The priority of the conflicting interests of assignees in the same interest or rights in any qualified recovery property is determined as follows:

(a) conflicting perfected interests or rights of assignees rank according to priority in time of perfection. Priority dates from the time a filing covering the transfer is made in accordance with item 3 of subsection (B) of this section;

(b) a perfected interest or right of an assignee has priority over a conflicting unperfected interest or right of an assignee;

(c) a perfected interest or right of an assignee has priority over a person who becomes a lien creditor after the perfection of such assignee's interest or right.

Section 58-27-1130. The description of qualified recovery property being transferred to an assignee in any sale agreement, purchase agreement, or other transfer agreement, granted or pledged to a pledgee in any security agreement, pledge agreement, or other security document, or indicated in any financing statement is only sufficient if such description or indication refers to the financing order that created the qualified recovery property and states that the agreement or financing statement covers all or part of the property described in the financing order. This section applies to all purported transfers of, and all purported grants or liens or security interests in, qualified recovery property, regardless of whether the related sale agreement, purchase agreement, other transfer agreement, security agreement, pledge agreement, or other security document was entered into, or any financing statement was filed.

Section 58-27-1135. All financing statements referenced in this article are subject to Part 5 of Chapter 9 of the 1976 Code, except that the requirement as to continuation statements does not apply.

Section 58-27-1140. The law governing the validity, enforceability, attachment, perfection, priority, and exercise of remedies with respect to the transfer of an interest or right or the pledge or creation of a security interest in any qualified recovery property shall be the laws of this State.

Section 58-27-1145. Neither the State, its agencies, and instrumentalities, nor its political subdivisions are liable on any recovery bonds, and the bonds are not a debt or a general obligation of the State or any of its political subdivisions, agencies, or instrumentalities nor are they special obligations or indebtedness of the State, its agencies, or its political subdivisions. An issue of recovery bonds does not, directly, indirectly, or contingently obligate the State or its agencies, instrumentalities, or political subdivisions, to levy any tax or make any appropriation for payment of the recovery bonds, other than in their capacities as consumers of electricity. All recovery bonds must contain on the face thereof a statement to the following effect: 'Neither the full faith and credit nor the taxing power of the State of South Carolina is pledged to the payment of the principal of, or interest on, this bond, nor shall the holder of this bond have any recourse against the State, its agencies, instrumentalities, or political subdivisions for the payment of the principal of, or interest on, this bond.'

Section 58-27-1150. All of the following entities may legally invest any sinking funds, moneys, or other funds in recovery bonds:

(1) the South Carolina Pooled Investment Fund established pursuant to Section 6-6-10;

(2) banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business;

(3) personal representatives, guardians, trustees, and other fiduciaries; and

(4) all other persons authorized to invest in bonds or other obligations of a similar nature.

Section 58-27-1155. (A) The State and its agencies, including the commission, pledge and agree with bondholders, the owners of the qualified recovery property, and other financing parties that the State and its agencies will not take any action listed in this section as to any outstanding recovery bonds, qualified recovery charges, or qualified recovery property. This paragraph does not preclude limitation or alteration if full compensation is made by law for the full protection of the qualified recovery charges collected pursuant to a financing order and of the bondholders and any assignee or financing party entering into a contract with the electrical utility. The prohibited actions are as follows:

(1) altering the provisions of this article, which authorize the commission to create an irrevocable contract right or chose in action by the issuance of a financing order, to create qualified recovery property, and make the qualified recovery charges imposed by a financing order irrevocable, binding, or nonbypassable charges;

(2) taking or permitting any action that impairs or would impair the value of qualified recovery property or the security for the recovery bonds, or revises the qualified recovery costs for which storm recovery is authorized;

(3) in any way impairing the rights and remedies of the bondholders, assignees, and other financing parties; and

(4) except for changes made pursuant to the formula-based adjustment mechanism authorized under this section, reducing, altering, or impairing qualified recovery charges that are to be imposed, billed, charged, collected, and remitted for the benefit of the bondholders, any assignee and any other financing parties until any and all principal, interest, premium, financing costs and other fees, expenses, or charges incurred, and any contracts to be performed in connection with the related recovery bonds, have been paid and performed in full.

(B) Any person or entity that issues recovery bonds may include the language specified in this section in the recovery bonds and related documentation.

Section 58-27-1160. An assignee or financing party is not an electrical utility or person providing electric service by virtue of engaging in the transactions described in this section.

Section 58-27-1165. If there is a conflict between this article and any other law regarding the attachment, assignment, perfection, effect of perfection, priority of, assignment or transfer of, or security interest in qualified recovery property, this article shall govern.

Section 58-27-1170. In connection with its responsibilities under this article, the commission may retain independent outside consultants to serve as advisors and counsel to the commission. Such consultants shall not have authority to direct how the electrical utility places the recovery bonds to market. Any such consultants will be subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as are applicable to the employees of the commission. The commission shall endeavor to retain such consultants in order to best control costs ultimately paid by customers. The compensation paid to such consultants may not exceed compensation generally paid by the regulated industry for such specialists. The consultants' duty will be to the commission, and the consultants shall not have any financial interest in the recovery bonds or participate in the underwriting or secondary market trading of the recovery bonds. The commission is exempt from complying with the State Procurement Code in the selection and hiring of independent outside consultants authorized by this section.

Section 58-27-1175. If any provision of this section is held invalid or is invalidated, superseded, replaced, repealed, or expires for any reason, that occurrence does not affect the validity of any action allowed under this section which is taken by an electrical utility, an assignee, a financing party, a collection agent, or a party to an ancillary agreement; and any such action remains in full force and effect with respect to all recovery bonds issued or authorized in a financing order issued under this section before the date that such provision is held invalid or is invalidated, superseded, replaced, or repealed, or expires for any reason.

Section 58-27-1180. A violation of this article or of a financing order issued under this article subjects the utility that obtained the order to penalties under Article 19 of this chapter and to any other penalties or remedies that the commission determines are necessary to achieve the intent of this article and the intent and terms of the financing order and to prevent any increase in financial impact to the utility's ratepayers above that set forth in the financing order. If the commission orders a penalty or a remedy for a violation, the monetary penalty or remedy and the costs of defending against the proposed penalty or remedy may not

be recovered from the ratepayers. The commission may not make adjustments to recovery charges for any such penalties or remedies."

SECTION 2. Section 36-9-109(d) is amended to read:

"(13) an assignment of a deposit account in a consumer transaction, but Sections 36-9-315 and 36-9-322 apply with respect to proceeds and priorities in proceeds; ~~or~~

(14) a transfer by a government or governmental unit; or

(15) the creation, perfection, priority, or enforcement of any sale, assignment of, pledge of, security interest in, or other transfer of, any interest or right or portion of any interest or right in any qualified recovery property as defined in Section 58-27-1105(17)."

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

On motion of Senator HARPOOTLIAN, with unanimous consent, the amendment was withdrawn.

Senator RANKIN spoke on the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimpson
Loftis	Malloy	Massey
Matthews	McElveen	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Stephens

Turner Verdin Williams
Young

Total--37

NAYS

Harpootlian Martin Peeler
Shealy

Total--4

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

The Senate proceeded to a consideration of the Bill.

Senator McLEOD proposed the following amendment (1237MM1), which was adopted:

Amend the bill, as and if amended, strike all after the enacting words and insert the following:

/ SECTION 1. Article 142, Chapter 3, Title 56 of the 1976 Code is amended to read:

"Article 142

'University of South Carolina 2017 <u>and 2022</u> Women's Basketball National Champions' Special License Plates

Section 56-3-14210. (A)<u>(1)</u> The Department of Motor Vehicles shall issue 'University of South Carolina 2017 <u>and 2022</u> Women's Basketball National Champions' special license plates to owners of private passenger motor vehicles, as defined in Section 56-3-630, or motorcycles as defined in Section 56-3-20, registered in their names.

(B) The University of South Carolina may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. Any portion of the additional seventy-dollar fee not set aside to defray costs of production and distribution must be distributed to the fund established for the University of South Carolina pursuant to Section 56-3-3710(B) used for the purposes provided in that section.

(D) License number '1' for the 'University of South Carolina 2017 <u>and 2022</u> Women's Basketball National Champions' license plate<u>s</u> ~~is~~ <u>are</u>

reserved for the University of South Carolina Women's Basketball Coach.

(E) The department must issue to registrants who have a license plate commemorating only the 2017 Women's Basketball National Championship the license plate commemorating both the 2017 and 2022 national championship once the 2017 license plate reaches the end of its ten-year lifecycle. This subsection does not apply to registrants who choose to switch to the '2017 and 2022' license plate on their own."

SECTION 2. This act takes effect upon approval by the Governor. /
and Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being the third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

RECOMMITTED

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\1119C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 12-37-220(B)(11) of the 1976 Code, as last amended by Act 68 of 2021, is further amended by adding an appropriately lettered subitem to read:

"( ) all real property owned by a nonprofit educational foundation of a public school district and which is devoted to providing housing for teachers and teacher interns in the school district, so long as the property was exempt from property taxes for at least the previous ten property tax years;" /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 5

AYES

Adams	Alexander	Allen
Campsen	Climer	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Stephens	Turner	Verdin
Williams		

Total--34

NAYS

Bennett	Cash	Corbin
Shealy	Young	

Total--5

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 1119--Ordered to a Third Reading

On motion of Senator VERDIN, S. 1119 was ordered to receive a third reading on Friday, April 8, 2022.

READ THE SECOND TIME

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MARTIN, the Resolution was carried over.

READ THE SECOND TIME

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

H. 4828 -- Reps. Jefferson, Gilliard, McDaniel, Weeks and Murray: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY FROM ITS INTERSECTION WITH THE ENTRANCE TO THE RIDGEVILLE INDUSTRIAL CAMPUS TO TIMOTHY CREEK "VICTORIA W. DELEE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4977 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF NORTH WILLISTON ROAD AND EAST POCKET ROAD IN FLORENCE COUNTY "REVEREND DR. WAYMON MUMFORD INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

Remarks by Senator SHEALY

I promise I really will be brief. This morning we had a very good subcommittee meeting with the Interim Director of the South Carolina Department of Juvenile Justice. I think we have a very good candidate. Some of the things she mentioned that we have problems with are overcrowding, bad facilities and understaffing. Some of those things could have been solved by legislation we have on the Calendar, S. 22 and S. 53. S. 53 is a Bill we have worked on for a long time; it is not a Bill that has just come up this year or last year. It has been something Senator MALLOY has personally worked on for seven or eight years. I am a co-sponsor of that. S. 22 is a Bill that came out of the children's committee. Today was the last day we could have worked on those, but it is where it is.

So now, what we have to work on is electing good family court judges. I am going to suggest that all of you look at your family court judges when you elect them so we don't have so many status offenders locked behind bars at the Department of Juvenile Justice -- that's where a lot of our problems lie. I suggest we all work together to make DJJ a better place. There are a lot of problems there. It is our responsibility to make it better place. Senator MALLOY has put a lot of work into this legislation. If you have problems with it, work together to make it better. Don't just get into a big disagreement over what we've got there. So that is all I have to say. I am not going to take any questions or discuss it. You all know how I feel about it. My heart is with the children -- the children that are behind the fence, the children in foster care and group homes. The children of South Carolina are what I work for. I expect you all to do the same.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator SHEALY, were ordered printed in the Journal.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 7, 2022, at 12:30 P.M. and the following Acts and Joint Resolution were ratified:

(R139, S. 1157) -- Senator Hutto: AN ACT TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.
L:\COUNCIL\ACTS\1157ZW22.DOCX

(R140, S. 1167) -- Senator Peeler: AN ACT TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.
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(R141, H. 3205) -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE

FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS.
L:\COUNCIL\ACTS\3205ZW22.DOCX

(R142, H. 3730) -- Reps. R. Williams, Jefferson, Gilliard and Murray: AN ACT TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING RAILROAD GRADE CROSSINGS.
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(R143, H. 3889) -- Rep. Hewitt: AN ACT TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.
L:\COUNCIL\ACTS\3889PH22.DOCX

(R144, H. 4618) -- Reps. Morgan and R. Williams: AN ACT TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES AND RAILROAD GRADE CROSSINGS SUBJECT TO THIS PROVISION, AND TO DEFINE THE TERMS “BUSINESS DISTRICT” AND “BUS”.
L:\COUNCIL\ACTS\4618CM22.DOCX

(R145, H. 4904) -- Rep. Hixon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF

ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.
L:\COUNCIL\ACTS\4904PH22.DOCX

(R146, H. 4906) -- Rep. Hixon: AN ACT TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.
L:\COUNCIL\ACTS\4906PH22.DOCX

(R147, H. 4907) -- Rep. Hixon: AN ACT TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO

PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.
L:\COUNCIL\ACTS\4907PH22.DOCX

(R148, H. 5098) -- Rep. Bamberg: AN ACT TO AMEND ACT 104 OF 2021, RELATING TO THE CONSOLIDATION OF BAMBERG EHRHARDT SCHOOL DISTRICT ONE AND DENMARK OLAR SCHOOL DISTRICT TWO (THE TWO PRESENT SCHOOL DISTRICTS) INTO ONE SCHOOL DISTRICT KNOWN AS THE BAMBERG COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE DISSOLUTION OF THE TWO PRESENT SCHOOL DISTRICTS' BOARDS OF TRUSTEES IF THE APPOINTMENTS TO THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES RESULT IN THE ABSENCE OF A QUORUM ON BOTH OF THE TWO PRESENT DISTRICTS' BOARDS OF TRUSTEES.
L:\COUNCIL\ACTS\5098ZW22.DOCX

(R149, H. 5138) -- Reps. Hosey and Bamberg: AN ACT TO AMEND ACT 105 OF 2021, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY SCHOOL DISTRICTS 29 AND 19, SO AS TO PROVIDE THAT IF THE TERM OF AN INCUMBENT MEMBER OF EITHER OF THE TWO PRESENT BOARDS EXPIRES DURING THE DISTRICTS' CONSOLIDATION TRANSITIONAL PERIOD, THEN THE BARNWELL COUNTY LEGISLATIVE DELEGATION MAY REAPPOINT THAT MEMBER FOR A TRUNCATED TERM TO EXPIRE ON JULY 1, 2022.
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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:59 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 8, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 1241 -- Senator Matthews: A BILL TO ADD TWO MEMBERS TO THE WALTERBORO-COLLETON COUNTY AIRPORT COMMISSION.

On motion of Senator MATTHEWS.

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

On motion of Senator VERDIN.

ADJOURNMENT

At 11:06 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, April 12, 2022, at 12:00 Noon.

* * *

Tuesday, April 12, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Romans 12:6a

In the Book of Romans we read that: "We have different gifts, according to the grace given us."

Join me as we bow in prayer: Most blessed and loving Lord, today we give You our thanks and praise for the unique gifts that each one of these leaders brings to his or her role. And we once again ask, O God, that You will continue to bless and guide these Senators as they use their gifts in ways that unfailingly benefit every South Carolinian. Further, Lord, we continue to lift up to You the plight of the people of Ukraine: strengthen them; grant them hope for the future; bestow upon them Your gift of peace. And as always, we also ask that You embrace in Your care all of our own women and men in uniform, those serving here at home and around the globe. Moreover, by Your grace may all of us find ways to use our own gifts to aid in promoting peace worldwide. So we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5099
Agency: Department of Labor, Licensing and Regulation-Board of Examiners in Optometry
Chapter: 95
Statutory Authority: 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320
SUBJECT: Optometrists' Offices
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 7, 2022

Document No. 5076
Agency: Department of Labor, Licensing and Regulation-Board of Registration for Professional Engineers and Land Surveyors
Chapter: 49
Statutory Authority: 1976 Code Sections 40-1-70, 40-22-60, and 40-22-130
SUBJECT: Engineers and Land Surveyors
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 12, 2022

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

Remarks by Senator KIMBRELL

Thank you Mr. PRESIDENT. Good morning colleagues and happy Easter week. I want to talk about something that happened back home over the past week that has some implications on something that will be discussed in the next few weeks in the Senate. I was born in 1984 and I feel like (right now) we are living in 1984 with some of the issues happening around the State. This past week, I had a lot of concerned Spartanburg parents reach out -- hundreds of them -- because every single library in Spartanburg County has a children's section now with explicit materials. We've had conversations in here about the Department of Education and were certain schools giving children access to books with fairly explicit materials; but in the section for first graders and kindergarteners, every single Spartanburg County Library has a book called *Making a Baby* which has flat out pornographic images for children -- without requiring parental consent -- presented to children as young as five and six years old. And, now they have an updated version -- teaching these children to question their own gender at that young age. Now regardless of one's position on issues related to gender identity or any of these issues, I think we can all agree that children, as young as five and six, should not be exposed to that, particularly without parental consent. I've asked the House Delegation from Spartanburg County to ask that all of these books be removed from children's sections so they are not being promoted to children as young as five and six years old. I find it interesting -- the timing and that I had to write this letter to Spartanburg County Libraries, because we have had a lot of letters coming in from folks supporting the Library Foundation. They have

probably wasted their ink sending it to me Mr. Chairman; they should have sent it to you. I am not Senator HARVEY PEELER. But they are asking for additional funding. They want more money. They want to expand their collections and their library facilities. And yet they are promoting policies and ideas that offend the sensibilities of a lot of parents around this State, including me. And when you have these kinds of materials out there, that are teaching children to question their gender identity, that are showing sexual images to kindergarteners, something has gone terribly wrong. This is, of course, in light of the conversation we're having from the House of Representatives that just passed a Bill trying to defend the notion of women's sports. I know this is going to come before the Senate before we adjourn. The federal administration is talking about updating Title 9 to where Title 9 is no longer pertaining to equality of men and women, but to reflect whatever gender someone feels, not their biological gender. This is why I opened this point of personal interest saying I was born in 1984, but many days I feel like I live in 1984. I'll conclude my remarks by quoting a line from that book where after enough indoctrination it happened to young people in the book. They say, "Eventually the party will tell you that two plus two must make five and you will believe it because you have no choice, but believe it and the logic of their position will demand it." Mr. PRESIDENT, I'm going to wrap it up. I will just say we all need to be aware of what our children are learning. The primacy of parents in making determinations of what our children are exposed to is critical. I hope, in this General Assembly, we will have that conversation. Thank you, sir.

On motion of Senator CASH, with unanimous consent, the remarks of Senator KIMBRELL, were ordered printed in the Journal.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 1107 Sen. Setzler

RECALLED

S. 1230 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTER COUNTY FROM ITS INTERSECTION WITH PILGRIM ROAD TO THE CHESTER/UNION COUNTY LINE "MAJOR GENERAL GARY T. MCCOY ROAD" AND ERECT APPROPRIATE MARKERS OR

SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

On motion of Senator CROMER, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Banking and Insurance.

RECALLED AND COMMITTED

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND

COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator CLIMER, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Agriculture and Natural Resources.

RECALLED, MADE SPECIAL ORDER

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J.E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V.S. Moss, Murphy, Nutt, Sandifer, G.R. Smith, M.M. Smith, G.M. Smith, West, White, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO

ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

Senator MASSEY, with unanimous consent, moved that H. 4919 be made a Special Order, not to be considered before Wednesday, April 20, 2022.

There was no objection.

The Bill was made a Special Order.

RECALLED

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Senator PEELER asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1252 -- Senators Malloy, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF

GARRETT TAZWELL BAKHSH AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1253 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND LEWIS GUNTER, SENIOR PASTOR AT GUNTER'S CHAPEL BAPTIST CHURCH, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-SIX YEARS OF FAITHFUL MINISTRY AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 1254 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO EMERGENCY LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5090, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1255 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO LICENSING PROVISIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5101, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1256 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO CRITERIA FOR PHYSICIAN SUPERVISION OF NURSES IN EXTENDED ROLE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5049, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY "JOSEPH LEE JACKSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.
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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5097 -- Reps. Kirby, Jordan and Lowe: A BILL TO AMEND SECTION 4-11-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISSOLUTION OF SPECIAL PURPOSE DISTRICTS, SO AS TO ALLOW A HOSPITAL DISTRICT THAT IS UNDERGOING DISSOLUTION TO TRANSFER ITS ASSETS TO AN AFFILIATED ORGANIZATION THAT IS EXEMPT FROM TAX UNDER SECTION 501(C)(3) OR (4) OF THE INTERNAL REVENUE CODE OF 1986.

Read the first time and referred to the Committee on Finance.

H. 5231 -- Reps. Hart and Huggins: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE BEN LIPPEN SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021-2022 SOUTH

CAROLINA ASSOCIATION OF INDEPENDENT SCHOOLS STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5232 -- Rep. McGinnis: A CONCURRENT RESOLUTION TO PROCLAIM JUNE 21 TO 26, 2022, AS AMATEUR RADIO WEEK AND JUNE 25 AND 26, 2022, AS AMERICAN RADIO RELAY LEAGUE AMATEUR RADIO FIELD DAY THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE MANY CONTRIBUTIONS OF AMATEUR RADIO OPERATORS, INCLUDING EMERGENCY COMMUNICATIONS AND OTHER PUBLIC SERVICE WORK, FOR THE CONTINUED SAFETY OF THE RESIDENTS OF THE PALMETTO STATE.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

TUESDAY, APRIL 12, 2022

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Remarks by Senator MALLOY

Thank you Mr. PRESIDENT and members of the Senate. Being the great State that we are, we welcome people from all over the Nation and the world; we are very proud of our State. We are also the home of Coker University, many of you know it used be to called Coker College. Coker University has great students from all over, and I've had the chance to know many of them. Sadly, a little over two years ago, a family who entrusted their child to us here in South Carolina lost his life to gun violence. He was a really good lacrosse player, a happy kid, a friend to all. He loved sports, particularly lacrosse, and fishing and dirt bikes. He aspired to be a U.S. Marshall and was studying criminal justice. He always smiled with his face and hugged you with his heart. He was a peacemaker. He was a kid that you wanted to be around. He looked out for others, he was a protector, and he would've given you the shirt off his back. He was known for his smile and his demeanor and he never knew a stranger. He felt a responsibility to change his community and to be a part of that. He was a good-hearted kid, his dad's best friend and a great son to his mother. He is now enshrined as an honorary U.S. Marshall. Unfortunately, Garrett tragically, lost his life in Hartsville to

gun violence -- a bystander -- a total bystander. I remember getting the call that night. This young man, Garrett Tazwell Bakhsh, is very deserving today in recognition, along with his parents. Brad and Natalie, please stand so you can be recognized. They have travelled here from the state of Maryland, they have a history of law enforcement in their background, and they entrusted their son to us here in South Carolina where he tragically, and through no fault of his own, lost his life. We're heartbroken. This is not who we are.

We are also joined today by Garrett's lacrosse team and the great folks visiting from Coker University in Hartsville. I ask that his coach please stand to be recognized. And now all of the young men on the men's lacrosse team from Coker University, in recognition of your fallen brother, would you please stand? I'd like to give these young men and their coach a round of applause for the work that they have done. You may be seated.

This family has handled this tragedy with dignity. They've handled this in the best way that is possible for a parent. It is a nightmare, and there are truly no words to describe what happened, and what should not have happened. So today I feel that it is altogether fitting and proper that the Senate have a Resolution to express our profound sorrow upon the passing Garrett Tazwell Bakhsh, and to express our deepest sympathy to his parents and all of those present.

On motion of Senator K. JOHNSON, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MARTIN, the Resolution was carried over.

RECOMMITTED

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MALLOY, the Bill was recommitted to the Committee on Judiciary.

CARRIED OVER

S. 1249 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO SEPARATION NOTICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5093, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1250 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

ADOPTED

S. 1107 -- Senators Shealy, Senn and Setzler: A SENATE RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 17, 2022.

The Resolution was adopted.

S. 1231 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Resolution was adopted, ordered sent to the House.

H. 4938 -- Reps. Parks and Howard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 10 IN MCCORMICK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 28 TO ITS INTERSECTION WITH THE MCCORMICK/GREENWOOD COUNTY LINE "CAPTAIN JUNNE 'J.R.' JONES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senators K. JOHNSON and McELVEEN rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow, Wednesday, April 13, 2022, and Thursday, April 14, 2022, under the provisions of Rule 1B.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Garrett Tazwell Bakhsh. Garrett had a passion for life. He played lacrosse for Coker College and studied Criminal Justice. He enjoyed listening to music, swimming and spending time with family and friends. Garrett was a loving son and devoted brother who will be dearly missed.

ADJOURNMENT

At 1:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 P.M., under the provisions of Rule 1B.

* * *

Wednesday, April 13, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 1258 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE CLEO JACKSON WILLIAMS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
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The Senate Resolution was adopted.

ADJOURNMENT

At 11:06 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 14, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McELVEEN. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 1259 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS ARTICLE 1, CHAPTER 47, TITLE 40 OF THE S.C. CODE, 1976, RELATING TO GENERAL PROVISIONS CONCERNING PHYSICIANS BY ADDING SECTION 40-47-205 SO AS TO PROHIBIT PHYSICIANS FROM PERFORMING GENDER REASSIGNMENT SURGERY ON MINORS, AND TO PROHIBIT PHYSICIANS FROM PRESCRIBING OR ADMINISTERING CERTAIN SUBSTANCES FOR THE PURPOSE OF ATTEMPTING TO ALTER THE APPEARANCE OF OR AFFIRM THE MINOR'S PERCEPTION OF HIS GENDER IF THAT APPEARANCE OR PERCEPTION IS INCONSISTENT WITH THE MINOR'S BIOLOGICAL SEX.
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Read the first time and referred to the Committee on Medical Affairs.

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

Ordered for consideration tomorrow.

THURSDAY, APRIL 14, 2022

ADJOURNMENT

At 11:04 A.M., on motion of Senator SETZLER, the Senate adjourned to meet Monday, April 18, 2022, at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Monday, April 18, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Tuesday, April 19, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 18:20

The father-in-law of Moses, Jethro, said to Moses: ". . . teach them the statutes and instructions and make known to them the way they are to go and the things they are to do."

Let us pray: It is indeed "budget time" here in the Senate of South Carolina, O God. And these Senators and their aides are continuing to tackle all sorts of matters related to budget building during these challenging days we are living through. Therefore we fervently pray, Lord, that You bestow upon each of these servants the wisdom and insight and the sense of responsibility necessary as they work together to provide for the needs of our State and her people. For, as always, Lord, it is a formidable task. So by Your grace lead the members of this Body to agree finally on what is best for South Carolina, that they might yet again demonstrate that they are indeed capable and caring leaders. In Your loving and gracious name we pray all of this, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:07 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Department of Transportation Commission, with the term to commence February 15, 2022, and to expire February 15, 2026

6th Congressional District:

John Barnwell Fishburne, 1123 St. Peters Road, Walterboro, SC 29488

Referred to the Committee on Transportation.

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2021, and to expire June 30, 2025

6th Congressional District:

Andrea B. McCoy, 334 Teague Park Court, Columbia, SC 29209

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2020, and to expire July 1, 2023

SC Association of Public School Administrators:

Billy R. Strickland, 202 Sweetgum Street, Laurens, SC 29360-3753 *VICE* Dr. V. Keith Callicutt

Referred to the Committee on Education.

Initial Appointment, South Carolina Real Estate Commission, for a term of four years from the date of appointment.

General Public:

Thomas F. Dugas, 120 Woodland Way, Greenville, SC 29601-3840 *VICE* George H. O'Kelley III

Referred to the Committee on Labor, Commerce and Industry.

Leave of Absence

On motion of Senator MASSEY, at 12:57 P.M., Senators GUSTAFSON and GAMBRELL were granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 12:57 P.M., Senators JACKSON and MATTHEWS were granted a leave of absence for today.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Remarks by Senator KIMPSON

Thank you so much, Mr. PRESIDENT. I just got back from the White House -- the nation's capital. The President of the United States, Joseph Biden sends his greetings to the State of South Carolina. I had the opportunity to attend the White House Easter Egg Roll. As many of you know I've been to the White House several times this year. We started at the Carol Lighting Ceremony last year. Then we had the occasion to witness the Black History Program -- the President of this Country and the Vice President of this Country noted the historic number of African Americans in their administration, and then of course, we had a somber moment just a month ago. I was fortunate enough to witness the signing of the Emmett Till Anti-Lynching Bill -- a Bill that came before Congress over 200 times before it was passed -- and was just passed under the leadership of this President Joseph R. Biden -- who won by more votes than any other President in United States history and that is a fact. Yesterday I was proud to take my two children Marleigh -- who is eight years old, and Marlon -- they have good names -- Marleigh and Marlon to the Easter Egg Hunt. There were a lot of people at the Easter Egg Hunt. I joke a lot on this Senate floor but I will have to confess to my colleagues that yesterday when I walked on the White House grounds, with my two little children, I felt a sense of overwhelming spirit

to have and provide this opportunity to my children -- who sometimes don't really appreciate politics. It was well worth my early support for this President to have visited. Before we left the White House grounds, my son rolled that wooden Easter egg. And after seeing President Biden come out to the front lawn, he looked up to me and he said, "Daddy, I think I want to be President." I said, "Son, you can be President. And told my daughter, Marleigh, you can be President as well." Vice President Kamala Harris and many dignitaries were there but Marleigh and Marlon were more excited about seeing Ciara, a music artist and also Doc McStuffin, a Disney character. Present at this event were not only people who have supported and continue to support this President on the state and national level, there were thousands of teachers and military service people. I want to thank the President of this Country for returning the White House grounds to the people of the United States. After battling Covid, they had not had this event for two years. We are thankful for this administration guiding us out of the Covid pandemic. We are equally thankful for him sending all that money, $13 billion, to the State of South Carolina, under Coronavirus 1, Coronavirus 2, and the American Rescue Plan.

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator KIMPSON, were ordered printed in the Journal.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

RECALLED

H. 5101 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight,

J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2022, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

Senator DAVIS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Labor, Commerce and Industry.

The Concurrent Resolution was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1260 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JULIAN STOUDEMIRE FOR HIS FORTY-FOUR YEARS OF DEDICATED SERVICE TO THE CITY OF WALHALLA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1261 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE KEN DRACHMAN FOR BEING ELECTED TO THE SOUTH CAROLINA MANUFACTURED HOUSING HALL OF FAME.
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The Senate Resolution was adopted.

S. 1262 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE TONY MASSARELLI FOR BEING ELECTED TO THE SOUTH CAROLINA MANUFACTURED HOUSING HALL OF FAME.
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The Senate Resolution was adopted.

S. 1263 -- Senators Gambrell and Garrett: A BILL TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1264 -- Senator Hutto: A BILL TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1265 -- Senator Hembree: A SENATE RESOLUTION TO PROCLAIM JUNE 21 TO 26, 2022, AS AMATEUR RADIO WEEK AND JUNE 25 AND 26, 2022, AS AMERICAN RADIO RELAY LEAGUE AMATEUR RADIO FIELD DAY THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE MANY CONTRIBUTIONS OF AMATEUR RADIO OPERATORS, INCLUDING EMERGENCY

COMMUNICATIONS AND OTHER PUBLIC SERVICE WORK, FOR THE CONTINUED SAFETY OF THE RESIDENTS OF THE PALMETTO STATE.
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The Senate Resolution was adopted.

S. 1266 -- Senators Setzler and Shealy: A SENATE RESOLUTION TO RECOGNIZE THE RIVERBANKS ZOO AND GARDEN, THE PREMIER ZOO ATTRACTION IN THE SOUTHEAST, TO CONGRATULATE THE FOUNDERS AND STAFF FOR FORTY-EIGHT YEARS OF WILDLIFE CONSERVATION, ANIMAL CARE AND WELFARE, EDUCATION, AND ENTERTAINMENT TO THE CITIZENS OF THE STATE OF SOUTH CAROLINA, AND TO DECLARE MAY 4, 2022, "RIVERBANKS ZOO AND GARDEN DAY" IN SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1267 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, AS AMENDED, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

RECOMMITTED

S. 1213 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BOARD OF BARBER EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5081, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1214 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPIST, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO COUNSELORS, THERAPISTS, AND SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5075, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1215 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF FUNERAL SERVICE, RELATING TO LICENSING PROVISIONS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5037, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1216 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-

STATE ATHLETIC COMMISSION, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5083, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1217 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5050, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

AMENDED, CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator MARTIN proposed the following amendment (4831R001.SP.SRM), which was adopted:

Amend the joint resolution, as and if amended, on page 1, by striking lines 24 through 29 and inserting:

/SECTION 1. (A) The Department of Commerce must conduct an economic development study to evaluate the state's business advantages, economic climate, workforce readiness, and any other relevant state

assets to create a roadmap for South Carolina to effectively compete in attracting offshore headquarters for the Carolina Panthers. This study will build upon South Carolina's /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senators MARTIN and KIMPSON proposed the following amendment (4831R002.SP.SRM), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. In addition to the study committee required pursuant to SECTION 1, the Department of Commerce must conduct a study evaluating the impacts on taxpayers for any economic development project that fails to reach completion, and must include a report to the General Assembly any recommendations for taxpayer reimbursements for impacts from a failed project. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

On motion of Senator MARTIN, the Resolution was carried over.

CARRIED OVER

S. 1254 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO EMERGENCY LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5090, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator VERDIN, the Resolution was carried over.

CARRIED OVER

S. 1255 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO LICENSING PROVISIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5101, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1256 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO CRITERIA FOR PHYSICIAN SUPERVISION OF NURSES IN EXTENDED ROLE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5049, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

On motion of Senator SETZLER, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (4408R001.KMM.HSP), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/

Part I

Authorization to Expend Federal Funds

SECTION 1. (A) The source of revenue authorized for expenditure in this section is (i) the State Fiscal Recovery Funds and (ii) the Capital Projects Fund disbursed to the State pursuant to the federal "American Rescue Plan Act of 2021", Public Law No. 117-2, (hereinafter referred to as "ARPA"). The expenditure authorizations contained in this section are for the maximum amounts that may be disbursed or expended by the receiving government entity. All disbursals and expenditures must be made in compliance with the provisions contained in this act. The receiving entities are:

(1) Department of Transportation……$453,499,758

Of the amount authorized for expenditure by the Department of Transportation $297,462,293 is reimbursement for general fund and Education Improvement Act revenue not collected and $156,037,465 is reimbursement for motor fuel user fee revenue not collected due to the COVID-19 pandemic as calculated by the Executive Budget Office.

(2) Rural Infrastructure Authority……$900,000,000

(3) Office of Regulatory Staff..……$400,000,000

Of the amount authorized for expenditure by the Office of Regulatory Staff $185,765,655 is from the Capital Projects Fund and the remaining $214, 234,345 is from the State Fiscal Recovery Funds disbursed to the State pursuant to ARPA.

(4) Department of Health and Environmental Control……$104,400,000

(5) Department of Administration……$8,000,000

(B) If any disbursement to any recipient, or subrecipient, resulting from an authorization contained herein is disallowed by federal law, regulation, or order, then the recipient or subrecipient shall promptly return the disbursed funds to the disbursing entity.

Part II

Directives to State Agencies Concerning the Authorization to Expend Federal Funds

Department of Transportation

SECTION 2. There is established in the State Treasury an account to be known as the Transportation Infrastructure Acceleration Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of the federal funds authorized pursuant to SECTION 1(A)(1) of this act. The funds in the Transportation Infrastructure Acceleration Account shall be used by the Department of Transportation to accelerate completion of projects included in the Statewide Transportation Improvement Program. These funds are not intended to satisfy state matching requirements for any other federal grants to the extent that such use is disallowed by ARPA.

SECTION 3. Funds in the Transportation Infrastructure Acceleration Account may be released to the Department of Transportation upon the direction of the Executive Budget Office. The Executive Budget Office may not direct the release of funds until the Department of Transportation has submitted its plans for the funds to the Joint Bond Review Committee for its review and comment.

Rural Infrastructure Authority

SECTION 4. There is established in the State Treasury an account to be known as the ARPA Water and Sewer Infrastructure Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(2) of this act. The funds in the ARPA Water and Sewer Infrastructure Account shall be used by the Rural Infrastructure Authority to administer and operate three grant programs designed to provide for improvements in water, wastewater, and storm water infrastructure throughout the State. In each of the three grant programs, units of local government, special purpose districts, commissions of public works, and joint municipal organizations may apply for grants. A unit of local government may apply for a grant on behalf of non-profit water and sewer systems. Grants may be awarded for the completion of water, wastewater, and storm water projects as defined in ARPA.

SECTION 5. (A) The Rural Infrastructure Authority shall utilize $800,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate, in cooperation with the Department of Health and Environmental Control, a competitive infrastructure grant program. Of the funds in the account for the competitive infrastructure grant program, the Rural Infrastructure Authority may allocate up to one percent of the funds for its administrative costs and shall transfer one percent to the Department of Health and Environmental Control for related permitting activities. One hundred million dollars shall be available for projects designated by the Secretary of Commerce as being significant to economic development and may be funded at up to fifty million dollars per project with no local match requirement. The Rural Infrastructure Authority shall transfer five hundred thousand dollars to each of the ten South Carolina Councils of Governments for planning assistance, development of grant application proposals, and compliance assistance related to improvements in water, wastewater, and storm water infrastructure for smaller systems.

(B) Grants pursuant to this program must be issued equitably based upon established priorities and parameters. Applicants may request up to ten million dollars per project or application. Awards shall be made from the funds authorized for the competitive infrastructure grant program, less any amounts allocated for purposes designated in subsection (A). Large utilities, defined as those serving a population equal to or greater than thirty thousand people, shall be eligible for sixty percent of the funds, and small and medium utilities, defined as those serving a population of less than thirty thousand people, shall be eligible for forty percent of the funds.

(C) Local financial support is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. For large utilities, the local financial support must be equal to or greater than twenty-five percent of the project cost. For small and medium utilities, the local financial support must be equal to or greater than fifteen percent of the project cost.

(D) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

(1) regional solutions - projects that implement solutions that impact multiple systems;

(2) water quality - projects that address consent orders, violations, or other public health or environmental impacts;

(3) resilience and storm protection - projects that help utilities prepare for emergencies;

(4) other aging infrastructure - projects that upgrade or replace infrastructure that has exceeded its useful life; and

(5) capacity - projects that improve service for existing residents while preparing for future opportunities.

(E) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

(1) documented priority needs;

(2) the transformational impact of the project on the relevant community;

(3) the extent to which additional funds may be leveraged by the grant;

(4) the readiness of the applicant to proceed with the project and meet program deadlines;

(5) the project's feasibility; and

(6) geographic diversity.

SECTION 6. (A) The Rural Infrastructure Authority shall utilize $20,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a planning grant program for very small water systems. This program will assist very small systems that are unable to provide the required local investment for the competitive infrastructure grant program or that cannot identify a competitive project for assistance. Applicants for grants from this program must identify the assistance needed. Grants from this program may be awarded in an amount up to one million dollars per system.

(B) Grant recipients may utilize grant funding pursuant to this program for approved purposes including, but not limited to, capital improvement planning, rate studies and other financial assessments, asset management, smoke testing, mapping televising of lines and other necessary analyses, as well as preliminary planning and design for capital improvement projects. As a condition for receiving a grant pursuant to this program, recipients must demonstrate the intent to implement the recommendations arising from approved planning assistance.

SECTION 7. (A) The Rural Infrastructure Authority shall utilize $80,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a regional solutions grant program. Applicants may request up to ten million dollars per project or application. The maximum grant request may be waived by the Rural Infrastructure Authority if the

proposed project provides a regional solution that will result in consolidation of or for projects located in Tier III or Tier IV counties.

(B) Local financial support equal to or greater than fifteen percent of the cost of the project is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. The local financial support requirement may be waived by the Rural Infrastructure Authority if the proposed project provides a regional solution that will result in consolidation or for projects located in Tier III or Tier IV counties.

(C) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

(1) the project results in a consolidation or operating agreement with at least one small system with viability concerns;

(2) the project results in an expanded partnership agreement with at least one small system with viability concerns; and

(3) the project results in a consolidation or operating agreement with other systems.

(D) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

(1) documented priority needs;

(2) the transformational impact of the project on the relevant community;

(3) the extent to which additional funds may be leveraged by the grant;

(4) the readiness of the applicant to proceed with the project and meet program deadlines;

(5) the project's feasibility; and

(6) geographic diversity.

SECTION 8. The Rural Infrastructure Authority shall be permitted to modify or waive the program parameters contained in SECTIONS 4, 5, 6, and 7 to ensure the timely and equitable distribution of funds in compliance with federal guidelines for these funds. Modifications to funding amounts authorized for specific use by each program must first be submitted with justification to the Joint Bond Review Committee for review and comment. The Rural Infrastructure Authority shall submit a report of all other modifications to the Joint Bond Review Committee.

Office of Regulatory Staff

SECTION 9. There is established in the State Treasury an account to be known as the ARPA Broadband Account. This account is separate

and distinct from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(3) of this act. The funds in the ARPA Broadband Account shall be used to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services.

SECTION 10. (A) The Office of Broadband Coordinator, an office within the Office of Regulatory Staff, is authorized to expend funds from the ARPA Broadband Account to:

(1) administer a grant program to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;

(2) provide technical assistance and coordination;

(3) host and participate in stakeholder discussions and advisory groups;

(4) support continued mapping efforts including, but not limited to, costs associated with storage, security, and data collection;

(5) engage in and undertake such other activities related to or necessary to fulfilling the requirements of expanding broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;

(6) expend funds for alternative and enabling technologies including, but not limited to, wireless broadband service, low earth orbit satellite, middle-mile fiber, enhanced cellular service, and carrier neutral broadband infrastructure; and

(7) reimburse any state funds as may be allowed by ARPA, or related guidance issued by the United States Department of the Treasury, for reasonable costs associated with administering the grant program and fulfilling the Office of Broadband Coordinator's obligations established by this act.

(B) The grant program may include an opportunity to reimburse a portion of construction costs, incurred on or after March 15, 2021, related to the expansion of broadband during the pandemic.

(C) All expenditures, reimbursements, and grants awarded by the Office of Broadband Coordinator must be in compliance with ARPA and the methods and guidance issued by the United States Department of Treasury for the allocation and oversight of ARPA funding.

SECTION 11. (A) The Office of Broadband Coordinator may award grants from the ARPA Broadband Account to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households,

businesses, and communities in the State that are unserved or underserved by broadband services. The speed at which an applicant can complete the proposed project shall be considered among significant criteria for awarding grants.

(B) Electric Cooperatives that own broadband facilities pursuant to the provisions of S.C. Code Sections 58-9-3000, et seq., the Broadband Accessibility Act of 2020 are eligible to receive grants from the ARPA Broadband Account.

(C) Grants may be disbursed to recipients in tranches. The number and amount of funding in each tranche shall be determined by the Office of Broadband Coordinator.

SECTION 12. (A) Grant recipients and other entities receiving funds pursuant to SECTION 11 shall report to the Office of Broadband Coordinator concerning the progress of the recipient's project. The reports shall provide the most accurate and granular representation of then-currently available broadband infrastructure installed by the recipient, the type of technology installed, the sustainable download and upload speeds available at each serviceable location, and such other information that the Office of Broadband Coordinator requires.

(B) The Office of Broadband Coordinator shall maintain as confidential all individual company-designated proprietary information. All such individual proprietary information is exempt from the provisions contained in S.C. Code Sections 30-4-10, et seq., the South Carolina Freedom of Information Act.

(C) The Office of Regulatory Staff is authorized to contract with broadband service providers and to procure professional grant management, vendor, consulting, or other services for oversight and compliance of funds designated, granted, and disbursed pursuant to this act and for such other purposes as the Office of Regulatory Staff may deem necessary to implement the purposes of this act.

(D) It is vital to the state's interest that grant funds be awarded for the deployment of broadband infrastructure in rural communities in the most expeditious manner possible. Accordingly, contracting with broadband service providers and the procurement of professional grant management, vendor, consulting, or other services and pursuant to this act should be done pursuant to the provisions of S.C. Code Section 11-35-1570 of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to contract with broadband service providers and to procure grant management, vendor, or consulting services and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal

Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff in carrying out its duties under this act.

SECTION 13. The Office of Broadband Coordinator is directed to take all necessary action to secure any broadband funding made available to this State pursuant to Section 604 of the Social Security Act, as added by Section 9901 of ARPA and to make appropriate grants from those funds in compliance with the provisions contained in Sections 9 through 12 of this act.

Department of Health and Environmental Control

SECTION 14. The amount authorized for expenditure by the Department of Health and Environmental Control in SECTION (1)(A)(4) shall be utilized by the department for the construction of a public health laboratory. The department shall make quarterly reports to the Joint Bond Review Committee for review and comment.

Department of Administration

SECTION 15. The Department of Administration shall utilize up to the amount authorized in SECTION(1)(A)(5) for contracting for professional grant management services of ARPA funds and other federal COVID-19 relief funds. The department shall use the contract awarded pursuant to the procurement process established by Section 2(A) of Act 135 of 2020, for professional grant management services.

Part III

Miscellaneous Provisions

SECTION 16. The expenditure authorizations contained in this act are supplemental to the expenditure authorizations for receiving entities as contained in Act 94 of 2021, the General Appropriations Act for Fiscal Year 2021-22, and future expenditure authorizations enacted by the General Assembly through December 31, 2026.

SECTION 17. Earnings and interest on accounts created pursuant to this act must be credited to the account and any balance at the end of the fiscal year carries forward to the account in the succeeding fiscal year for the same purpose.

SECTION 18. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of authorizing the disbursal and expenditure of

federal funds received by the State pursuant to ARPA as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 19. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 20. This act shall become law upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Resolution, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler

Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

ADOPTED

S. 1230 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTER COUNTY FROM ITS INTERSECTION WITH PILGRIM ROAD TO THE CHESTER/UNION COUNTY LINE "MAJOR GENERAL GARY T. MCCOY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

RULE 32B

Pursuant to Rule 32B, Senator MASSEY, as Chairman of the Committee on Rules, called H. 3729 from the Contested Calendar.

MOTION ADOPTED

At 1:02 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

COMMITTEE AMENDMENT ADOPTED, AMENDED READ THE SECOND TIME

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The Committee on Transportation proposed the following amendment (3729R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 22 - 27 and inserting:

/ <u>(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);</u>

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or /

Amend the bill further, as and if amended, on page 7, by striking lines 40 - 43, and on page 8, by striking lines 1 and 2 and inserting:

/ (c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senator MATTHEWS proposed the following amendment (DG\3729C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 2, page 2, by striking line 41 and inserting:

/ maximum period of fourteen (14) business days before notice of the /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Hembree	Hutto

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

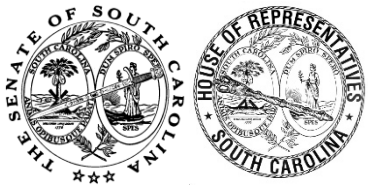
NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

REPORTS

College and University Trustee
Screening Commission



429 Blatt Building
P.O. Box 142
Columbia, South Carolina 29202
Phone: (803) 734-3053
Email: CollegeandUniversity@scstatehouse.gov

College and University Trustee Screening Commission
Report to the General Assembly
April 19, 2022

TUESDAY, APRIL 19, 2022

The College and University Trustee Screening Commission found the following individuals qualified and nominated for the Trustee seats to which they applied. These individuals will be released to receive commitments on Tuesday, April 19, 2022, at 12:00 p.m. noon. The Joint Assembly to elect the trustees is currently set for Wednesday, May 4, 2022, at 12:00 p.m. (noon). A complete transcript of the hearings for these candidates will be printed in today's Senate and House Journals.

The Citadel

CANDIDATES FOUND QUALIFIED AND NOMINATED

One (1) at-large seat
- terms expires June 30, 2028

- Benjamin D. Dixon - *Wadmalaw Isl.*
- Dylan W. Goff - *Columbia*
- Kara Irvin - *North Charleston*

Clemson University

CANDIDATES FOUND QUALIFIED AND NOMINATED

Three (3) at-large seats
- terms expire June 30, 2026

- Patricia H. McAbee - *Greenville*
- John N. McCarter - *N. Myrtle Beach*
- Sharka Marie Prokes - *Inman*
- Joseph D. Swann - *Greenville*

Lander University

CANDIDATES FOUND QUALIFIED AND NOMINATED

At-Large - Seat 8
- term expires June 30, 2026

- Robert A. Barber, Jr. - *Charleston*

At-Large - Seat 9
- term expires June 30, 2026

- James C. Shubert - *Simpsonville*

At-Large - Seat 10
- term expires June 30, 2026

- Peggy Makins - *Lexington*

At-Large - Seat 11
- term expires June 30, 2026

- Donald H. Scott - *Waterloo*

At-Large - Seat 12
- term expires June 30, 2026

- DeWitt B. Stone, Jr. - *Clemson*

At-Large - Seat 13
- term expires June 30, 2026

- Raymond D. Hunt, Sr. - *Chapin*

At-Large - Seat 14 - Marcia T. Hydrick - *Seneca*
- term expires June 30, 2026

At-Large - Seat 15 - John E. Craig, Jr. - *Lancaster*
- term expires June 30, 2026

Wil Lou Gray Opportunity School

CANDIDATES FOUND QUALIFIED AND NOMINATED

Two (2) At-Large seats
- terms expire June 30, 2026
- J. Blake Lindsey - *West Columbia*
- Marilyn E. Taylor - *Columbia*

University of South Carolina

CANDIDATES FOUND QUALIFIED AND NOMINATED

5th Judicial Circuit - Alexander English - *Blythewood*
- term expires June 30, 2026

7th Judicial Circuit
- term expires June 30, 2026
- D. Benjamin Graves - *Spartanburg*
- Henry L. Jolly, Jr. - *Gaffney*
- J. Patrick Anderson – *Spartanburg*

13th Judicial Circuit
- term expires June 30, 2026
- D. Hollis Felkel II - *Simpsonville*
- C. Brody Glenn - *Greenville*
- Reid T. Sherard - *Greenville*

The College and University Trustee Screening Commission carried over the following individuals for the Trustee seats to which they applied. These individuals **will not be released** to receive commitments on Tuesday, April 19, 2022 at 12:00 p.m. (noon). A complete transcript of the hearings for these candidates will be printed in today's Senate and House Journals.

University of South Carolina

CANDIDATES CARRIED OVER

1st Judicial Circuit - Charles H. Williams - *Orangeburg*
- term expires June 30, 2026

3rd Judicial Circuit - C. Dorn Smith III - *Lake City*
- term expires June 30, 2026

9th Judicial Circuit - John C. von Lehe - *Mount Pleasant*
- term expires June 30, 2026

TUESDAY, APRIL 19, 2022

11th Judicial Circuit - Thad H. Westbrook - *Lexington*
- term expires June 30, 2026

12th Judicial Circuit - C. Edward Floyd - *Florence*
- term expires June 30, 2026

COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION

SCREENING HEARINGS

TRANSCRIPT OF PUBLIC HEARINGS

Date: Monday, March 28, 2022
Time: 10:12 A.M.
Location: 110 Blatt Building
1105 Pendleton Street
Columbia, South Carolina 29201

APPEARANCES:
Chairman: William R. Whitmire
Senate Members:
Richard A. Harpootlian
Daniel B. Verdin
John L. Scott
Thomas C. Alexander
House Members:
John King
James H. Lucas
Kirkman Finlay

Committee Staff:
Macey Webb, Esquire

THE CHAIRMAN: We'll go ahead and call this meeting to order this morning. I'm Representative Bill Whitmire from Oconee County. I'm the temporary Chairman of the Screening Committee for Trustees for the Colleges and Universities. And I this is -- I pray that God continues to bless us all this day. Before we get started with our agenda, we have a

couple of business items to take care of. First item of business is the election of the chairman.
SPEAKER LUCAS: Mr. Chairman?
THE CHAIRMAN: Yes, sir?
SPEAKER LUCAS: Because of your longstanding participation on this committee over the years, I'll nominate you Representative Bill Whitmire to chair this committee.
SENATOR VERDIN: Second.
THE CHAIRMAN: There's a second. All those in favor, signify by saying Aye.
MEMBERS: Aye.
THE CHAIRMAN: Opposed? No. Thank you. Now, second item of business election of a vice chairman. Do I have a motion?
SENATOR VERDIN: Mr. Chairman?
THE CHAIRMAN: Yes, sir, Senator VERDIN.
SENATOR VERDIN: Mr. Chairman, I'd like to place a nomination. Senator from Oconee, the President of the Senate, Senator THOMAS ALEXANDER as Vice Chairman of the Commission.
SENATOR SCOTT: Second.
THE CHAIRMAN: All those in favor, signify by saying aye.
MEMBERS: Aye.
THE CHAIRMAN: Opposed no. PRESIDENT ALEXANDER will be here this afternoon. We'll screen him and he is giving me his proxy this morning. Thank you, Senator VERDIN. Before we go any further, I'd like to introduce the committee members. On my right we have Senator SCOTT, we have Senator VERDIN, and our newest member Senator HARPOOTLIAN. President Alexander will be sitting immediately to Senator SCOTT'S left when he comes in. On my left we have Speaker Lucas. We also have Representative John R. King, and Representative Kirkman Finlay will be joining us tomorrow, I believe. And so -- also, I don't want to forget our newest lady to help us out is Macey Webb. She works for the education Committee in the House and she got this job at the last moment and she has done an outstanding job. I really appreciate her help. And also Julie Price is here somewhere who's given her expertise. She was on Senator Peeler's staff for many years and she also headed up this when he was chairman. So with that, we'll get started and so the first person we will have, if you will come forward please, is Patricia McAbee. First, if you just give us your full name.
MS. McABEE: Thank you, --
THE CHAIRMAN: Go ahead.

MS. McABEE: -- Mr. Chairman. Thank you, Mr. Chairman. My name is Patricia H. McAbee. I go by Patty.

THE CHAIRMAN: And if you would raise your right hand. PATRICIA H. MCABEE, having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: Okay. Would you like to make a brief statement on why you would like to continue to serve?

MS. McABEE: Sir, ma'am, good morning to everybody. This morning it's truly my honor to serve as a candidate -- as an elected trustee for 29 years and now as a candidate, again, for re-election.

THE CHAIRMAN: Excuse me, can you speak -- come up a little bit closer to the mic? Speak up a little bit.

MS. McABEE: Maybe I'll lower it a little bit. Is that better?

THE CHAIRMAN: Yes.

MS. McABEE: Good. Thank you. It's truly my honor to be here today and to offer as a candidate for re-election to the Board of Trustees. It's just been an incredible honor and privilege to serve for the past 29 years at the pleasure of this body. I'm a lifelong resident of South Carolina and as such and as a citizen of this state, it's a -- the responsibility to serve Clemson University as one I take very seriously. The role to govern and lead this state supported school of excellence and to provide an affordable and meaningful education for students that contributes to the development of my state is a responsibility I take very seriously. I sincerely appreciate the trust you have placed in me and it's my humble honor to serve. Thank you for the privilege.

THE CHAIRMAN: Thank you, Ms. McAbee. Any questions or comments from members of the committee?

SENATOR SCOTT: Yes.

THE CHAIRMAN: Senator SCOTT?

SENATOR SCOTT: Mr. Chairman, thank you so much. Thank you, Ms. McAbee for your willingness to serve. Twenty-nine years on the Clemson Board is a long time. I remember a lot of the work you did to make sure that we had female representation on that board back in '93, '94.

MS. McABEE: Thank you.

SENATOR SCOTT: Which brings us to, tell us a little bit about work that you've done with diversity since you've been there in the time span. I think about eight or nine years ago, I had the chance to meet and talk with you and some other members of the Board as you began to design a plan in moving Clemson forward and looking at some diversities -- diversity, along with probably even then, it was some resistance. Tell

me a little about where the school has come, what are you doing, even maybe some of the accomplishments you've had since y'all started dealing with diversity.

MS. McABEE: Thank you for that opportunity. Several years ago, the Board of Trustees adopted a set of values that guide and serve as our guide rails -- guardrails as we set policy and govern. One of those is diversity and I'm pleased to say that -- that I was strongly in favor of including that as a -- as a guiding principle and one of our values. Diversity is hard for us at Clemson because number one, we're located in a -- in a part of the state that has traditionally been settled by people who are the same. I call it the sameness of the upstate. And since most of our -- many -- majority of our student applications come from the upstate for in state applicants. So having a diversity in our student body has been a difficult uphill battle. But we -- we continue to reach out to schools in the upstate and throughout the state to encourage awareness of Clemson, bringing students to campus when they're in high school, fostering their ability to take college prep courses prepare for the college entrance exams. So we're engaged on the junior high and high school levels with students across the state, particularly in areas that have more minority populations. We have -- so we're trying to develop the students. Even though we're located in -- in an area of the state that's predominantly white, we tend to -- or we do institute programs such as Call Me MISTER. After they get to college, the Emerging Scholars program that we -- we offer in the schools. And other programs to bring minority students onto our campus to learn what it's like to enroll at Clemson. And then we -- of course, our standards are high and we expect students to be able to be accepted. We accept 87 percent of all South Carolina applications get acceptance into a Pathway to Clemson. So those are some of the things that we're doing for students. We also have on campus -- tried to make campus more inviting. Through the Gantt Multi Cultural Center, through -- I need to look at my notes to see the names of these various areas. I've outlined these things --

SENATOR SCOTT: Let me just -- let me slow you down. Diversity is a lot more than just students being enrolled.

MS. McABEE: Exactly.

SENATOR SCOTT: You're a diversity officer. I'm pretty sure a diversity officer gives you a diverse plan for the school. Also, including Clemson with engineering being one of it's number one instruction --

MS. McABEE: Right.

SENATOR SCOTT: -- professional -- preparing people for the professional world. So you're recruiting all across this country. You

said 87 percent. What is your minority population and what is your in-state population as -- as it results at Clemson.

MS. McABEE: So our -- the minority population -- the population of minority students at Clemson including all minorities is 25 percent.

SENATOR SCOTT: Students?

MS. McABEE: Students. For all minorities. Now, African-Americans is, you know, a lower number than that.

SENATOR SCOTT: How low is it? I'm sorry.

MS. McABEE: Minority -- African-American students at Clemson is right at 6 percent, 5.9 percent. So when -- when we look at that number, that's where we -- we really try to target. And we do look at the faculty and -- and the staff as well. Faculty is at 8 -- little over 8 percent. Staff is 14 1/2 percent minority. So we are -- we're implementing programs that will increase the diversity both from just a numbers of categories of students that are maybe called minorities or they are minorities because of the numbers. But through scholarships, special grants, learning resources, development resources -- those early development resources I was outlining, and just institutionally through division of inclusion and access and equity, the Gantt Center. These are all programs that are instituted in order to make Clemson more attractive and more accessible and friendly.

SENATOR SCOTT: So -- and I'm going to let somebody else have a chance to ask a question. I think y'all were 5 or 6 percent even before you began looking at a diversity plan. Here we are, 29 years later and I'm still getting the same thing in terms of the way we recruit. Don't you think something might be wrong with your diversity plan or the behavior of the school, if that's the case? Because you're selling a product and that's education.

MS. McABEE: Absolutely.

SENATOR SCOTT: Some of the kids go to some of the best schools all across this country. Our goal is to keep South Carolina students here. And so don't you think we -- something else is going wrong on the intake system or the behavior of the school or the Board of Trustees?

MS. McABEE: I agree the numbers are low and we want them higher. So -- so something can be fixed there. We're looking for the fix. We're not turning a blind eye to it. We haven't found the fix. but we continue to look.

SENATOR SCOTT: Ms. McAbee, I tell you, after 29 years, it's something major wrong y'all haven't figured out the fix. I'm looking at other schools. The College of Charleston was up here. They're numbers have just exploded. They also have high SAT scores. All the other

schools around you. I just don't accept the fact that you're just telling me in terms of when you recruit, you recruit when you send your recruiters to bring kids in. Thank you. I'm hoping that -- to see y'all do a lot better than what you're reporting this morning. What's your percentage of out-of-state students?

MS. McABEE: Overall in the student body --

SENATOR SCOTT: Yes.

MS. McABEE: -- or minority. Yeah, overall. We -- we continue to target and stay in the 65/35 mix of in-state to out-of-state students. That may vary a percent or two year over year. I think this year we're at 63 percent in-state, 37 percent out-of-state. So there's -- there are variances year over year but our target for 20 years now has been 65 percent in-state, 35 percent out-of- state.

SENATOR SCOTT: Thank you.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chair. Thank you for your service, Ms. McAbee.

MS. McABEE: Thank you.

REPRESENTATIVE KING: I have a couple -- just about three questions for you. Do you know what the graduation rate is of African-American students at Clemson? Out of the six percent, what is the graduation rate?

MS. McABEE: Senator King, I have the overall graduation rate of 87 percent but I don't have the actual minority --

REPRESENTATIVE KING: If you don't mind -- if you don’t mind getting that.

MS. McABEE: I will be happy to get that and send that back to you.

REPRESENTATIVE KING: Within the Board of Trustees, who chairs on the Board, your diversity and inclusion committee? I would assume that the Board has a diversity and inclusion committee even though you may have a diversity person for the campus. I would assume that the Board is working as a board to also have diversity Committee. And do you all?

MS. McABEE: We do not have a separate committee for diversity inclusion, access, and equity. We meet as a committee as the whole. We discuss those issues primarily in the executive committee of which we all attend. All Board members are invited to attend and we all do attend.

REPRESENTATIVE KING: So I've learned as a representative that represents the Rock Hill area in which Winthrop sits in part of the heart of my district and I've gotten so many phone calls in reference to the pathway for African-American instructors to have -- to receive

tenure. What is the percentage of tenured African-American professors and do you all recruit for African- American instructors at Clemson?
MS. McABEE: I'd like to get that information to you. I would -- I know that we do but that's not -- that's not a detailed enough answer. So I will get that information to you in detail.
REPRESENTATIVE KING: I appreciate it. My last question is how will the Board in -- in recent debate here, we are dealing with what we call Critical Race Theory. How will be the Board assure me and the African-American legislators in this state that the true history -- authentic history of slavery to present will not be eliminated as students will try to engage and find out more about the history of America?
MS. McABEE: Several years ago we had the opportunity to address this very clearly and the Board of Trustees chose to -- to designate a part of our resources to thoroughly study and publicly print and declare the true history of the formation of Clemson University. And those people who worked and struggled and -- and committed their lives to build both the physical structures at Clemson, the -- and to serve the university in a lot of ways -- the college back then. Since then we have -- we have instituted a timeline that is continually updated on our website and within our -- our university so that the public is aware of details and they can -- they can click in and get more and more details. We've also erected new plaques and with tours around campus to illustrate examples of labor that was used early on in the formation of the college and where people lived, and also where people were buried. And we're honoring each of those types of history markers, if you will, that people can see and learn about it. And we're discovering new ways to tell the story every day. But it's our intention to keep the history alive through story and through visual remembrances.
REPRESENTATIVE KING: Thank you so very much.
MS. McABEE: Thank you, Mr. King.
THE CHAIRMAN: Senator HARPOOTLIAN.
SENATOR HARPOOTLIAN: Ma'am, I'm new to this process. This my first meeting. Hopefully, the rest of these folks won't regret it. But I need to get some basic understanding of how you and the rest of the trustees, for not just Clemson, but for all the colleges are supposed to react and behave in the context of organization. For instance, you as a trustee, do you take it upon yourself to contact department heads or folks below the president other than maybe the -- well, folks below the president to communicate with them about issues you have, policies you think ought to be in place? Or do you go through the president? How does that work?

MS. McABEE: It -- all of the above, Senator. I often contact the university through the Secretary of the Board's office --

SENATOR HARPOOTLIAN: Right.

MS. McABEE: -- to make them aware of a contact I might make or might have made.

SENATOR HARPOOTLIAN: Give me an example. What would you contact the department head about?

MS. McABEE: I'm trying to think of a more recent contact. The most recent contact I've had is with the Director of Athletics, who is new in the position, and regarding several issues that are involved with athletics and Clemson University. So I had a personal phone call into him. He returned my phone call personally, not through the President's office, and we had a very candid conversation about several topics that were facing Clemson University.

SENATOR HARPOOTLIAN: I guess what I'm saying is why would you, as a trustee, talk to a department head without taking it through the president -- I mean, -- I mean, were these issues about the kind of job he was doing? Were you critical? Were you seeking information? I'm trying to figure out how this is supposed to work.

MS. McABEE: So -- so I was seeking information and I don't know how it works at other universities but at Clemson, we have a very -- very communicative structure. So that if I talk with the Athletic Director, I'm also going to talk with the President, I'm also going to talk with the Secretary of the Board, other trustees about whatever my thoughts are on a particular matter.

SENATOR HARPOOTLIAN: I mean, are you giving him -- that is, the Athletic Director, -- department director directions on what to do? Who to hire? Who to fire?

MS. McABEE: No, not in any way.

SENATOR HARPOOTLIAN: Who to make what?

MS. McABEE: It's to gain information. It's to gain information where -- where the athletic department might be on a certain capital project or where they might be on a certain --

SENATOR HARPOOTLIAN: Recruiting? Would you talk to him about who to recruit?

MS. McABEE: I don't talk to them about recruiting. I don't talk to them about hiring. I don't talk to them about individual student athletes or individual coaches. I mean, unless that might be -- that might come up in conversation from -- from them but there are no -- no -- never a directive to a faculty member or a staff member.

SENATOR HARPOOTLIAN: I guess what I'm trying to find out is who runs the athletic department? The Athletic Director or individual members of the Board lobbying the Athletic Director? How does that work?

MS. McABEE: The athletic department at Clemson is run by the Athletic Director and the President. And the trustees try to gain information -- trustees such as I try to gain information to inform a greater information for what we hear when we get a formal presentation. To get more information.

SENATOR HARPOOTLIAN: Do you communicate in emails or texts?

MS. McABEE: Not often, no.

SENATOR HARPOOTLIAN: And do you -- do you communicate with other trustee members by text or email?

MS. McABEE: Not often. It's generally over --

SENATOR HARPOOTLIAN: Have you ever used an encrypted email or text system like WhatsApp or one of those?

MS. McABEE: No, sir.

SENATOR HARPOOTLIAN: Okay. Thank you.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: Yes, ma'am. I'm going to do a follow- up on what Senator HARPOOTLIAN -- what Senator HARPOOTLIAN'S asking about direct contact. I'm going to go back to the diversity officer. You know, diversity officer up here some four or five years ago when y'all were on fire trying to move forward with some diversity and I haven't heard anything else since then. Do you make contact directly to your diversity officer? Diversity officer appear before the Board with a plan, showing how much progress you've made if you've made any? It sounds like they haven't made very much of anything. That you're just kind of rubber stamping it with a person so it has the appearance that you're trying -- trying to create -- the reason why I'm asking these questions. I'm looking at all these other schools that come in here and some of the growth and development and I just can't accept the excuse because of my physical location we -- and the surrounding community, we can't do this. You're a state supported school and we expect a state supported school to have an open policy for these kids to be able to come in and recruit these to come in. So tell me a little bit about that plan and how you -- how you work with your diversity officer and whether or not y'all even pay the diversity officer any attention when that person brings a plan before you.

MS. McABEE: The diversity officer makes regular reports -- formal reports to the full Board of Trustees and we -- we have the opportunity

within a meeting to -- to communicate with the diversity officer. We see the diversity officer on campus and off campus at -- at meetings and -- and have an open invitation -- and to Senator HARPOOTLIAN'S question, we're -- we're -- we have an open invitation to -- to meet with faculty members, members of the administrative team, and staff. But we get formal reports for them -- from them and we do have a diversity plan that is updated. We hear that. We receive that. We're concerned about that. We're concerned about how that plan is not translating into higher numbers. It's - it's my top concern. I feel like the biggest weakness for Clemson is that we haven't grown our diversity numbers. We -- we continually push for new and different ways to address the minority enrollment problem particularly and staff levels. So we -- we have that in place. We're very attentive to it. Every member of the Board of Trustees attends meetings where the diversity plan is discussed and presented and updated. It's not working. It hasn't worked. And you and I have had this discussion and I welcome it and appreciate it. We just are still searching for that --

SENATOR SCOTT: Well, let me say this to you and we'll move on with the process. The buck stops with y'all.

MS. McABEE: Yes, sir.

SENATOR SCOTT: Y'all are the Board of Trustees. I'll tell you year after year after year, I ask these same questions and get the same kind of answers but you expect the state to be very much supportive of the direction you're going in. And I'm just telling y'all you really need to get serious about your diversity at Clemson University. Thank you so much.

MS. McABEE: Thank you, Senator SCOTT.

THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Thank you, Chairman Whitmire. Ms. McAbee, thank you for your testimony. Sometimes I think the first individual who testifies is almost like the first bill of the judiciary committee. You spend a much longer amount of time on that. I just want to echo some things I've heard from Mr. King and Mr. SCOTT and I really want to pay Clemson a compliment because I really know of no other university in our state that does a better job at recruiting students. My university, the University of South Carolina, is often -- I won't say often, I'll say almost 100 percent of the time out recruited by Clemson because y'all outwork the other side and that's what I appreciate about Clemson. With that being said, I do get tired of hearing the same issues being brought up without solutions. So I don't intend to -- to ask this of the other Clemson trustee members who come up but I would ask but I would ask given how well y'all do recruit at Clemson and what -- and the effort that y'all

do put into it, it would seem that those numbers would be going up or going up at some point in time. And at some point, it's going to ultimately affect, I know, my decision about trustees on this Board. Not necessarily today but I think it's something that needs to happen and needs to happen quickly.

MS. McABEE: Thank you, Mr. Speaker.

THE CHAIRMAN: Any other questions? What's the desire of the committee? Yes, sir.

SENATOR VERDIN: I move favorable report Ms. McAbee to the General Assembly.

REPRESENTATIVE KING: Second.

THE CHAIRMAN: All those in favor, please raise your right hand. Opposed? Thank you, Ms. McAbee. Do not ask for any commitments from the House or Senate members until Macey gets in touch with you, okay?

MS. McABEE: Thank you.

THE CHAIRMAN: I want to be very specific about that. I know you know the rules. Maybe for some of the newer arrivals, that has not worked out in the past sometimes. So good luck to you.

MS. McABEE: Thank you very much, Mr. Chairman.

THE CHAIRMAN: Thank you. Next up will be John Nichols McCarter. Give us your full name, please.

MR. McCARTER: John Nichols McCarter Junior.

THE CHAIRMAN: If you would raise your right hand, I'll swear you in. JOHN NICHOLS McCARTER having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: All right. I'll give you a chance to make a brief statement on why you'd like to continue to serve.

MR. McCARTER: Okay. First of all, I'd like to thank the committee and staff for allowing us all to be here today. I'd also like to thank the whole General Assembly for allowing me to represent you and the population of South Carolina in representing Clemson University. It's an honor. I've said that before. And it's a commitment that I take very seriously. Thank you.

THE CHAIRMAN: Staff, do you have any information to share with us on Mr. McCarter?

MS. WEBB: Good morning. There is no information that I have but, however, what I am going to request and I'm going to start with you then I'm going to request for each candidate thereafter. If you will please state your home address, your physical address that you reside at for the record.

MR. McCARTER: 702 North Ocean Boulevard, North Myrtle Beach, South Carolina.
MS. WEBB: Thank you. And do you pay your four percent or six percent at this address?
MR. McCARTER: Four percent.
MS. WEBB: Thank you, sir.
SENATOR HARPOOTLIAN: Mr. Chairman.
THE CHAIRMAN: Senator HARPOOTLIAN.
SENATOR HARPOOTLIAN: And, again, I'm new to this process. Are we going to swear these folks?
THE CHAIRMAN: Pardon?
SENATOR HARPOOTLIAN: Are we going to swear them in?
THE CHAIRMAN: Going to swear them in? Yes. I'm sorry.
SENATOR HARPOOTLIAN: Okay. I'm sorry I just -- it didn't come to mind until those specific questions were asked and I think they should be - - answers ought to be under oath. No offense to Mr. McCarter.
MR. McCARTER: No, no.
THE CHAIRMAN: I just did swear him in. Yeah, I swore you in?
MR. McCARTER: Yeah, he swore me. He did.
THE CHAIRMAN: You've got me second guessing myself.
MR. McCARTER: And he did Patty also.
SENATOR HARPOOTLIAN: I apologize.
THE CHAIRMAN: Questions?
SENATOR SCOTT: Yes.
THE CHAIRMAN: Senator SCOTT.
SENATOR SCOTT: Mr. McCarter.
MR. McCARTER: Yes, sir.
SENATOR SCOTT: I want to pick up where I left off with Patty. You've been on this Board how long now?
MR. McCARTER: May will be 14 years.
SENATOR SCOTT: Tell me a little bit about what you as a trustee, what the Board is doing in terms of improving its diversity. It looks like your numbers have not moved at all. You hired a diversity officer. You came up, met up with caucuses as well as presented them to the full General Assembly with a long plan, a lot of improvements the school was going to do, and it appears that you're still standing still. Give me a little more information than the previous trustee had in terms of what you're actually doing at Clemson on your diversity issue. Both staff, faculty, as well as students.
MR. McCARTER: Number wise or you're not interested in the number wise?

SENATOR SCOTT: I want to know what you're actually doing because she's given number wise.
MR. McCARTER: Okay.
SENATOR SCOTT: Number wise indicate not a whole lot.
MR. McCARTER: Well, diversity is always -- is talked about at every board meeting. Different committee members, staff, diversity leader always comes and has a report at board meetings. They're public. It's the very foremost and front our president is very in tune and that's one of the goals to improve. I do -- I'll get the number but I'm pretty sure that we're accepting 88 percent -- 85 to 88 percent of all African- Americans in South Carolina that apply to Clemson. I think that's the correct number. If not, I'll certainly verify that. But we do recruit. We have people out recruiting, trying to raise more money for scholarships. Sometimes there's a problem because somewhere out-of-state people give more money and we're -- you know, we're not a big university but we are -- it's in the forefront of every meeting we go to is diversity. And we are trying. And we got a long way to go as I've told you many times in your office but I feel that there is progress being made. We are in the -- we have done Men of Color and several other things that I think that has helped get students to come to Clemson. But, you know, sometimes logistics -- you know, where we are is not --
SENATOR SCOTT: Please don't say logistics because you got kids coming all across this world --
MR. McCARTER: Well, we do. We do have that but we have -- again,
SENATOR SCOTT: -- going to school --
MR. McCARTER: -- we accept about 88 percent of the -- African-Americans that apply in the state for Clemson.
SENATOR SCOTT: Your number one recruiting area in South Carolina, you've got 63 percent, as indicated a minute ago, in-state, 37 percent out- of-state. Which out-of-state number is pretty high for out-of-state -- out-of-state students. Where in South Carolina are you actually recruiting in those areas where you can attract those students? The last person talked to me you were recruiting in the immediate area of Clemson, which is small compared to the whole state if you're doing -- and not just upstate recruiting but all of South Carolina.
MR. McCARTER: We are trying to recruit the whole state. I don't have the -- I don't know whose doing -- I don't know the names of the people. We have recruiters out trying to recruit the whole state. As I said earlier, it's got to get better and it's something that comes up at every Board meeting.

SENATOR SCOTT: Are y'all following the plan or supportive of the plan, the President, or actually helping to promote the plan as a whole?
MR. McCARTER: Well, the President runs the university as we hire a president and set a vision, and he has a diversity leader and a team, our chief of staff is a minority. Also, it's a very up-front and it's on the top burner. We just -- we got to do better. It's that simple.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you for your service, Trustee. I have a question in reference to pathway of tenure.
MR. McCARTER: Of what?
REPRESENTATIVE KING: Pathway of tenure for African- American instructors and professors at Clemson. Do you know what the percentage of African- American instructors are? I know we have the percentage of students.
MR. McCARTER: Of faculty? Faculty and staff?
REPRESENTATIVE KING: Instructors and administration.
MR. McCARTER: Okay.
REPRESENTATIVE KING: And if you don't have it, you can get it to me.
MR. McCARTER: I think I've got what you're asking for but let me -- let me make sure that -- on staff, the total minority is about 14 1/2 percent minority. African-American is running at 11 percent.
REPRESENTATIVE KING: In leadership roles -- do you have African-Americans in leadership roles and the administrative?
MR. McCARTER: Chief of Staff is African-American.
REPRESENTATIVE KING: Okay. If you don't mind getting me those numbers.
MR. McCARTER: I'll be glad to.
REPRESENTATIVE KING: The number of staff members and number of African-Americans. I'd like a break down as to --
MR. McCARTER: I can get you the total number of those people of the staff.
REPRESENTATIVE KING: Thank you again for your service.
MR. McCARTER: Thank you for allowing me to serve.
THE CHAIRMAN: Any other questions? Senator VERDIN.
SENATOR VERDIN: Chairman, I'd move favorable report forward on Mr. McCarter's nomination.
SENATOR HARPOOTLIAN: Second.
THE CHAIRMAN: There's a motion for approval and a second. All those in favor, signify by raising your right hand. Opposed?
REPRESENTATIVE KING: Mr. Chair.

THE CHAIRMAN: Senator SCOTT, I'm sorry.
REPRESENTATIVE KING: Mr. Chair, while I do support him, I'm going to abstain as there is a donation in the campaign.
THE CHAIRMAN: I got you. I also will abstain.
MR. McCARTER: Sir?
THE CHAIRMAN: I will abstain.
MR. McCARTER: Okay. All right. But there is a motion that was carried --
SENATOR SCOTT: I'm abstaining too.
THE CHAIRMAN: You're abstaining also? And I've got President Alexander's proxy for approval so that gives four approvals, okay. All right, I'll just remind you like I've done -- I will with every candidate. Do not ask for any commitments until Macey contacts you. Thank you, Mr. McCarter. Next up, we have Sharka Marie Prokes. If you would come up, please. If you will give us your full name.
MS. PROKES: Sharka Marie Prokes.
THE CHAIRMAN: If you would raise your right hand, let me swear you in. SHARKA MARIE PROKES, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Thank you. Give a brief statement on why you'd like to serve on the Clemson Board of Trustees.
MS. PROKES: So I feel that education, especially STEM education, is really important. Not only to South Carolina but to the whole country. There have been a significant amount of science that has supported all our fields of study and so I feel that Clemson being a strong engineering school, I feel that I would really like to take part in helping to shape the future of Clemson. And perhaps some of my experience in the past 30 years in STEM and basic research for the DOD would be of help.
THE CHAIRMAN: Questions?
REPRESENTATIVE KING: I have questions.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you for offering yourself. I have a question for you in reference to diversity. If elected as a member of the Board, what would be your plan in reference to taking before -- taking to the Board as a member in reference to increasing African-American students as well as diversity on campus when it comes to staff -- faculty and staff?
MS. PROKES: So in terms of students, in my 30 year career what we had working with universities was a science and engineer apprentice program. And that was basically bringing in high school students into

different aspects of the university research effort and I myself participated strongly in this effort. I had about 35 high school students -- this is not undergrad. This is high school -- high school students. And about 50 percent of them were minorities. And, in fact, that can be a very successful program because it encourages minority students to understand what research is, what universities do, and how they can fit in. And I was very proud, one of my students -- high school students, in fact, went on to go and get a Ph.D. in physics at Stanford. And his name was King -- Dom King and he was an African-American.

REPRESENTATIVE KING: Do you know of any of the programs that promote diversity at Clemson?

MS. PROKES: I have read -- yes, I've read online that there are about four or five diversity programs. There are specifically for African-Americans. They're also programs for in-state South Carolina allowing students to understand and apply to Clemson and to the university. So there are about four programs that I have seen.

REPRESENTATIVE KING: Do you know what those programs are?

MS. PROKES: I have the names of them, if you want. I mean, I can read them to you.

REPRESENTATIVE KING: One of them that -- that you may know about or may not know about is the Call Me MISTER program. Do you know anything about that particular program?

MS. PROKES: No, I've not -- sorry, I have not -- I'm not aware of that one.

REPRESENTATIVE KING: Well, I appreciate you offering yourself and I thank you for being here today.

MS. PROKES: Thank you.

THE CHAIRMAN: Other questions? Senator SCOTT.

SENATOR SCOTT: I thank you also so much for applying for this job. I've heard nothing this morning about we're recruiting within my home area. I see with your education background from Northwestern, Harvard --

MS. PROKES: Yes.

SENATOR SCOTT: -- at least you can explain to those in that area what's going on around the world because it appears they're just kind of caught in that little trap. What do you actually think you bring to the Board outside of STEM? Because I think -- what I'm getting, especially in terms of trying to grow the minority and to get an understanding you're in competition not with just South Carolina but with the rest of the world to get the best and brightest students to come.

MS. PROKES: Yes.

SENATOR SCOTT: And they come all walks of life, bring all type of intellect to really make some major changes at -- at the school. And so would you share in some -- either with your experience or your knowledge base what you think you can do to try to help that -- that Board move itself forward to understand what's going on outside of that little small world at Clemson?

MS. PROKES: Right. So the first thing, I mean, the - - the mantra sort of at universities and that students pay attention to are the rankings, right? And so that -- I mean, that's one are of interest for me. Since competing universities such as UNC-Chapel Hill, which I think Clemson can compete with, the rankings are not as good for Clemson. They're number 30. Chapel Hill is 5. So that is an aspect that is really important because students go by that and so do -- the other problem is also funders. It's a -- it's a -- it's a many body problem because in order to bring in good students, you have to bring in good faculty members. In order to bring in good faculty members, it really helps the standing of the university and it also helps that these faculty members can obtain funding and funding is not always easy. That -- that is from my experience. I've run many DTRA, DARPA, many programs and I've been on many NSF panels and the funding one in ten. You're luck to get funding for one in ten. And you're constantly needing to write proposals. So that is an important aspect. Being able to bring up the quality or the ranking of the university, the funding, and that also attracts students -- high quality students. And I think also having outreach in the sense of getting to the high school student and seeing what high school students what they see -- what university research does. What the university does, especially in the STEM area. I found many students who had no idea when they came what we did and I set them up with small projects and they were very excited because they actually accomplished something and they were actually able to see how science gets done. So I think there are many aspects to this but I think all -- all of these need to be sort of implemented. And there isn't one answer.

SENATOR SCOTT: Thank you so much. I'm looking for you to be a new breath of fresh air in an area.

MS. PROKES: Well, I'd like to contribute to my new state.

SENATOR SCOTT: Thank you.

THE CHAIRMAN: Senator VERDIN.

SENATOR VERDIN: Thank you, Mr. Chairman. Dr. Prokes, I'm curious about -- well, I -- good morning and I appreciate the fact you're here with us and I would like to just get a cursory review of your history. Birthplace: Czech Republic?

MS. PROKES: Yes.
SENATOR VERDIN: So coming to America, was that -- what timeframe?
MS. PROKES: I was eight years old.
SENATOR VERDIN: Eight years old.
MS. PROKES: My parents escaped the Russian invasion.
SENATOR VERDIN: Then South Carolina.
MS. PROKES: So I lived in Maryland, of course, within reasonable commuting distance which is 70 miles round trip of Washington, D.C., which is where I worked. And that whole area is very busy. High taxes. It is not an area I chose to live in retirement. I took an early retirement. So South Carolina was the type of state I was looking for. It's got a very thriving economy. It's got manufacturing. It's got good universities. And it is a very pleasant place to live.
SENATOR VERDIN: Well, thank you for that testimonial. That lifts us up. Thank you, Mr. Chairman.
THE CHAIRMAN: Any other questions? Ms. Prokes, I'm showing my age but I do remember when the Russians invaded Czechoslovakia. It was a terrible time for folks over there. Unfortunately, it seems like they're doing the same thing now.
MS. PROKES: Apparently, yes, they are. So I was a little too young to understand but my mother talks about the tanks that went through the town -- the Russian tanks.
THE CHAIRMAN: I remember the young lady from Czechoslovakia at the Olympics that was the gymnast.
MS. PROKES: Right.
THE CHAIRMAN: Vera something.
MS. PROKES: Caslavska.
THE CHAIRMAN: Yeah.
MS. PROKES: Yeah.
THE CHAIRMAN: Anyway, she was protesting that. That was a good thing to see back then.
MS. PROKES: Yeah.
THE CHAIRMAN: Senator SCOTT has made a motion for approval. Is there a second?
MULTIPLE: Second.
THE CHAIRMAN: All those in favor signify by saying your right -- raising your right hand. Opposed? Just want to remind you since you're a new candidate, do not ask for any commitments until Macey contacts you, okay?
MS. PROKES: I understand.

THE CHAIRMAN: Good luck to you.
MS. PROKES: Thank you.
THE CHAIRMAN: Next up is Joseph Davis Swann.
MR. SWANN: Good morning.
THE CHAIRMAN: Please give us your full name.
MR. SWANN: Joseph Davis Swann.
THE CHAIRMAN: Raise your right hand and I'll swear you in. Joseph Davis Swann, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Make a brief statement on why you'd like to continue serving on the Board, please, sir.
MR. SWANN: And, Macey, would you like my address as well?
THE CHAIRMAN: We'll ask that in a second. Go ahead and make your statement.
MR. SWANN: Okay. I'm in my 32nd year of service thanks to -- to you all and it's been a labor of love. There's a lot of very positive things that have happened at Clemson and are continuing to happen. I have a list of some that I'd share with you but I'll wait for your questions for that. But I'm extremely proud of what we've done with the three things we're most responsible for which is education, public service, and research. The research has grown from 150 million in -- in 2011 to 240 million a year in 2021. And we -- we're involved in some outstanding projects with -- with the Department of Defense at ICAR. We had 40 million dollars of funding on the VIPER project. And that -- that's expected to grow -- that's expected to grow to 100 million dollars. The second -- second project is Ed Curi with the Department of Energy. You know, the grid system that we have and the testing of -- of wind -- wind power generators. That -- that is a -- a growing number. And then -- and then we're doing really good work in genetics in Greenwood. We're doing work in biomedical engineering at CUBEInC in Greenville. And we're doing work in Anderson with advanced materials. Those are the kind of things that -- that -- along with the fact that 84 percent of Clemson students as they graduate have jobs in their degree field within 6 months. I think that's, in the end, our job as a -- as a Board to make sure we're providing an education that -- that people that have jobs to be filled are looking for candidates for. I'll stop and answer your questions.
THE CHAIRMAN: Thank you, Mr. Swann. Staff, do you have any information to share with us on Mr. Swann?
MS. WEBB: I don't have any information or anything that I pulled but, if you would, for the record please confirm your address, your home address.

MR. SWANN: 22 Craigwood Court in Greenville.
MS. WEBB: All right, thank you. And do you pay your four percent or six percent at this address?
MR. SWANN: Four percent.
MS. WEBB: Thank you. That's all the questions I have.
MR. SWANN: Thank you.
THE CHAIRMAN: Questions for Mr. Swann?
SENATOR SCOTT: Yes.
THE CHAIRMAN: Senator SCOTT.
SENATOR SCOTT: Mr. Swann, thank you for your willingness to serve. I appreciate the fantastic numbers at Clemson and it's growing, especially with one of the ones that you did not mention is the joint venture between Clemson, USC, and SC State College. In terms of commitment, the state needs to give y'all in order to fulfill that endeavor. But at the same time with the growth and experience and dollars coming into Clemson, is also being able to allow students -- nontraditional students to be able to come to Clemson who may have the SAT scores and your SAT scores are higher than anybody else's in the state. For what reason, but that's y'all decision. My goal is to make sure that kids get the opportunity to come to school and that you actually recruit in those communities giving them the opportunity to do it. You say we educate 84 percent that comes in and whatever bring you, of course, it - it fits the mold and make sit easy to graduate. What I'm talking about -- there's 37 percent of out-of-state students who come in here too making it very easy to go back to other parts of the country to be able to get great jobs. That's good for Clemson. You can sell that. But what I'm not able to buy this morning is the continuous -- when I ask about diversity or how hiring a diversity officer, I want to make sure the diversity officer is getting the job done, not being interfered with, and there's support from the Board with the President to make sure it's moving. Based on the numbers, there's still some issues in terms of trying to get this to happen. I know you've been in the media since the last time you've been here about a number of issues. Building name and all kinds of other issues that you've had to deal with. But the number one can we recruit diverse folk to come to Clemson? My goal is to grow South Carolina not New York, not Washington, not Florida. But to improve the lives in South Carolina especially in rural communities. So will you share with me what you've been able to do in the 32 years you've been there and you've seen it -- 1963 graduate of Clemson undergraduate and 1969 Master's. So you were in a turbulent time of Clemson's history. So would you share with me coming out of turbulence to 2022

what you've been able to do to move the ball forward in terms of creating a more diverse Clemson University?

MR. SWANN: I would like to share the programs with you but, in the end, the numbers are the same.

SENATOR SCOTT: It doesn't matter. The question is what have you done to try to improve the numbers.

MR. SWANN: You know about the Men of Color Summit that we have. It brings a couple, 300 hundred people -- young people that, for the most part, have not been thinking about going to college and -- and we're helping them get an opportunity to understand that they can get into college and the -- and the kind of success they can have. I understand that we are losing our director of that Men of Color Summit. Our diversity director is taking at job at Louisville so we're in the process of looking for a replacement for that person. You know about the Men of Color Summit. Maybe -- maybe, Mr. King, it was you that asked that question but that's an exceptional program that's now trademarked and used by a lot of universities. Not just in South Carolina but across South Carolina. The Emerging Scholars Program is an exciting program where we're helping in school districts. I grew up in Marlboro County and -- and Marlboro County and the I-95 corridor is -- is being helped with students that come to Clemson every year, every summer, for an experience of what -- what going to college is like. They don't all -- they don't all go to Clemson but every -- every person that's gone through the Emerging Scholars Program has gone either into the Army or to some university and a growing number are now able to - - to come to Clemson. So I'm very excited about the programs that we're doing. I should also add that the Board of Visitors has programs in each of the -- each of the major towns and they're inviting every African-American student that has applied to Clemson from that town to come for a night of meeting members of the Board of Visitors and asking questions personally and talking about the experiences that they have at Clemson. So we're working very, very hard on -- on diversity and the numbers are -- are less any of us want them to be.

SENATOR SCOTT: Thank you, Chairman.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman. First of all, let me start off by saying while I agree with my colleague, Senator SCOTT, in reference to the number of African-Americans that attend Clemson, I believe the number should reflect the population of South Carolina in reference to the demographics at all the institutions. However, I will say out of all the colleges and universities excluding South Carolina State,

when the legislative black caucus has called on you all to come give us updates, you all are always available unlike USC.

MR. SWANN: Thank you.

REPRESENTATIVE KING: So I do appreciate that. I do appreciate the programs that you all are implementing. Even if you're, you know, if it's just, you know, you all are doing something to try to increase the numbers so I do appreciate that with your Men of Color Summit, you know, Call Me MISTER program, things like that. So I want to thank you for that. I have a question just in reference to like 4H. Is that up under you all -- your Board? The 4H programs that are across the state?

MR. SWANN: There's not a specific discussion about 4H within the Board unless there's a problem or an opportunity that -- that someone brings up for us to be involved with. I think it's under PSA. Maybe -- I think that's where it is housed.

REPRESENTATIVE KING: I couldn't remember. Okay, I wanted to, you know, while we talk about diversity and we have questions, Senator SCOTT and I, I do appreciate what you all are attempting to do and I appreciate you all being available to the members of the legislative black caucus when it comes to diversity and our issues. When we have called on other institutions, they are not always available to our concerns so thank you.

THE CHAIRMAN: Any other questions?

MR. SWANN: Mr. Chairman, may I comment to Senator HARPOOTLIAN'S question to Ms. McAbee?

THE CHAIRMAN: Yes, sir.

MR. SWANN: I'd just -- I'd like to address the question that you asked her about contacts with people other than the president. We don't -- we don't -- or I don't and I don't believe very many of the Board members call deans and faculty to talk about problems that we are involved with and need to ask them about. We do -- we do have the executive secretary and we do have the Chief of Staff and the President so we are, for the most part, I mean, our job is to set policy and review how that policy is followed. The two people we hire are the president and the executive secretary and then the people that work for the president address us in -- in various ways based on what committees we are on. The people I would have personal contact with would be the person -- like I've -- I've headed up the research committee for a number of years of and so I -- the vice president of research and I have -- have a close working relationship in preparing for committee meetings and comments to the Board. But -- but we don't -- I don't call the -- the Dean of Architecture, Arts and Humanities or other -- or other people like that.

THE CHAIRMAN: Senator HARPOOTLIAN, you have a response?
SENATOR HARPOOTLIAN: Well, I have a question. So I guess what I'm trying to -- there is a sort of chain of command, if you will, of how you -- if you have a question who you go to ask it to.
MR. SWANN: Yes, sir.
SENATOR HARPOOTLIAN: And I guess, more importantly, if for instance, you had strong feelings a hiring in the Athletic Department or a firing in the Athletic Department, would you go to directly to the Athletic Department Director or would you deal with that through this chain of command?
MR. SWANN: I have absolutely no authority or responsibility for hiring or firing anyone at Clemson and I try to keep my mouth shut about it.
SENATOR HARPOOTLIAN: Have you done a pretty good job of that?
MR. SWANN: I'm pretty successful at that.
SENATOR HARPOOTLIAN: Thank you.
MR. SWANN: Thank you, sir.
THE CHAIRMAN: What's the desire of the committee?
SENATOR VERDIN: Favorable report.
SENATOR HARPOOTLIAN: Second.
THE CHAIRMAN: Okay, all those in favor, signify by raising your right hand. Opposed? Okay.
MR. SWANN: Thank you.
THE CHAIRMAN: Mr. Swann, just a reminder. Don't ask for a commitment until the proper time.
MR. SWANN: Thank you.
THE CHAIRMAN: All right, that concludes Clemson's screening. So we'll take up Lander at this time.
SENATOR VERDIN: Mr. Chairman?
THE CHAIRMAN: Yes, sir.
SENATOR VERDIN: You reckon you could let the junior senator from Richland do the swearing? He keeps asking me if we've done the swearing.
SENATOR HARPOOTLIAN: I can't hear.
SENATOR VERDIN: He's missing you.
SENATOR HARPOOTLIAN: Mr. Chairman, I'm so junior that I wear a hearing aid, okay? I can't hear. And with Senator SCOTT over here talking all the time, it's impossible for me to hear over his chatter.
SENATOR SCOTT: I'm going to remind you are the junior senator. The junior senator, remember, don't have privileges.
THE CHAIRMAN: I'll try to talk a little louder on that one.

SENATOR HARPOOTLIAN: You're going to have to talk a lot louder if Senator SCOTT'S talking.
THE CHAIRMAN: Moving right along. Lander. All right, our first up is Robert A. Barber Junior. Could you give us your full name, please, sir?
MR. BARBER: Robert A. Barber Junior. Robert Archibald Barber Junior.
THE CHAIRMAN: Okay. Raise your right hand and I'll swear you in.
Robert Archibald Barber, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give a brief statement on why you'd like to serve on the Lander Board.
MR. BARBER: Well, I, from a young age got exposed to some outstanding Lander people who were educators of mine and I've always had a very high regard for Lander. I was a beneficiary of very good education myself in public schools and at Wofford College and a couple of other places and I would like to see young people in South Carolina having the same opportunities that I had. And I think Lander, to this day, does that. With my educational background and some professional and business experience, I feel like I do make a contribution to the Board at Lander. I had the good fortune -- I might have been one of Senator VERDIN'S constituents. I'm not sure where the line but I used to live in Waterloo and, at that time, I realized what an important role that Lander played in our -- our region over there around Greenwood and Laurens.
THE CHAIRMAN: Staff, do you have any information on Mr. Barber?
MS. WEBB: Hi, good morning. I don't have anything to point out from my review of your file. But if you could, just like everyone else, could you please state your home address for the record.
MR. BARBER: Yes. I live at 1883 Bowens Island Road, Charleston 29412.
MS. WEBB: Thank you. Do you pay your four percent or six percent at this residence?
MR. BARBER: Four percent.
MS. WEBB: Thank you.
REPRESENTATIVE KING: Mr. Chairman, I have some questions.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you, Mr. Chair. I was looking at your packet and have a question in reference to you stated ways to improve Lander and one of the ways, you said we need to raise our admissions standards. What are your standards?

MR. BARBER: You know, we have -- we are not highly selective by any means. I think most young people who have been successful in high school in South Carolina will have a good opportunity to come to Lander. I can't tell you what the cut off score is -- are.

REPRESENTATIVE KING: And you say pay higher salaries to our faculty and staff. Would you not be, as a Board member, able to budget for that and, if so, why haven't you all?

MR. BARBER: Well, we have a president who's been there, I think, pushing five years and through that time, our enrollment has improved and gone up a very -- we're up around 3800 students now. Eight or 9 years ago, we were bumping along at about 27/2800. So increasing the enrollment would certainly be a help in raising salaries. But we were also a school that were sensitive to tuition rates and I think we were the first school to put a cap on raising the tuition. So it can be kind of a Catch 22 when you don't have more resources to -- to allot to faculty and staff. But I think that's something the Board members are well aware of and it is something we want to do when we feel like we can -- we've got the latitude to do it.

REPRESENTATIVE KING: As a Board member, when you think of diversity, what is your role in assuring diversity on your campus?

MR. BARBER: Well, we -- I think Lander does pretty -- pretty well.

REPRESENTATIVE KING: Well, I -- I understand about Lander. I'm saying but what about your role as a Board member to ensure that diversity is on your campus?

MR. BARBER: We certainly can encourage our administration to be more aggressive about that if we feel like we're lagging. I mean, we've -- we've got -- we received a million dollar grant to help us in diversity -- in the diversity area and we've gotten a grant from the Self Foundation to help us fund our Call Me MISTER programs.

REPRESENTATIVE KING: Thank you.

MR. BARBER: Sure.

THE CHAIRMAN: Other questions? Senator SCOTT.

SENATOR SCOTT: Thank you. Good to see you again.

MR. BARBER: Thank you, sir.

SENATOR SCOTT: We served together in the House before you retired.

MR. BARBER: Been a long time ago.

SENATOR SCOTT: It has been. Lander's been very progressive with its new president in terms of really doing a lot of things on its campus. Tell me a little bit about your recruitment program. I've looked

at part of the areas in which you would like to recruit. You're right in the middle there of what we call the Gleamns country.
MR. BARBER: Yeah.
SENATOR SCOTT: How much of those students and you're bumping up against Anderson University, Clemson, and others. But tell me a little bit about what Lander's doing to bring those group of children in because in it's an area where there's a lot of loss in population in those particular areas.
MR. BARBER: Well, I -
SENATOR SCOTT: Maintaining those kids coming back, going back -
MR. BARBER: Right. In our area, I think our population reflects the general demographics of the area. I think we're pushing 33 percent, 32 percent or something like that.
SENATOR SCOTT: Right.
MR. BARBER: And we've -- you know, take it very seriously and are aggressive about attempting to recruit a diversity of students.
SENATOR SCOTT: Tell me what the Board is doing because what I'm getting is that some of these other Boards have not figured it out yet. Although you may be adjacent to them and you're recruiting somewhat in the same pockets, but you are able to get your diversity numbers up based on what your numbers are showing for these students.
MR. BARBER: Yeah. I don't -- I don't feel like the Board has had to push our administration doing that. I think it's -- it has come -- not naturally. It's been an -- been an effort but they've taken it very seriously.
SENATOR SCOTT: What are -- what are -- what are your numbers now of African-American students and staff?
MR. BARBER: I think the students -- minority students are 32 percent. Staff wise -- I think the senior staff wise it's around 24 percent and overall staff wise at the university it's 15 percent, I believe.
SENATOR SCOTT: Does it effect your graduation rate with your numbers going that large?
MR. BARBER: I think our retention rate has -- has been improving.
SENATOR SCOTT: Graduation rates as well?
MR. BARBER: Right.
SENATOR SCOTT: Thank you.
THE CHAIRMAN: What's the desire of the committee?
SENATOR SCOTT: Favorable report.
REPRESENTATIVE KING: Second.
THE CHAIRMAN: There has been a motion and a second for approval. All those in favor signify by raising your right hand. Okay, thank you, sir.

MR. BARBER: Thank you very much.
THE CHAIRMAN: As I'll tell you, wait until you hear from Macey on your commitments.
MR. BARBER: Yes, sir, thank you.
THE CHAIRMAN: James Carl Shubert. State your full name, please, sir.
MR. SHUBERT: My full name is James Carl Shubert.
THE CHAIRMAN: If you would raise your right hand, I'll swear you in. James Carl Shubert, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: And just give us a brief statement on why you'd like to serve on the Lander Board.
MR. SHUBERT: Well, I'm a relatively newcomer to the Lander Board just having coming on the Board a couple of years ago. It's been an outstanding experience thus far. Being an alumni of Lander College, at the time, -- telling my age a little bit, and seeing what Lander has done. Being a native of Greenwood, South Carolina, where Lander is in and seeing what Lander has done. And then being a resident of the upstate and seeing what Lander has done has been pretty -- pretty awesome to watch. So it's been a great honor for me to do it. I feel like my background as a former student, a businessman in this state, and I'm a leader within my field, I feel like I bring a lot to the university and I've been humbled by coming onto the Board and seeing the folks that are on the Board and what they're capable of bringing to my alma mater and what they have done. It's -- it's been pretty impressive. And so there's no wonder that Lander's doing fantastic. And so I'm just looking to serve -- serve my school at this point. There's not a I'm wanting to gain other than some intrinsic value of being part of the pretty nice institution.
THE CHAIRMAN: Thank you, sir. Staff, any information to share with us?
MS. WEBB: Good morning. No specific information that I have pulled from your file. But just as I've asked from everyone else, can you just please state your home address for the record.
MR. SHUBERT: Well, my home address just changed about two weeks ago. Luckily, I got to move. Now, I'm living out the in the country on 55 Corsillum Trail in Simpsonville, South Carolina. I finally convinced my wife to move out in the country and I got to buy a tractor so it's not bad.
MS. WEBB: Okay. What was your previous address when you originally filed?
MR. SHUBERT: 24 Sycamore Ridge Drive in Simpsonville.

MS. WEBB: And you still currently live in Simpsonville?
MR. SHUBERT: I do, yeah.
MS. WEBB: And do you, at the residence you now live at, do you pay your four or six percent?
MR. SHUBERT: Four percent.
MS. WEBB: And was it the same way for your previous address at 24 Sycamore?
MR. SHUBERT: It was.
MS. WEBB: Thank you.
MR. SHUBERT: Yep.
THE CHAIRMAN: Questions? Senator VERDIN?
SENATOR VERDIN: Thank you, Mr. Chairman. I'm particularly interested in nursing programs at some of our schools. I know you have a relatively new but expanding nursing program. What's the outlook? How are you looking?
MR. SHUBERT: Well, you know, some of the things you look at when you look at Lander, you try to figure out all right, are colleges really filling societal needs? Nursing is one of them. It's something I've done for 32 years being at hospitals on a daily basis. Our nurses right now are pretty well taxed and overrun due to the COVID pandemic and they were operating razor thin prior to that. Johnson & Johnson began probably about 15 years a program to recruit more nurses and nursing right now couldn't be more important. And so seeing what Lander's doing, especially with the appropriation it's been given being able to grow the knowledge base at Lander and putting out really good nurses has been pretty exciting. I can tell you when I'm in hospitals and operating rooms on a daily basis, Lander is a very well respected nursing program. Extremely well respected. And especially when you get into critical care medicine and you watch those nurses operate around nursing students from other universities, Lander really holds its own. It's a fantastic program and I think it's addressing a big need.
SENATOR VERDIN: That's good news. During the budget process, we hear from the public sector healthcare providers and the age old problem of competing in salary is always before us but we're starting to hear more and more now that there might be an interested and qualified pool of nursing students who may have more and more difficulty getting into the programs or having a hard time on the academic side. Just finding the qualified --
MR. SHUBERT: Sure.
SENATOR VERDIN: -- you know, academia to instruct these willing and able students. How would we address that on the rise -- it's one thing

if you don't have nurses on the line -- on the front line but getting them trained and educated.

MR. SHUBERT: Right. Well, I think it's -- it's kind of a two-fold issue. I think if you look at what needs to be done in South Carolina public schools, we've got to make sure we're addressing the STEM side of education because that's -- those are the people who go into nursing, right, your science, technology, math students. And so I think when -- if we address that part of it, then you're going to naturally attract, you know, qualified or even over qualified nursing students. I think that having a pathway -- a career pathway for a nurse, she's just not going to become a nurse or he's not going to become a beside nurse or they're not just going to become, you know, in a one stop place where you just do general nursing for the rest of your career but you can progress through even into nurse practitioner type positions. I think that pathway becomes more attractive for our students when they're trying to consider what their career is going to be. And so I think we need to do a good job as we're recruiting of making sure that we explain to them you're not just going to -- you know, if you want to be a nurse, great but if you want to move forward with your career and grow, there's a lot of avenues. So I think we need to do that more.

SENATOR VERDIN: Right.

MR. SHUBERT: Relative to instructors, --

SENATOR VERDIN: Yeah, because that really is -- and when I was a child in Greenville, the focus was Greenville General.

MR. SHUBERT: Yeah.

SENATOR VERDIN: That's where the nursing center -- education of nursing was taking place was in the hospital setting.

MR. SHUBERT: Sure.

SENATOR VERDIN: I'm thinking that those of you in higher education may have to go back and reinvent this wheel where's there's a stronger degree of collaboration with your immediate hospital systems.

MR. SHUBERT: I mean, you bring up a good point but let me clarify one thing. No nursing student ever graduates without going through rotations.

SENATOR VERDIN: Sure, that rotation --

MR. SHUBERT: In a very strong sense.

SENATOR VERDIN: But the -- the lack -- the shortage of qualified, trained, certified, and credentialed instructors. You're competing -- if you're siloed in academia or siloed in the hospital system, I know you're snug but the numbers we're looking at over the next several decades

demanding healthcare delivery from top to bottom salaries, recruitment of students, --

MR. SHUBERT: It's a challenge.

SENATOR VERDIN: -- and then with a mind towards academia. I know you've got a challenge there but it's just something that I -- after sitting through five budget subcommittees, every public sector committee coming before us talking about competing with the private sector, and then also it was born upon us that, you know, academia you've got to have -- you've got to have the instructors there and then they're competing for instructors with very high paying administrative jobs in hospital systems. So as -- as somebody whose fingers are getting stiff and blood pressure and everything else, I'm thinking more and more about as we all are and --

MR. SHUBERT: Yeah.

SENATOR VERDIN: -- it's just a challenge to our public sector universities. Hey, those of you who are offering nursing programs, where -- where can you -- where do you see us in the future? So I appreciate your particular attention to it.

MR. SHUBERT: Sure. As bad as it is now, 20 years ago, it was worse. So it has gotten better.

SENATOR VERDIN: Yes, sir. Thank you, Mr. Chairman.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: Motion for favorable.

REPRESENTATIVE KING: Second.

THE CHAIRMAN: There's a motion for approval and a second. All those in favor, signify by raising your right hand. Thank you, sir.

MR. SHUBERT: Thank you very much.

THE CHAIRMAN: And as I've reminded everybody, please don't ask for the commitments until you've heard from Macey.

MR. SHUBERT: Correct. Thank you for your vote of confidence. Thank you.

THE CHAIRMAN: Next up is Peggy McClinton Makins. I hope I'm pronouncing that correctly. Welcome. If you'd state your full name, please.

MS. MAKINS: It's Peggy Ann Makins.

THE CHAIRMAN: Raise your right hand and I'll swear you in. Peggy Ann Makins, having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: If you will give a brief statement why you'd like to serve, please.

MS. MAKINS: Well, I'm a graduate of Lander and I'm so honored to be a part of this Board. I never thought that as a student there I would be able to be in a position like this and it is -- has been enlightening and most fulfilling. I love Lander and I have to say that when I left, I not only left with a degree but I also left with a husband that has been great over the past 40 plus years. So Lander has a special place in my heart and I'm here to serve and just honored.

THE CHAIRMAN: Thank you, ma'am. Staff, any information to share with us?

MS. WEBB: Hi, good morning. I did not find anything in your file but just I've asked everyone else, can you please confirm for the record your home address?

MS. MAKINS: My home address is 823 (SIC) Lexington, South Carolina.

MS. WEBB: All right, an do you pay your four percent or six percent at this address?

MS. MAKINS: Four percent.

MS. WEBB: Thank you. That's all the questions.

THE CHAIRMAN: Questions? Senator SCOTT.

SENATOR SCOTT: Dr. Makins, let me first say how proud I am of you. Born in Abbeville to Piedmont Tech, the modern system that you took way back in '77 when you began and graduated in '79, we continue to tell these young people that actually works. Spent your two years at Piedmont Tech, went to Lander, the rest is history. Columbia University Masters and Ph.D. from Loyola. Unreal. And for you to be able to come back and share with some of those students that come out that same geographical area. And I guess that's why your recruitment's so big because you're probably bringing all those kids in from the Piedmont Tech school to some of these other schools could learn to really work with that articulation agreement and bringing these kids out of these immediate areas so we can continue to grow these communities. What do you see, if any, changes -- you're from the area, you were educated in two schools -- two major schools in the area. Spent a lot of time at Piedmont Tech working with them back in the mid-70s. When we had the Competence in Employment and Training Act, and Piedmont Tech had the only training program for young people, especially those who were unemployed, we sent them back to school. And you may have been a part of that region because it is probably part of the time when I was a field staffer. What do you see that they could do better to continue to recruit more kids out of what we call the GLEAMNS area? So these kids can come through that same system, to be able to get an educated -- it

becomes a lot more affordable especially when you go the technical school route. I've heard previous questions about nursing -- the nursing program and I'm sure that's where you're recruiting a lot of your students from, getting them off the ground. By then, they then either should have improved in the STEMS program or begin to address some of those courses that they're going to need to take when they get to Lander. If you want to talk a little bit about that a little bit, I would greatly appreciate it.

MS. MAKINS: One -- one thing that I'm very proud that Lander's partnering with the technical system and we're making it an easier transition for the students coming through the technical colleges. The grading system -- we try to have everything set so the students won't have to miss out on this course or that course. We're trying to align everything so that it's a smooth transition. So I think that that bridge program is really going to afford a lot of students to transition on to a four year institution.

SENATOR SCOTT: Are there some things that you would improve on at Lander. I know you're growing very fast. A very aggressive president.

MS. MAKINS: Yes.

SENATOR SCOTT: I like his style.

MS. MAKINS: I do too.

SENATOR SCOTT: If you tell me some of the things that you think that, as a Board, y'all need to improve upon, share that with me please.

MS. MAKINS: I think -- I think that we're -- we're on the cusp of making some changes and we're actually actively working. One of the things that we're doing we try to be a part of the community. So we go into the elementary schools. We make ourselves known to children at an early age, kind of like Little League baseball. They scout those kids early on. So we are looking at kids as they come through these school systems. And we're doing the dual enrollment which I think is really helpful and just trying to get out there and let the kids -- let the children know that we're here for them and we're actively seeking to try to pull them in our direction.

SENATOR SCOTT: Thank you so much. Thank you.

THE CHAIRMAN: Questions? What's the desire of the committee?

SENATOR SCOTT: Favorable.

THE CHAIRMAN: There's a motion for a favorable. Is there a second?

REPRESENTATIVE KING: Second.

THE CHAIRMAN: All those that are in favor, please signify by raising your right hand. Thank you, Dr. Makins, and good luck to you. And as

I keep saying, please don't ask for commitments until you hear from Macey.
MS. MAKINS: Thank you all very much for your service.
THE CHAIRMAN: Next up is Donald H. Scott. If you would state your full name, please, sir.
MR. SCOTT: Donald Harold Scott.
THE CHAIRMAN: If you'll raise your right hand, I'll swear you in.
Donald Harold Scott, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Okay. Give a brief statement on what you'd like to serve on the Lander Board.
MR. SCOTT: Well, like Peggy said she has a love for Lander. I graduated from Lander. My son and daughter graduated from Lander. My wife graduated from Lander. I have a total of ten people, including nieces and nephews, that all graduated from Lander. I served on the Alumni Board as a member and as president. I served on it for six years. And I served on the Foundation Board as a member and interim president for six years. And now I'm on the Board of Trustees and I think it's a real honor to, you know, work with the fine people there at Lander and our communities to see it grow and meet the needs of, you know, students. We have frozen the tuition for the past seven years, including this year because we try to want to -- we don't want to -- people be surprised by increases. They start their freshman year and by their senior year, they can't afford it.
THE CHAIRMAN: Staff, any information?
MS. WEBB: Good morning. I actually do have two questions for you. The first one you are currently the Chairman of the Board for Lander, is that correct?
MR. SCOTT: That's correct.
MS. WEBB: Thank you. And then on your application for the present employer, you it left blank. Do you currently work for someone or are you currently retired?
MR. SCOTT: Retired.
MS. WEBB: Thank you. And just as I've asked everyone else for the record, can you please state your home address for the record?
MR. SCOTT: 149 Ben Langford Road, Waterloo, South Carolina --
MS. WEBB: Thank you.
MR. SCOTT: -- 29384.
MS. WEBB: Yes, sir, thank you. And do you pay your four percent or six percent at this address?
MR. SCOTT: Four percent.

MS. WEBB: Thank you. That's all.
SENATOR VERDIN: Mister Chairman.
THE CHAIRMAN: All right.
SENATOR VERDIN: Don't you live kind of near Waterloo? The senator -- the senior senator for Richland just asked me where Waterloo was. He's over here with GLEAMNS and everything in western Carolinas. It's not some place in Iowa or Europe. I can tell you that. And I bet you know it based on the people that have found Waterloo. It blows my mind what is going on down there.
MR. SCOTT: Yeah, it's really growing. It's a nice community and it's growing and you've got the lake there so you have a lot of growth and so forth going on in Waterloo.
THE CHAIRMAN: Other questions? Senator SCOTT.
SENATOR SCOTT: Just real quick. Thank you so much, Mr. Chairman. I see you took -- also took that same route technical school and then to Lander.
MR. SCOTT: That's correct.
SENATOR SCOTT: Which is really strengthened when you begin to talk to young people about the easiest way and the least expensive way to get an education. So let me also applaud you on -- on that -- on that as well.
MR. SCOTT: Thank you.
SENATOR SCOTT: And then upon graduation, I'm still remaining in the rural portions of South Carolina trying to educate most of -- most of our kids. What do you contribute to the real growth at -- on the campus at Lander especially with chairman and money management has been a real issue with how fast you -- you guys have been able to grow.
MR. SCOTT: Well, we do have an excellent staff. Like you talked about our president. He's doing an excellent job of leading us. Ninety-one percent of our student population comes from the state of South Carolina. As has been stated, you know, we have the 32 percent diversity. And then another thing is we have 78 percent of the students that graduate from Lander stay in the state and contribute back.
SENATOR SCOTT: That's so important.
MR. SCOTT: Yes.
SENATOR SCOTT: Thank you, Mr. Chairman.
THE CHAIRMAN: Any other questions? What's the desire of the committee?
SENATOR VERDIN: Favorable.
SENATOR SCOTT: Second.

THE CHAIRMAN: We have second. All those in favor signify by raising your right hand. Opposed like sign. Congratulations, sir. Don't ask for a commitment until you hear from her.
MR. SCOTT: All right. Thank you.
THE CHAIRMAN: All right, before I call the next one, let me -- let me recognize Representative -- former Representative Alan Taylor. He's a colleague of mine and the speaker's. I'll tell you Lander folks he does an excellent job down here for you so you need to keep him employed. I'm sure he'll agree.
MR. TAYLOR: Thank you, Mr. Chairman.
THE CHAIRMAN: All right, next up is Dewitt Boyd Stone Junior. If you'll state your full name, please, sir.
MR. STONE: Dewitt Boyd Stone Junior.
THE CHAIRMAN: If you'll raise your right hand please. Dewitt Boyd Stone, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Okay. Give us a brief statement why you'd like to serve on the Lander Board.
MR. STONE: Lander and I both grew up in Williamston. My great-grandfather founded the college and it kind of grew up in Williamston and moved to Greenwood. I never lived in Williamston but I did get to spend some summers there and I think it's sort of like home but not exactly. In 1957, I went to college at Tennessee and I'm in my 65th year now of being either in or teaching at or administering at a university. And I'm loving it on the Lander Board. It's a great institution. We're doing very well in recent years.
THE CHAIRMAN: Staff, any information.
MS. WEBB: I don't have any questions based on your file but just as with everyone else, can you please state your home address for the record?
MR. STONE: 108 Poole, P - double o- l-e Lane Clemson, South Carolina.
MS. WEBB: Thank you. And do you pay your four percent or six percent? Can you please state it for the record?
MR. STONE: Four.
MS. WEBB: Thank you, sir.
MR. STONE: Yes.
THE CHAIRMAN: Questions? Senator SCOTT.
SENATOR SCOTT: Thank you so much for your willingness to serve. Are you currently serving as the chair or is that -- because I'm

looking at both of y'all currently serving as the chair? That's a typo? Last year? You former -- you former chair? MR. STONE: No.
SENATOR SCOTT: That's a typo?
MR. STONE: Don Scott's the chair.
SENATOR SCOTT: Okay, thank you. That's just a typo. I see you -- you retired from Clemson University.
MR. STONE: Yes, sir.
SENATOR SCOTT: What did you teach at Clemson and how long were you there?
MR. STONE: My teaching was at the University of Tennessee. I came to Clemson as an administrator, actually to start a night program in Greenville for engineering students and that resulted in the University Center at Greenville a few years later. And I was moved back to Clemson to do various things including liaison with the Commission on Higher Education and I retired as Assistant Vice President for Academic Affairs.
SENATOR SCOTT: So with that in mind, what are y'all doing so different that your sister school that close to you is not doing? You guys are having a tremendous success in recruiting students and that's what you did. Enrolling academic -- so you get to check the box. Who comes and who does not come.
MR. STONE: Yes. Yes.
SENATOR SCOTT: Some kids may need another summer or maybe a course or something. So what are y'all doing different that you're -- that you're growing at the pace of 32 percent compared to your sister school that's adjacent to you is not doing?
MR. STONE: We have to give a lot of credit to our president. I joined the Board in 2014 and the search was actually underway at that time. So one of the first things I got to do at Lander was to help choose a president from three candidates who were -- who were chosen for us by a consulting firm. He brought a lot of talents and outreach in public relations was one of them. His strongest talent was he came to us as a Vice President for Academic Affairs at UNC-Pembroke. And we were not in very good financial shape at that point and it was a joint board/president decision to freeze tuition during his first year at Lander and I think that's had a lot to do with our ability to attract students.
SENATOR SCOTT: Thank you, Mr. Chairman.
THE CHAIRMAN: Any other questions? Desire of the committee?
SENATOR VERDIN: Favorable.
SENATOR SCOTT: Second.

THE CHAIRMAN: All of those in favor signify by raising your right hand. Opposed like sign. Thank you.
MR. STONE: Thank you, sir. Thank you all.
THE CHAIRMAN: Next up is Raymond Davis Hunt. ** 1:29:59.
MR. HUNT: Thank you.
THE CHAIRMAN: If you'll give us your full name.
MR. HUNT: It's Raymond Davis Hunt.
THE CHAIRMAN: If you raise your right hand, I'll swear you in. Raymond Davis Hunt, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Brief statement on why you'd like to serve.
MR. HUNT: I've been fortunate enough to serve on the Lander University Board for 24 years now. It's where I met my wife similar to -- you've heard that from two or three other Board members so I don't know what's in the water there but it's the place where, I guess, we meet our spouses. I've been able to serve in the chairman capacity and other leadership roles on the Board. Two terms past chair. And would like to continue to see us grow and I would like to continue to give back and serve.
THE CHAIRMAN: Staff, any information?
MS. WEBB: I don't have anything based off of my review of your file but just as with everyone else, can you please state your home address for the record?
MR. HUNT: Sure. 2012 Amicks Ferry Road, Chapin, South Carolina 29036.
MS. WEBB: Perfect. Thank you. And do you pay your four percent or six percent?
MR. HUNT: Four percent.
MS. WEBB: Thank you. That's all.
THE CHAIRMAN: Questions? Senator SCOTT.
SENATOR SCOTT: Thank you. Thank you, Mr. Hunt, for your willingness to serve. You basically grew up on that Board.
MR. HUNT: It's easy for me to remember when I came on the Board because my daughter's 24 years and I was -- she was born right before I started so it's easy.
SENATOR SCOTT: You came as a youngster.
MR. HUNT: I did.
SENATOR SCOTT: Tell me a little bit about the growth of the Board from the time you got there --
MR. HUNT: The growth of the Board or the university?
SENATOR SCOTT: Boards effect the university.

MR. HUNT: Yeah.
SENATOR SCOTT: You can talk about both of them.
MR. HUNT: We've -- we've had growth on both.
SENATOR SCOTT: I'm going to finish the question --
MR. HUNT: Sure. Yes, sir.
SENATOR SCOTT: I know you want to get right on it.
MR. HUNT: Of course, you've --
SENATOR SCOTT: And where you think the university is growing -- is going with this growth and direction especially where you're physically located --
MR. HUNT: Right. Being physically located in Greenwood is a challenge in some ways because there's not a major interstate system to Greenwood. I used the to say the greatest thing about going to school there we were an hour and a half from Clemson, an hour and a half from Georgia, and an hour and a half for Carolina so if we want to go see good football, we could -- we have our choice. But we have seen great growth especially over the last four or five years. Dr. Cosentino has done an amazing job. We all, as a board, helped him with a strategic plan. We approved the strategic plan and we've been following that plan. And even through the pandemic we continued to see growth. And he's hired outstanding people. I've been fortunate to serve with three presidents of the university and this president what he did different was he brought in outside people. He didn't hire from within. And he added diversity. A good -- like you heard, 20 percent -- 24 percent of our senior staff is -- is minorities. And he brought in people from outside the state, inside the state, and he put the right people on the right seat on the right bus.
SENATOR SCOTT: Appreciate it. Thank you so much.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you, Mr. Chair. I have a question in reference to your answer to how can Lander improve. You said improve the communication with the Board of Trustees. Explain what you meant by that.
MR. HUNT: Sometimes I think universities can be pigeonholed and have their own little world and they forget sometimes to communicate every -- not every little thing but important matters to the university. As I believe, I stated on there, it has improved dramatically. Or improved over the last few years. Because it was hard for me to find a weakness of where we are when I look at our growth and I look at freezing tuition but that was the only thing I could think of.

REPRESENTATIVE KING: And my last question in reference to Senator SCOTT'S question in reference to you said it's about 22 percent minority --
MR. HUNT: Twenty-four percent.
REPRESENTATIVE KING: -- 24 percent minority --
MR. HUNT: Yes.
REPRESENTATIVE KING: -- is that you said faculty? Staff?
MR. HUNT: That's senior staff.
REPRESENTATIVE KING: Senior staff.
MR. HUNT: Yes.
REPRESENTATIVE KING: When you talk about minority are you talking about white women? Or are you --
MR. HUNT: Yes, that would include all minorities.
REPRESENTATIVE KING: Thank you.
THE CHAIRMAN: Any other questions? Desire of the committee?
SENATOR SCOTT: Favorable report.
SENATOR VERDIN: Second.
THE CHAIRMAN: There is a motion for our approval and a second. All those in favor, signify by raising your right hands. Thank you, sir. You know the rules.
MR. HUNT: Yes, sir. Thank you.
THE CHAIRMAN: All right. Last Lander candidate is John E. Craig Junior. If you would state your full name, please, sir.
MR. CRAIG: I'm John Edwin Craig Junior.
THE CHAIRMAN: If you raise your right hand, I'll swear you in. John Edwin Craig, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Okay. Give us a brief statement why you'd like to serve on the Board.
MR. CRAIG: Lander is a great university. That's why I'd like to serve on the Board. There's so many problems in higher education around the country. So many schools are not doing a great job in my view. There's real problems with quality. There are problems with costs. I'm a graduate of Davidson and of Princeton, elite schools. Costs are out of bounds. And frankly, those schools, and I love both of them, are too often are educating people for -- for lifestyles and not for productive work lives. That is a harsh judgement and that is fine. Lander, in contrast, is doing exactly in my view what colleges need to be doing in this country. We're bringing -- we have a great record on minority admissions and success. We have held tuition constant. We're

affordable and we are teaching kids how to get -- go to work and lead productive lifestyles.

THE CHAIRMAN: I wish my two daughters had heard that before they went to college. All right, Staff, you have any information?

MS. WEBB: Yes. Good morning. Mr. Craig, on your application you did not disclose if you paid your four percent or six percent so I'm still going to do those same questions with you. Before you answer that question, can you please state what your home address is?

MR. CRAIG: Yes. 1859 -- 1859 Craig Farm Road Lancaster, South Carolina 29720.

MS. WEBB: Okay, thank you. And then do you pay four or six percent there?

MR. CRAIG: Four percent.

MS. WEBB: Four percent. All right, thank you. That's all I have.

THE CHAIRMAN: Questions?

SENATOR SCOTT: I have a question.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: I want to thank you, sir, for willingness to serve. One of the things I've noticed about the members of the Board of Trustees you guys have been exposed to so many different universities and -- in terms of where you've been educated, the schools you attend, not just everything right in South Carolina. What has it done for the Board members in terms of trying to reach some agreements in terms of best practice and policies because you have a lot of different knowledge based folk that's actually coming on -- that's on your Board. Which I -- which I applaud you. That's very healthy. So what do y'all do to try to reach some consensus or is some of the smaller stuff you don't get bogged down in?

MR. CRAIG: Well, you've put your finger on it. This Board is very diverse. It's a wide range of experiences and one of the reasons I like serving on this Board is that. That I learn from it too. We all need to listen to each other. We will have disagreements but we can all can gradually work to consensus. And we do bring substantial expertise to the Board -- to the university. For example, I did much of my career in managing large foundations and managing endowments. When I came on the Lander Board, I'm on the Lander Foundation Board as well, we needed to revamp our investment strategy there and I led that. So that's an example of the kind of expertise that our Board is able to bring to Lander.

SENATOR SCOTT: Thank you, sir.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chair. I see that you're from Lancaster or live in Lancaster. I'm originally from Chester. I represent Rock Hill so next door to you.
MR. CRAIG: Yes.
REPRESENTATIVE KING: How is the recruitment from our area of the state in reference to going to Lander?
MR. CRAIG: You know, I wish it were more. We're -- let's face it, most of the students at Lander come from nearby so Lancaster is a bit too far away. I, myself, am doing my part. We've had some alumni gatherings there and so on. But -- and that is one of the aims. I'm on the Foundation Board, I work with the Vice President for Institutional Advancement which is all about annual giving and also very heavily involved in helping to recruit students. So it's an area we would like to do more.
REPRESENTATIVE KING: I see where your numbers for minorities are pretty good so I was just wondering about the outreach and trying to get more of that. But you probably do know my family in Lancaster. The Ruckers. Dr. Rucker.
MR. CRAIG: I certainly do, yes. Very fine family. A major family in Lancaster. And who have done so much for our city. You know, Lancaster we're near Chester -- Lancaster is really booming, folks. Particularly the north end but we're now really focusing on going -- revitalizing the town like Chester's doing.
SENATOR VERDIN: Favorable.
THE CHAIRMAN: Motion for approval. Is there a second?
SENATOR SCOTT: Second.
THE CHAIRMAN: All those in favor signify by raising your right hand. Opposed like sign. Congratulations, sir. Don't forget don't ask for commitments. I do want to state that we have one other Lander candidate. Marcia Hydrick could not be here today. She's out of state but she will be here tomorrow morning. We'll hear from her then. We've got one candidate for USC tomorrow too also. And the Will Lou Gray folks. We're going to break for lunch. If I can ask all the members if they can be here at maybe ten minutes till 1:00. That gives us almost an hour. We'll try to start as soon as possible. Somehow I don't think this afternoon's going to go quite as fast.
SPEAKER LUCAS: Mr. Chairman, can I raise a procedural matter with the members on the committee?
THE CHAIRMAN: Sure.
SPEAKER LUCAS: We're about to get into the University of South Carolina and what I'd like to ask is that the committee delay taking votes

on the six incumbent members of the University of South Carolina Board until the committee has had an opportunity to hear from each of them.

THE CHAIRMAN: Okay. We'll do a voice vote. All those in favor, signify by saying aye. ALL: Aye.

THE CHAIRMAN: Those no? Ayes have it. You got it. We'll break it. See you a little bit before 1:00. (off the record)

THE CHAIRMAN: We'll go ahead and get started. My name is Bill Whitmire and I am chairman and I come from Oconee County. To my right is -- we're fortunate to have the president of the Senate, THOMAS ALEXANDER; Senator VERDIN and Senator HARPOOTLIAN. And Senator SCOTT will probably join us momentarily. To my left, I'm honored to be sitting next to the speaker of the house, Jay Lucas. And we have Representative King from Rock Hill and tomorrow we will have Representative Finlay from Columbia. This afternoon, we will be taking up first the University of South Carolina Trustees. So, when I call your name, if you would please come up to the well and give us your full name and then I'll swear you in. So, first up is Charles H. Williams, II. Will you give us your full name, please, sir?

MR. WILLIAMS: Charles Hiram Williams, II.

THE CHAIRMAN: Okay. If you'll raise your right hand, I'll swear you in. Charles Hiram Williams, having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: Okay. If you will give a brief statement why you're interested in staying on the USC Board.

MR. WILLIAMS: Well, my father -- my -- myself, I went to undergraduate school at the university and --

SENATOR SCOTT: Turn your mic on for us.

MR. WILLIAMS: What do I press -- All right. My father -- my father is an undergraduate and law school grad of University of South Carolina. I am an undergraduate and graduate of University of South Carolina Law School. My first wife was a graduate of USC Law School. My second wife, who is seated behind me, was a graduate of the University of South Carolina Law School. All four of my children are graduates of the University of South Carolina Law School. So, it goes without saying that it has meant a tremendous amount to my family that we've all been able to attend the University of South Carolina. I love the University of South Carolina. I've been on the board for 12 years. I've enjoyed it and I would like to continue to serve on the University of South Carolina Board.

THE CHAIRMAN: Thank you, sir. Staff have any information to share with us on Mr. Williams.

MS. WEBB: Yes. Good afternoon, Mr. Williams. In -- upon reviewing your packet that in initially submitted to the Board back in November, you've stated that you've listed that your property tax -- you currently pay six percent at your residence in Orangeburg. You also submitted, in addition with that, a letter explaining why your property is six percent in Orangeburg. And then you also stated, because your wife is currently listing the property in Charleston with the four percent. If you could just explain to the Commission a little more about that situation.

MR. WILLIAMS: This is both of our second marriages. My first wife, who is deceased, when I married McClaine, she had a house in Columbia. Shortly after we got married, she sold the house in Columbia, South Carolina and she bought a house in Charleston, South Carolina. She resides in Charleston the majority of the time. The first five years -- we've been married seven years. The first five years, I claimed the four percent residency. Unbeknownst to me, she decided that she was going to claim four percent in Charleston. When she did it, I -- she said it was only fair that she could claim it for five years if I claimed it five years. And I don't know how many of y'all are on your second marriages, but you tend to listen to your wife, and she claimed it. I immediately went to Orangeburg Tax Assessor's Office and explain to them what was going on and ask them could I continue to claim the four percent. They said I could not. I reckon the real issue is where I live. I've lived for 72 years on the same property that I live now. Anybody -- and a couple of y'all on the board -- I mean, on this committee know me. Nobody has ever claimed that I lived anywhere but Orangeburg. I own five different -- well, excuse me -- we own. But four -- the property in Charleston is solely in her name. I have four other properties; one in Maggie Valley, North Carolina, one at Lake Marion and one in Columbia, and I'm missing one. But anyway, I have a number of homes that are titled solely in my name. And, you know, I mean, there's no question where I live. I vote in Orangeburg. My law office is in Orangeburg. Although I say I'm semi-retired, I go to the law office three or four days a week. I still get paid by the law office. If you ride on the interstate, you'd see my photograph with my law partners. My two sons have taken over my law practice. But all my bills are in Orangeburg. I probably spend five or six days a year in Charleston, and that's only when I have -- my doctor's in Charleston, and it's only when I have a doctor's appointment. I'm not a big fan of Charleston. My wife loves Charleston. She goes to church there. Her voter registration's there, her driver's license is there. Her mail comes to Charleston. And I

reckon we're a little unique, because while we're married, we do maintain separate households.

MS. WEBB: Yes, sir, thank you. And then just one final question from me and then I'm going to turn it over to members of the Commission, can you please, for the record, what your address in Orangeburg is?

MR. WILLIAMS: 2503 Five Chop Road, or either Marsha B. Williams Boulevard, Orangeburg, South Carolina 29115.

MS. WEBB: Thank you. That's all the questions that I have.

MR. WILLIAMS: Thank you.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: I think this question may be for the Committee. In reference to residency, doesn't four percent that how we determine residency of what -- I'm not sure how we would determine --

THE CHAIRMAN: That is my understanding, that your residency should be the four percent. Now, that is -- he's now claiming six percent, so we've gone through that before, Representative King, with, I think, another USC member. He had to change his from six to four, so that's my understanding.

REPRESENTATIVE KING: And if that is the case, Mr. Chairman, the -- do we give that person time to make that adjustment on what do we do in reference to the four percent?

SENATOR HARPOOTLIAN: Mr. Chairman.

THE CHAIRMAN: Who was the first one? Senator HARPOOTLIAN?

SENATOR HARPOOTLIAN: It's where he lives, not where his wife lives. And if she wants to declare Charleston her residence, that doesn't make him a resident of Charleston. The six percent, he can -- the couple can only take it one place. I would submit that if you are claiming four percent in more than one place -- and we've seen this happen -- you got a problem. If his voter registration, driver's license, all of those things are in Orangeburg, even if he doesn't declare that, you know, his residence for tax purposes, he's declared it for everything else, as long as he's not claiming four percent somewhere else. So -- and this issue has been litigated most recently in a school board member issue in -- I think, in my district, District 5, School District Richland/Lexington District 5. And it seems to me that's the correct legal position. Now, Mr. Chairman, I would -- either case, there are people who -- we're going to have another candidate in just a minute who doesn't take the four percent where he says he lives. So, I don't know if we ought to stick with a hard-and-fast rule of four percent being, you know, their residence. I think it's all the circumstances. He's testified under oath that he -- and let me clarify this. Where'd you spend last night?

MR. WILLIAMS: In Orangeburg.
SENATOR HARPOOTLIAN: And every 30 days or every month, where do you stay at night?
MR. WILLIAMS: I would say I spent 99 percent of my time -- now, I do have a condominium at the football stadium I spend a night every now and then in, but ninety- --
SENATOR HARPOOTLIAN: During football season.
MR. WILLIAMS: Yeah.
SENATOR HARPOOTLIAN: Not --
MR. WILLIAMS: No, sir. But 98 percent of the time, I spend in Orangeburg.
SENATOR HARPOOTLIAN: And that's where you work.
MR. WILLIAMS: That's where I work.
SENATOR HARPOOTLIAN: And you -- you pay six percent on your residence in -- in Orangeburg; is that correct?
MR. WILLIAMS: Correct. When I went to the tax assessor and explained to them, they said you can have two primary residences, but you can only claim one.
SENATOR HARPOOTLIAN: Right, for tax purpose.
MR. WILLIAMS: For tax purposes.
SENATOR HARPOOTLIAN: I just think it's important to understand, in my understanding of the law, whole that is a factor we should look at. It is not the determining factor. Mr. Chairman.
THE CHAIRMAN: Speaker Lucas.
SPEAKER LUCAS: I agree with Senator HARPOOTLIAN and, obviously, it is a factor and it's a factor this committee should obviously look at on each occasion. But there are a number of different criteria that could be used to determine residence and I don't think that is the sole criteria we should look to.
THE CHAIRMAN: Who's next? PRESIDENT ALEXANDER?
SENATOR ALEXANDER: I hear what is being discussed and I don't necessarily have an issue with that. But I -- as being the president of this committee, to take a different approach to that. And so, just for the record, I think we have to treat everybody the same. And so, if we're going to deviate that, then -- then I think we're going to have to afford that opportunity to others that have been impacted by that from other universities that was insisted upon by this committee that be treated differently. So --
THE CHAIRMAN: Well, Mr. PRESIDENT, if I remember right, that other candidate did have to change his six percent to four percent; is that not correct, if you remember? That's what I was thinking.

SENATOR ALEXANDER: That is correct.
SENATOR HARPOOTLIAN: Well, let me -- might I ask, Mr. Chairman, that would he be willing to change --
MR. WILLIAMS: Sure.
SENATOR HARPOOTLIAN: -- and you and your wife work that out?
MR. WILLIAMS: Sure. I mean, she did it on her own. I -- don't get me wrong. I love my wife, but she didn't -- she just went down and did that. She said I'd done it for five years and she thought she ought to get a tax break. And it wasn't but about -- I think it's $3,000 difference, so it's -- me -- mine went from three thousand to eighty- five hundred and, I mean, I couldn't --
SENATOR HARPOOTLIAN: Do you need to ask her before you make this commitment?
MS. WILLIAMS: That's okay.
SENATOR HARPOOTLIAN: Sorry. Okay. Apparently, she's in agreement?
MR. WILLIAMS: So, yeah, I -- I'll be glad to change it.
THE CHAIRMAN: Okay. Other questions?
SENATOR HARPOOTLIAN: I have another question.
THE CHAIRMAN: Go ahead.
SENATOR HARPOOTLIAN: Not about that, though.
THE CHAIRMAN: All right, go ahead.
SENATOR HARPOOTLIAN: So, Mr. Williams, how long have you been on the Board?
MR. WILLIAMS: Twelve years.
SENATOR HARPOOTLIAN: Okay. And let me ask you this. Has it been your experience that you would go through the president -- and you've been through a couple of them, I think, during those 12 years, correct --
MR. WILLIAMS: Correct.
SENATOR HARPOOTLIAN: -- to talk to department heads? Do you unilaterally go out and talk to department heads?
MR. WILLIAMS: No. Now, you know, if it's in a board meeting and a department head is talking about something, sure.
SENATOR HARPOOTLIAN: That's what I'm talking about.
MR. WILLIAMS: No, not -- no, I never contact anybody --
SENATOR HARPOOTLIAN: Either emailing or picking up the phone and calling a department head?
MR. WILLIAMS: No.
SENATOR HARPOOTLIAN: And you understand the athletic department, Ray Tanner is a department head; is that correct?

MR. WILLIAMS: I understand.
SENATOR HARPOOTLIAN: And why don't you do that?
MR. WILLIAMS: Well, I mean, it's not our -- in our position to do it. I mean, we set policy. And like I say, if we have -- if we have a problem, usually we'll contact the president or wait till that person is at a meeting and address whatever issues we have.
SENATOR HARPOOTLIAN: And in your opinion, is that -- do you have any problem with the board, some of the board members unilaterally talking with department heads --
MR. WILLIAMS: Well --
SENATOR HARPOOTLIAN: -- going around the president?
MR. WILLIAMS: -- I'm sure it happens a lot and -- but you don't know about it. I mean, you know, I don't think that a member of the board would tell you that they've been talking to a department head.
SENATOR HARPOOTLIAN: Would it surprise you I'm going to ask the incumbent board members today under oath whether they're done that or not?
MR. WILLIAMS: No, sir.
SENATOR HARPOOTLIAN: Okay. So, we'll deal with that in a little while. But let me -- let me move on with it. There's sort of an elephant in the room, if you will, is the presidency of General Caslen, and I'm trying to get my arms around how such a thing happened. Well, first of all, did - - you voted against hiring him; is that correct?
MR. WILLIAMS: That's correct.
SENATOR HARPOOTLIAN: And let's talk about how that process -- I'm trying to get a sense of how the board makes decisions.
MR. WILLIAMS: Well, it was poorly handled from the beginning. When -- when -- I don't remember whether it was three or four candidates and --
SENATOR HARPOOTLIAN: Speak into the microphone.
MR. WILLIAMS: I'm trying to recall, because it's been a little while, but -- but when it first came up, we would meet the candidates. Right before the meeting began, they sat a stack of paper about this high, which was from the faculty and from the students who had heard President Caslen, and their opinions and so forth. And, you know, you didn't have time to read them and I objected to that, that, you know, why would you put a stack of -- you know, five-inch stack of paper in front of me with opinions from students and faculty and expect me to have any idea. And they said, well, we can tell you that 80 percent of the faculty and 80 percent of the students oppose him being our next president.

SENATOR HARPOOTLIAN: Was he the only candidate you were looking at that day?
MR. WILLIAMS: No, there were three, three or four.
SENATOR HARPOOTLIAN: Okay.
MR. WILLIAMS: And --
SENATOR HARPOOTLIAN: Did you get that kind of input on all four or all three?
MR. WILLIAMS: Yeah.
SENATOR HARPOOTLIAN: Okay.
MR. WILLIAMS: And so, it started off rather raw and so we pretty much had an argument within the board, you know, and complaining about we needed more information. If we were going to elect the president, we needed to see what the reviews said, blah, blah, blah. And after heated discussion, we all agreed to continue the process, not to elect anybody on that day.
SENATOR HARPOOTLIAN: Now, did y'all decide to ask some of the interim presidents?
MR. WILLIAMS: I'm sure we must --
SENATOR HARPOOTLIAN: Upstate?
MR. WILLIAMS: Yeah, we did, we asked the chancellor at Upstate, who is a very good guy.
SENATOR HARPOOTLIAN: And did he agree to do that?
MR. WILLIAMS: He did.
SENATOR HARPOOTLIAN: Did he ever get to be the interim president?
MR. WILLIAMS: For just a short period of time.
SENATOR HARPOOTLIAN: Now, there is -- as I study the records from --
MR. WILLIAMS: I'm trying to -- you want me to go forward, because -- to the vote on Caslen?
SENATOR HARPOOTLIAN: Well, I'm going to ask you some questions and then --
MR. WILLIAMS: All right.
SENATOR HARPOOTLIAN: -- and then ask you to go forward. So, there was about a 30-day period between that meeting and the meeting at which Caslen was elected, correct?
MR. WILLIAMS: Correct.
SENATOR HARPOOTLIAN: Okay. During that 30-day period, did anyone that -- to your knowledge, on the board go to Florida and meet with General Caslen?

MR. WILLIAMS: Yeah, some people went. I do not recall who and how many, but I was aware that some went. And I think that was after we elected Caslen that I found out about that. I didn't know that they had gone down there.
SENATOR HARPOOTLIAN: Did you know they went between - - in that 30-day period between the first vote and the second one?
MR. WILLIAMS: I believe it was.
SENATOR HARPOOTLIAN: And were you invited to go?
MR. WILLIAMS: No, sir.
SENATOR HARPOOTLIAN: Was there some sort of selection committee that had been picked?
MR. WILLIAMS: Not that I know of.
SENATOR HARPOOTLIAN: And so, they took the university plane, this three or four board members, who -- some of them are going to be testifying today. I'll ask them about it.
MR. WILLIAMS: That's my understanding, yes.
SENATOR HARPOOTLIAN: And they went and met with General Caslen?
MR. WILLIAMS: As far as I know, yes.
SENATOR HARPOOTLIAN: But not the other candidates.
MR. WILLIAMS: That's -- as far as I know, that's correct.
SENATOR HARPOOTLIAN: You don't know what they discussed.
MR. WILLIAMS: I have no idea.
SENATOR HARPOOTLIAN: Were they negotiating the contract?
MR. WILLIAMS: I have no idea. Never been privy to any of the that information.
SENATOR HARPOOTLIAN: Now, go ahead with your narrative as to what happened between that first meeting where you didn't pick him, you picked an interim.
MR. WILLIAMS: Well, the board was instructed -- I mean, we instructed for the search committee to continue. We were unhappy with the group they hired. We were supposed to hire a new group that did Clemson's search. And then, out of the blue, I got a call from the governor asking me to support Caslen.
SENATOR HARPOOTLIAN: And tell us the -- did he explain to you why?
MR. WILLIAMS: It was a very short conversation. I've known Henry -- I went to school with Henry.
SENATOR HARPOOTLIAN: Okay.

MR. WILLIAMS: And I said -- asked him, I said, "Henry, have you met the man?" And he said, "No." I said, "Well, then don't ask me to support him."

SENATOR HARPOOTLIAN: The governor indicated he never even met the guy?

MR. WILLIAMS: That's correct.

SENATOR HARPOOTLIAN: And this was about two or three weeks before he was picked as president?

MR. WILLIAMS: It was right before. It all --

SENATOR HARPOOTLIAN: And it was the governor or his chief of staff -- To your knowledge -- I know I got a call from the chief of staff. Was the governor or the chief of staff contacting all the board members?

MR. WILLIAMS: I have no idea. He just contacted me and, like I say, I know Henry well. Henry and I are friends and I -- you know, I just said, "Henry, have you met the guy?" Because I -- I thought, in his interview, he was not real good, in addition to not being able to know why the faculty or the students were so opposed to him. And when he said no, I told him, I said, "Well, no, I'm not going to support him."

SENATOR HARPOOTLIAN: But in an interview -- you had an interview with Caslen here in Columbia?

MR. WILLIAMS: We had all the candidates. Whether it was three or four, I really can't remember.

SENATOR HARPOOTLIAN: Was one of those candidates the provost?

MR. WILLIAMS: No.

SENATOR HARPOOTLIAN: It was not.

MR. WILLIAMS: No.

SENATOR HARPOOTLIAN: Do you remember who the other candidates were?

MR. WILLIAMS: It was Tate and -- I think it was three, because I think we lost -- the lady was a finalist, and I think she went to University of Tennessee.

SENATOR HARPOOTLIAN: Uh-huh (affirmative).

MR. WILLIAMS: But William Tate was one and --

SENATOR HARPOOTLIAN: Now, who's William Tate?

MR. WILLIAMS: He was our provost, then he went down to be the president of LSU.

SENATOR HARPOOTLIAN: So, he was not hired here and he went to --

MR. WILLIAMS: Well, he was --

SENATOR HARPOOTLIAN: -- being president of --
MR. WILLIAMS: -- eventually hired as our provost.
SENATOR HARPOOTLIAN: Right. But then he left here when he was not hired as president and went to LSU?
MR. WILLIAMS: That's correct.
SENATOR HARPOOTLIAN: Is he African-American?
MR. WILLIAMS: That's correct.
SENATOR HARPOOTLIAN: So, LSU hired him and we didn't.
MR. WILLIAMS: Well, we did hire him as our provost.
SENATOR HARPOOTLIAN: As provost, but not as president.
MR. WILLIAMS: That's right. And he had -- you know, he had significant support on the board the first time around.
SENATOR HARPOOTLIAN: But then Caslen seemed to get -- well, on the vote was, what, 12 to 8?
MR. WILLIAMS: I think it was 11 -- we needed one more vote to continue the process. And that's what it was about. It wasn't about -- he was allowed to stay in the running. We just wanted to process - - we wanted a different group, the Clemson people, you know, that handled their search to look at the candidates and then bring us back the candidates. And there was no objection to him remaining as one of the candidates.
SENATOR HARPOOTLIAN: And that failed, that motion to do that? Or did that --
MR. WILLIAMS: No, that was -- that was what the board decided on. And then the governor --
SENATOR HARPOOTLIAN: And his process was ongoing.
MR. WILLIAMS: -- and then the governor got involved and called for a vote on Caslen.
SENATOR HARPOOTLIAN: And did y'all have a vote?
MR. WILLIAMS: We did.
SENATOR HARPOOTLIAN: Was there an effort to have a meeting and you stopped it?
MR. WILLIAMS: Yeah, I did.
SENATOR HARPOOTLIAN: Tell us about that.
MR. WILLIAMS: You have to give so many days' notice by statute and they were trying to do it quickly. And I raised the issue that we hadn't had sufficient time. I don't know whether it's five days, or whatever, that you have to declare before you have that meeting.
SENATOR HARPOOTLIAN: And so, you had to sue to stop them from having a meeting.
MR. WILLIAMS: That's correct.

SENATOR HARPOOTLIAN: I'm sort of intrigued by the fact that they didn't give enough -- didn't give the notice required by law. That seems to be a basic concept. Did you talk to the chairman of the board as to why he didn't do that?
MR. WILLIAMS: No, I did not.
SENATOR HARPOOTLIAN: And then, ultimately, there was a vote.
MR. WILLIAMS: And we lost by one vote. Not voting against Caslen, but people were voting to continue the process that the board agree to do.
SENATOR HARPOOTLIAN: And then y'all hired him.
MR. WILLIAMS: That's correct.
SENATOR HARPOOTLIAN: -- voted to hire Caslen. Was that a mistake, hiring Caslen?
MR. WILLIAMS: You know, I mean, I hate to beat a dead horse. Actually, he did a very good job with the pandemic. It was just kind of an uphill fight. The faculty didn't think he had the credentials, the Ph.D. and the intellectual things that are required, so it was kind of hard sledding somewhat with the faculty.
SENATOR HARPOOTLIAN: I think, in a series of emails that's been reported between he and the president of South Carolina State, he was rather critical of the governing environment at Carolina. I think his words were, "It sucks." Does that sound accurate? Do you remember that quote?
MR. WILLIAMS: I remember that.
SENATOR HARPOOTLIAN: And he described the university as basically a dumpster fire on one occasion.
MR. WILLIAMS: I think that was his chief of staff.
SENATOR HARPOOTLIAN: His chief of staff said that?
MR. WILLIAMS: Yeah.
SENATOR HARPOOTLIAN: Okay. But so, was he doomed to fail, based on the lack of faculty support, based on the lack of --
MR. WILLIAMS: I don't think so. I mean, I took the guy deer hunting. I mean, once he's our president, he's our president. And, you know, I did everything I could do. I had no -- whereas I was against him originally, I mean, I tried to give him every bit of support, because he's our president. I wanted him to succeed.
SENATOR HARPOOTLIAN: And he gave a speech in which he used the words of another military officer it was discovered and, in university circles, that's called plagiarism.
MR. WILLIAMS: Correct.
SENATOR HARPOOTLIAN: And if you get caught plagiarizing a student, what happens to you?

MR. WILLIAMS: I reckon you'd go before whatever committee handles that and they could do anything. They could do anything from expulsion to --
SENATOR HARPOOTLIAN: But you could be expelled for that.
MR. WILLIAMS: Excuse me?
SENATOR HARPOOTLIAN: You could be expelled for plagiarism.
MR. WILLIAMS: Yes, you could.
SENATOR HARPOOTLIAN: It's frowned upon in academic circles.
MR. WILLIAMS: That's correct.
SENATOR HARPOOTLIAN: Now, he admitted that somebody wasn't checking it or he didn't check it, and he in fact did commit plagiarism, correct?
MR. WILLIAMS: correct.
SENATOR HARPOOTLIAN: Was there any official effort on the part of the board to look into that, to do anything about that?
MR. WILLIAMS: You know, I mean, you hear things, but I don't know how official -- official they were. I mean, I felt sorry for the man, to be honest with you.
SENATOR HARPOOTLIAN: Well, is your -- is your -- when you felt sorry for the man, I mean, is that the motivation for hiring or keeping somebody as the president of a -- a key flagship university?
MR. WILLIAMS: Well, he resigned. We didn't fire him.
SENATOR HARPOOTLIAN: And he tried to resign and the chairman of the board rejected that, is what I read; is that correct?
MR. WILLIAMS: Again, that's what I heard.
SENATOR HARPOOTLIAN: Does the chairman of the board have the authority to reject that?
MR. WILLIAMS: I'm not sure I know. I mean, I think the board should address that, but you know, I don't honestly know. I don't know what our bylaws say about that.
SENATOR HARPOOTLIAN: Okay. I'm going to explore the Caslen matter further with some of the folks who actually were helping behind the scenes to make that happen that will be testifying this afternoon. Let me move on to another subject. The athletic department fired Coach Muschamp; is that correct?
MR. WILLIAMS: Correct.
SENATOR HARPOOTLIAN: And they did that with the knowledge they were going to have to negotiate a $12 million payout; is that correct?
MR. WILLIAMS: 12.9, I think.
SENATOR HARPOOTLIAN: 12.9. Were you in favor of that?
MR. WILLIAMS: It never came before the board.

SENATOR HARPOOTLIAN: Well -- it did not? MR. WILLIAMS: No.
SENATOR HARPOOTLIAN: Who was that -- who makes that decision?
MR. WILLIAMS: Athletic director.
SENATOR HARPOOTLIAN: Unilaterally, without approval.
MR. WILLIAMS: I would think he'd have to talk to the president, but I don't know that for a fact.
SENATOR HARPOOTLIAN: But not the board -- the board doesn't make that decision or enter into that decision.
MR. WILLIAMS: No, sir.
SENATOR HARPOOTLIAN: Now, did the athletic department have the funds on hand to pay that $13 million buyout?
MR. WILLIAMS: I do not believe they did at the time.
SENATOR HARPOOTLIAN: And do they get an infusion of money from the university to do that?
MR. WILLIAMS: Well, you had COVID hitting us. So, you didn't -- you know, we had no attendance at football games.
SENATOR HARPOOTLIAN: Right.
MR. WILLIAMS: And I don't remember what the figure was, but it was 40-something million dollars we lost, including his buyout. In addition to his buyout, now, we had to pay off his assistants. So, the actual number, what it costs us is more than 16.9 million.
SENATOR HARPOOTLIAN: 16.9 million?
MR. WILLIAMS: Just for him. No, excuse me, I'm sorry. It was more than 12.9. I don't know how -- I don't have the figure what we had to pay off his assistants.
SENATOR HARPOOTLIAN: So, the athletic department, because of COVID, didn't have the money to do that.
MR. WILLIAMS: Well, that and -- what happened then was we got 20-something million in advance from the SEC -- now, all SEC schools lost money. We weren't --
SENATOR HARPOOTLIAN: Right.
MR. WILLIAMS: -- we weren't just by ourselves. The COVID hit everybody. And so, I don't know what they -- out of the 40-something million, I'm not sure, but 20-something million, I think, I'm pretty sure, came from an advancement from the SEC on future TV contracts. And the university had to end up loaning the athletic department $10 million.
SENATOR HARPOOTLIAN: Okay. And that's what I'm trying to get to. So, 10 million appropriated dollars, that would be for money -- state money was used to fund the Muschamp buyout.

MR. WILLIAMS: Well, it was used to fund Muschamp and the COVID problem, yes.

SENATOR HARPOOTLIAN: Well, I mean --

MR. WILLIAMS: I don't know if you could just say -- I mean, they were 40-something million in the hole, 20 million came from the SEC. You got another whatever, 20 million, which is made up of losses from COVID and the buyouts of these football coaches.

SENATOR HARPOOTLIAN: I guess what I'm saying, Mr. Williams, is this. Those of us that operate a private business, if we can't afford to do something, we delay it, we put it off, we negotiate a better deal. If the athletics department had to borrow money from the university to do this deal, did anybody raise the issue that maybe we shouldn't do this right now, we're $40 million in the hole. This is not --

MR. WILLIAMS: Well, it was done -- it was done before -- I mean, the board didn't know about it till -- just like y'all didn't know about it when we fired the coach. I mean, we just --

SENATOR HARPOOTLIAN: Who decided to loan them the money?

MR. WILLIAMS: The board.

SENATOR HARPOOTLIAN: Okay. So, when you say the board didn't know about it --

MR. WILLIAMS: Well, I mean, it's after the fact.

SENATOR HARPOOTLIAN: So, the athletic director terminated Muschamp, negotiated the buyout, and didn't have the money to do it.

MR. WILLIAMS: Well, we had to loan them $10 million. I mean, I don't know, you know -- you know, it's a pool of money and it's a pool of loss and -- but I'm sure -- the money we had to pay the coach certainly made the debt much higher.

SENATOR HARPOOTLIAN: Yeah, I guess I'm just trying to figure out those of us that have to vote on a budget proposal to USC, y'all got an extra $10 million floating around you don't need and you just lend to the athletics department when they're in the hole --

MR. WILLIAMS: That's the first time in the history, I think, that the athletics department's ever needed money that they didn't have.

SENATOR HARPOOTLIAN: Well, once it enough, isn't it?

MR. WILLIAMS: I'm sorry?

SENATOR HARPOOTLIAN: Once is enough.

MR. WILLIAMS: Absolutely. I mean, I've been a big opponent of these buyouts. If you see I voted against the last coach contract, because I said if we fire this coach next year, it cost $6 million. I mean, we paid Frank Martin $3 million. All we had to do is keep him one more year and we'd

save $3 million. I mean, this -- some point in time in athletics, especially when you're in -- in the red, you can't keep doing this.

SENATOR HARPOOTLIAN: Well, and that's exactly what happened here. The board lent them the $10 million so they could terminate -- pay somebody almost $13 million not to work, right?

MR. WILLIAMS: Right.

SENATOR HARPOOTLIAN: And then they could spend -- they could get more money to spend on a new coach. I guess, if they did have the money, the had to commit it to the new coach, right?

MR. WILLIAMS: Yeah, they have money coming in all the time. Now, I can't -- you know, you'd have to ask the athletics department how his -- where his funds come from, and so forth, but --

SENATOR HARPOOTLIAN: Is there a committee -- athletics department committee on the board?

MR. WILLIAMS: No longer. They -- we had one and then they changed it into -- what's it called -- the committee that's in now, but it doesn't -- it's not -- I wouldn't say it's very active.

SENATOR HARPOOTLIAN: Did you ever talk to Ray Tanner about hiring and firing people, what the salaries ought to be? Do you do that?

MR. WILLIAMS: In board meetings.

SENATOR HARPOOTLIAN: No, I'm talking about outside board meetings.

MR. WILLIAMS: No. But I had a very long discussion with him over this new coach and firing of Muschamp -- I mean, firing of --

SENATOR HARPOOTLIAN: Martin.

MR. WILLIAMS: -- Martin $3 million, and told him that the buyouts had to stop. I mean, this man came here -- I mean, common sense will tell you this. The man was making $250,000. We started him off at 2.2 million. We gave him a deal for five years; we'd pay 65 percent of the buyout. We're paying Chattanooga 450,000 for his buyout. And my question to Ray is, you know, "Why couldn't you hire this guy for less money? Why couldn't you get a better buyout?" "Well, I didn't have a buyout." I mean, the guy is coming from the Southern Conference. And, you know, I negotiate -- all my life I've practice law. I mean, I never made a deal that bad, and I just thought it was a bad deal and --

SENATOR HARPOOTLIAN: And what did Tanner say to you?

MR. WILLIAMS: -- and especially because of where we are with athletics trying to get back on their feet.

SENATOR HARPOOTLIAN: So, what did Tanner say?

MR. WILLIAMS: He said, "That's the market and you can't hire somebody without it."

SENATOR HARPOOTLIAN: Who negotiates these deals? Do y'all have a lawyer you hire out of some professional sports group that negotiate deals?
MR. WILLIAMS: Well, they have agents, which, obviously, they --
SENATOR HARPOOTLIAN: Well, no, no, I know --
MR. WILLIAMS: -- their agents are a lot smarter than we are.
SENATOR HARPOOTLIAN: Do we have agents. Does the University of South Carolina have a professional who we use to negotiate these --
MR. WILLIAMS: They're supposed to have legal help and people over at the athletics department to look into these contracts.
SENATOR HARPOOTLIAN: No, I'm talking about somebody outside their -- you and I both practice law. This is a very, very, very refined expert area. People that negotiate these contracts are sharks, right?
MR. WILLIAMS: Very sharp.
SENATOR HARPOOTLIAN: And so, to your knowledge, the University of South Carolina --
MR. WILLIAMS: Not to my knowledge.
SENATOR HARPOOTLIAN: Okay. So -- and I don't want to belabor -- belabor this. Maybe I do, because I'm going to talk a lot about it this afternoon. There is this perception that the University of South Carolina Board of Trustees is not, as a group -- now, the individual members, specific individuals members -- but as a group, is not doing its duty to protect two things; one, the quality of education for kids to come in and we - - at the University of South Carolina. But more Importantly, the financial -- the $1.4 billion a year in revenue comes through the University of South Carolina. Does that sound about right to you?
MR. WILLIAMS: No, I think it's like 1.7.
SENATOR HARPOOTLIAN: 1.7, I'm sorry. I didn't mean to underestimate it. Which makes it one of the largest state agencies in the sense of how much money it spends every year. You know, we went through a difficult time with the board at Santee Cooper, which is about the same expenditures per year, and it just seems to me that, you know, you’re unopposed -- not that I'm trying to get you opposition, but most of these positions, I think all of the incumbent positions, are unopposed. Why is that? If -- if there's a perception y'all are doing a terrible job -- y'all, not you -- but collectively, if it's a dumpster fire, it should be, as President Caslen's executive assistant said -- and this place sucks, is what he said, all of that bad PR and not only that PR, but what faculty, some person looking to work in a major university that’s qualified? I mean, that dampens the ability to get quality faculty, students. I mean, that entire mess cripples us. And then the athletics

department is spending money like drunken sailors. And so, what's -- give me a solution here.

MR. WILLIAMS: All right. Well, let me --

SENATOR HARPOOTLIAN: I mean, other than not being --

MR. WILLIAMS: -- first backtrack a little bit. I disagree with you on academics. I think the University of South Carolina has outstanding academics. I think the faculty is outstanding. I do not see any problem with the academics whatsoever at the University of South Carolina. The athletics department, the problem I see in that is it's done before it comes to the board. I mean, you know, the AD goes out and commits to a contract of, well, fire somebody. It's all done before -- the board has no input in any of that.

SENATOR HARPOOTLIAN: So, he can -- that person can commit to University of South Carolina to spending money without getting board approval?

MR. WILLIAMS: He has to get it after. I mean, it's just like when --

SENATOR HARPOOTLIAN: Get it -- I'm sorry, get what after?

MR. WILLIAMS: Well, let's give you this example. The contract that they gave the new foot- -- basketball coach.

SENATOR HARPOOTLIAN: Yeah.

MR. WILLIAMS: You know, they said we're going to pay him 2.2 million and give him a hundred thousand dollars raise, five years, we're going to give him 65 percent buyout, we're going to pay 450,000 to Chattanooga, we'll give him a call or give him -- they cut that deal. And then they come to the board to get our approval. And --

SENATOR HARPOOTLIAN: But that deal's contingent on getting your approval.

MR. WILLIAMS: That deal is contingent.

SENATOR HARPOOTLIAN: And you voted no.

MR. WILLIAMS: And that's why I voted no against it.

SENATOR HARPOOTLIAN: So, in effect, you say after the deal. But the deal ain't the deal until the board -- the majority of the board votes to approve it. So, there's no "the athletics department cut a bad deal and we had to live with it," you don't have to live with anything the athletics department does contractually until you approve it, correct?

MR. WILLIAMS: That's why I voted no.

SENATOR HARPOOTLIAN: Well, on the Muschamp deal, you didn't have to approve that.

MR. WILLIAMS: No.

SENATOR HARPOOTLIAN: But you did. MR. WILLIAMS: No.

SENATOR HARPOOTLIAN: You never voted on it. MR. WILLIAMS: No.

SENATOR HARPOOTLIAN: You never voted on paying him --

MR. WILLIAMS: Never voted -- never voted on paying him, never voted on paying Frank Martin three million.

SENATOR HARPOOTLIAN: Really? Well, who committed that to him?

MR. WILLIAMS: That's in their -- that was in their contract.

SENATOR HARPOOTLIAN: No, I think they negotiated. I know Muschamp negotiated something less.

MR. WILLIAMS: Well, it was very little. I think what he ended up doing was getting the actual cash value, as I understand it, of what the payments would've been if he'd have stayed the remainder of his contract. No, I don't think he got -- I don't think we got any kind of deal on that.

SENATOR HARPOOTLIAN: But -- but that couldn't have happened without y'all voting to give the athletics department $10 million bucks to fund it.

MR. WILLIAMS: I don't know if we could or not. I mean, you know, what they would've done, I have no idea. I know that when it was all over and done with, that they came and said that they were 20-something million, or whatever, and maybe they'd have paid them out of the money they had and then they would've been in the hole 20 million. I don't know that.

SENATOR HARPOOTLIAN: But you -- they asked y'all for $10 million to fund the deal?

MR. WILLIAMS: They did.

SENATOR HARPOOTLIAN: And y'all did that.

MR. WILLIAMS: We did. I mean, what you going to -- let them go bounce a check? I mean, you got to when it's at that point.

SENATOR HARPOOTLIAN: I want you to step back for just a second and think about this. You've been very successful in business and practicing law. This is really the way we want to run a $1.7 billion a year corporation?

MR. WILLIAMS: Mr. HARPOOTLIAN -- or Senator -- excuse me, Senator HARPOOTLIAN, I've been against all of this. I've raised hell about buyouts and firing Muschamp, firing Martin, new contracts, but --

SENATOR HARPOOTLIAN: And Caslen.

MR. WILLIAMS: And Caslen. I mean, I --

SENATOR HARPOOTLIAN: Okay. You just happen to be the first one up.

MR. WILLIAMS: I understand. I understand. But I'm just telling you I -- you know, I just got one vote. But a lot of this stuff, I -- we don't even have any say in. Like firing, I think we ought to have a say -- I think the board ought to be able to say can we fire Muschamp, can we fire Martin. I mean, it's done, it's over. It comes to us and then we got to go find out they ain't got the money to pay. I mean, I think it's wrong. I think the board ought to be -- I think the coaching -- I mean, the athletics department ought to come to the board and give us an idea what kind of contract he's going to offer to see if we're amenable to it rather than -- like nobody wants to vote against our new coach. I mean, we don't want to come in there -- I mean, he's probably a great guy. I hope he does wonderful. I don't want to vote against him. And that's why I put everything in terms of the buyout. I don't -- it's no reflection on the coach. And, you know, you don't want to do that. I mean, you know, you people at Clemson, you don't want to vote against Dan -- I mean, Dabo, I mean, you know. And so, you want to be supportive, but you also sent a message to the administration and to athletics department, hey, y'all got to be a hell of a lot more financially smart on these deals. I mean, this just can't keep going on. And, you know, why can't we be the first one to stand up and say, "We're not going to have any more outlandish buyouts." You know, if this guy -- excuse me, again, and it's no reflection on the coach, but, you know, he was 87 and 71 at Chattanooga. I mean, it's not like you're hiring a coach -- an ACC, a Villanova's coach who's got a proven track record. I'd feel a little bit better about a buyout with somebody that had a proven record. But, I mean, this is an unknown quantity. And giving that kind of contract, to me, is irresponsible. But yet, at the same time, we want to support the guy. I mean, he's -- we got him for five years, now.

SENATOR HARPOOTLIAN: And you will be supporting him.

MR. WILLIAMS: Oh, absolutely.

SENATOR HARPOOTLIAN: So, let me just shift to one last question. There is a bill I'm sponsoring, which is going to get probably subcommittee hearing in a few weeks on restructuring the USC board. Are we just merely rearranging the deck chairs on the Titanic or would restructuring that board help -- making it smaller?

MR. WILLIAMS: Look, y'all put the members on the board. Whether you put 16 on there or whether you put 8, you know, I -- I mean, I love all the members on the board. I wish they were more vocal. I wish people would think seriously about what our obligation is financially. Again, I -- I'm going to tell you right now, academically, we are strong. We know -- we got so many number ones in the country, our

business school, our nursing program. I mean, there's a lot of great things going. There's no problem with the academics. I perceive there's a problem with athletics and somehow we need to give it more direction from the board rather than just being thrown in our laps and there's nothing we can do about it.

SENATOR HARPOOTLIAN: But some board members actually do get involved in that process, do they not?

MR. WILLIAMS: Well, I -- you know, again, you got to ask that board member. I mean, you know, it's not like people come up and say, "I did this," or "I did that." I really -- I don't have knowledge of that. I mean -

SENATOR HARPOOTLIAN: Okay. Thank you, that's all I have.

THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Mr. Williams, thank you for being here today and thank you for your testimony. I just have a few follow-up questions to Senator HARPOOTLIAN. And I guess my first one hits at the heart of the matter. If the board is as dysfunctional as you say it is, why in the world would we reelect any of the current members back to their current seat?

MR. WILLIAMS: Well, that's up to y'all. I mean, y'all are the ones that elect them and if you think the change should be made, then all you have to do is make it. You know, I think structurally, it needs to be changed, especially in regards to athletics. And, I mean, nobody wants to -- God knows, I don't want to micromanage. That's the last thing. I mean, I don't get paid enough in this job. We must meet 12 or 14 times a year up here. We on telephone calls. I don't know how anybody would ever want to be the chairman of the board. I mean, it's a full-time job. And, you know, how in the world do you keep up with $1.7 billion. I mean, and you try and do the best you can, but it's very difficult. But I will say I think the people on the board -- I mean, as far as their integrity, I don't doubt anybody's integrity on the board.

SPEAKER LUCAS: Yes, sir. And as Senator HARPOOTLIAN was asking you questions, especially at the start, you can -- you said, "I don't know," "I don't know how that's done," "I don't know how that's done." But as I was reviewing for this testimony, I noticed that one of the newspapers called you a lightning rod in the Caslen search. What did they mean by that?

MR. WILLIAMS: Because I was opposed -- I mean, let me -- when 80 percent of these students and 80 percent of your faculty say "don't hire this guy," I mean, what am I going to do? I mean, I - - you know, he did not have a Ph.D. or what you'd normally expect in that. So, I mean, you

know, I was against hiring him. I did not think he was a good fit for University of South Carolina.

SPEAKER LUCAS: Yes, sir. Let's explore the term "lighting rod" and what that means. What did you actually do with regard to the Caslen hire and not supporting that.

MR. WILLIAMS: Talked to other board members. I told them I thought it was a mistake. I thought process -- I expected better candidates than what I saw that we ended up with. Just thought the whole process had been -- the search committee had been poor.

SPEAKER LUCAS: Yeah. And there's no question that it was a poor search process. Did a lot of your communication with your fellow members on the board -- was it by text message?

MR. WILLIAMS: It was.

SPEAKER LUCAS: And you turned those text messages over --

MR. WILLIAMS: Turned every text message I had.

SPEAKER LUCAS: And --

MR. WILLIAMS: And was surprised to see text messages of fellow board members that told me they were thinking about it when they were talking with the governor and his chief of staff.

SPEAKER LUCAS: And in some of those text messages, some of the ways you described the board members that you say are good people and that you work with weren't very flattering, were they?

MR. WILLIAMS: Well, anytime you're opposed to somebody and you don't think they're being truthful with you, you'd probably get a little bit upset.

SPEAKER LUCAS: Okay. And some of the board members actually making referencing to you, and I was certainly offended to see that their comments about you weren't very flattering.

MR. WILLIAMS: Didn't see many of those. But there was one I remember and I even went and talked to him about it and he apologized.

SPEAKER LUCAS: And so, you paint this picture as a board working well together. Doesn't it put us in a position where it's almost impossible to work well together when you've had board members making these type of comments against each other? It'd certainly make it difficult for me, I would think.

MR. WILLIAMS: No, I mean, Lord knows, lawyers on the other side, we at each others' throats. But we'd go out and have a drink together. I mean, that's part of it. I mean, just because you got a different position than I got and, you know, that doesn't make me dislike you or not pay any attention to what you're position is. I'm going to listen to your position, but I'm going to try and get you to understand my position.

SPEAKER LUCAS: Sure. And Mr. HARPOOTLIAN and I have a Bill and have had a Bill that restructured the University of South Carolina Board of Trustees, I think, removing politicians from the appointment, also reducing the size of the board. Because what appeared to me, in going back and reading through these texts is you have you and others who were involved trying to galvanize support for either Caslen or not voting for Caslen, and that certainly can't be a healthy environment for the school.

MR. WILLIAMS: Well, it is. It is. And I think what those was not as much against Caslen as it was we voted on following the procedure, reopening it, letting Caslen stay in the race, and getting a different company to handle the selection. And that's what most the talk was about, the failure to follow what we, as a board, had voted on and agreed.

SPEAKER LUCAS: And I believe, in one of your texts talking about the search process -- and we all agree, and I'll agree with you that it was poor. And to follow up, you did not have any active involvement in the search process?

MR. WILLIAMS: None.

SPEAKER LUCAS: You say a group of people went down to Florida to speak with Caslen. Would that have been just a group of board members going on their own or would that have been the search committee who actually went down there?

MR. WILLIAMS: You know, I think -- you know, to tell you whether they were on the search committee, I do not know.

SPEAKER LUCAS: Okay.

MR. WILLIAMS: But I don't -- I don't think all of them were on the search committee.

SPEAKER LUCAS: All right. Did you -- did you ask about that or did you try to insert your objection to President Caslen in the search committee? Did you tell him why you objected to him?

MR. WILLIAMS: I'm not sure if I did. But if it says it in the text, it would explain it.

SPEAKER LUCAS: No, sir, I'm just asking that question. If your objections to Caslen were that high, wouldn't the proper way to handle it would have been to have gone to the search committee and say, "Hey, I don't think this is the guy. I think we need to go in another direction"?

MR. WILLIAMS: I think I -- I think I spoke to people on the search committee and told them that.

SPEAKER LUCAS: Okay. Who was on the search committee?

MR. WILLIAMS: Oh, me. I'm sure your former -- your law partner Gene Warr, I believe, was on there. And I talked with your law partner

numerous times. In fact, he was in -- I believe, in Alaska when all this was going down.
SPEAKER LUCAS: Yeah.
MR. WILLIAMS: And I talked to him --
SPEAKER LUCAS: He receives my ire quite a bit.
MR. WILLIAMS: And I talked to him. Hugh Mobley was chairman of the committee. Dawn Smith was on there.
SPEAKER LUCAS: Are you sure it was Hugh Mobley who was --
MR. WILLIAMS: Chairman of the search committee?
SPEAKER LUCAS: -- who handled the search committee?
MR. WILLIAMS: Yeah.
SPEAKER LUCAS: Or was it Mr. Westbrook?
MR. WILLIAMS: Huh-uh, it was Hugh Mobley.
SPEAKER LUCAS: Mr. Mobley?
MR. WILLIAMS: Hugh -- Mr. Westbrook was this last time.
SPEAKER LUCAS: Okay. In response to a question from Mr. Harpootlian, you said that you thought the board needed to be given more power with regard to athletics.
MR. WILLIAMS: I think more oversight would be a better way of phrasing it.
SPEAKER LUCAS: Describe what you mean by that if you would.
MR. WILLIAMS: Well, I mean, I think we should have some kind of clue before an athletics director goes out and commits to a contract for a football coach. I think he ought to run it by the board to see if anybody has some strong objection to the amounts.
SPEAKER LUCAS: I will disagree with that. And I read in the newspaper all the time or I read on the football sites that I go to that the contracts are currently before the board to be approved. Are you telling me that these contracts are approved before the board can actual approve them?
MR. WILLIAMS: No. But let's take this example with our basketball coach. If you absolutely as a board don't want buyouts, then you got -- the athletic director's got to understand that when he goes and starts making a commitment to a contract. You know, so, I mean, and, you know, I would have questions about, "How much money do y'all have in the athletics department right now?" You know, "Can you afford to do this?" So, I mean, I just think there ought to be some kind of oversight before it comes to us, because, you know, you don't want to vote down the coach's contract, you know, if he's going to be your coach.
SPEAKER LUCAS: Yeah. Don't you think it's hard enough running the school and -- without having to have the added duties of negotiating

contracts and talking to coach prospects? You're asking us to give the board more power and I'm struggling with why we should give you more power and not take power away from you.

MR. WILLIAMS: Well, you don't have to give it to us. Here's the problem. You're mad at the board because somebody had to pay $12.9 million to the Coach Muschamp because he was fired, plus what they had to pay the assistant coach. You're mad at the board because something had to pay Frank Martin $3 million plus his assistant coaches. We don't have any oversight over that. It's done deal. And so, why -- why get into these long- term contracts with these horrendous buyouts. Why can't the board have some oversight saying, look, you know, we're not going to go along with these big buyouts so the athletic director or whoever has got an idea of what he can go commit the University to.

SPEAKER LUCAS: Well, Mr. Williams, you do have oversight, because you hire a president; do you not?

MR. WILLIAMS: We do.

SPEAKER LUCAS: And the president hires the athletic director --

MR. WILLIAMS: He does.

SPEAKER LUCAS: -- is that correct?

MR. WILLIAMS: He does.

SPEAKER LUCAS: And if we make poor decisions in hiring the president, then we lose our ability to have oversight on athletics; wouldn't you agree with that?

MR. WILLIAMS: I agree a hundred percent.

SPEAKER LUCAS: So, would you want more authority than that? There's got to be a chain of command at the University of South Carolina. Somebody's got to answer to somebody else, and it's got to be in a straight line; do you agree with that?

MR. WILLIAMS: I agree with that.

SPEAKER LUCAS: And I thank you for telling me earlier that you didn't try and go talk to coaches on the side, because I know that's been a problem at USC and I've never heard where you have ever tried to do that before, because that's just not your job, is it?

MR. WILLIAMS: Oh, absolutely.

SPEAKER LUCAS: So, you did make the point that -- well, let me say, do you think the university board now is too large? When you have to text around to get commitments for the president, doesn't that symbolize the fact that it's grown too large to manage?

MR. WILLIAMS: All right. Well, I'm -- me personally, yes, I would like a smaller board.

SPEAKER LUCAS: But a smaller board it hurts places -- like we're from Darlington, Orangeburg --

MR. WILLIAMS: Oh, no question.

SPEAKER LUCAS: -- those types of places. We won't get board members anymore. But do you agree with me that that's something we may have to sacrifice in order to get a unified board at University of South Carolina?

MR. WILLIAMS: Well, I think Clemson's board is a great example of how a good board operates.

SPEAKER LUCAS: Because I was talking to Senator HARPOOTLIAN earlier and he knows a great deal about USC than I do, but he was going down and naming the college presidents that we have -- we've had to fire over the years, and that's certainly something that we don't want to be proud of, is it?

MR. WILLIAMS: You're not talking about University of South Carolina?

SPEAKER LUCAS: Yes, sir.

MR. WILLIAMS: No, I mean, Harris Pastides was great. Been there for 10 years and then came back, then he's been there 11 years. I don't know -- before him, was it Palms?

SPEAKER LUCAS: Yes, sir.

MR. WILLIAMS: I mean, we -- we haven't had a problem, I don't think, firing presidents.

SPEAKER LUCAS: So, it's a recent problem.

MR. WILLIAMS: Well, it was a problem with Caslen and that was it. And that was his own making. That wasn't from the board not supporting him or trying to help him.

SPEAKER LUCAS: Okay. So, let me go back to that again and I'll wrap up. There's no question you thought that it was a poor search process.

MR. WILLIAMS: Absolutely.

SPEAKER LUCAS: And -- and I believe, in looking through some of your text messages, you said it wasn't transparent, you said the process wasn't followed. To ask that, how was the process not followed that y'all set up?

MR. WILLIAMS: Well, when they came back, the majority of the people on the board agree they were not satisfied with the candidates and they agreed to continue the process, hire whoever Clemson had to conduct the search for the president. And then the governor got involved and demanded that they have an election on Caslen and one-by-one vote.

SPEAKER LUCAS: Okay. So, are you -- so, I'm talking about transparency, damaging the reputation of the school and the process, and you're talking about the governor being involved. So --

MR. WILLIAMS: Well, I don't think anybody --

SPEAKER LUCAS: -- which is it?

MR. WILLIAMS: I don't think anybody saw the search for that particular president as being transparent.

SPEAKER LUCAS: Okay. And why not?

MR. WILLIAMS: Because it was all done kind of behind the door. I mean, like people on the board going down after we agreed that we were going to continue to search and then people going down and meeting with Caslen in Florida on the state airplane -- or the college's airplane. That's not transparent.

SPEAKER LUCAS: But it did give you ample time to work board members to try to vote against Caslen. It wasn't something that was obviously rushed.

MR. WILLIAMS: The second vote was the following the process. Everybody -- nobody was voting up or down on Caslen. It was everybody saying we need to follow the process. We agreed on this process. We -- just because the governor gets involved, we shouldn't avoid the process the board agreed on.

SPEAKER LUCAS: And I'm not disagreeing with you. I think it was a horrible process. I'm just trying to find out why you think it was a horrible process, because you've stated a number of things in your text that would lead me to believe that. Politics, you're saying now, the governor being involved, but there were other things that you pointed to too along the way.

MR. WILLIAMS: Yeah. I mean, the people that were against going forward, let's say the minority on the vote for us to continue to search, they still continued to push for him. And they were texting back and forth with -- what's the guy's name that's the chief of staff --

SPEAKER LUCAS: Trey Walker.

MR. WILLIAMS: Trey Walker. I mean, there was all kind of stuff going on behind the door. I mean, it was -- it wasn't transparent by any stretch of the mean. There was a group on that that were for Caslen that continuously pursued it and it was anything but transparent. And let me just say about the dumpster fire. The dumpster fire comment was from Trey -- whatever his name is -- and said -- said, "We have taken the capital back from the Democrats." That was what he said with the dumpster fire. I mean, politics --

SPEAKER LUCAS: So, again --

MR. WILLIAMS: -- politics don't -- they just don't belong in the -- running a university. I mean, it just doesn't I -- you know, I -- y'all -- you know, you do your job. But when it gets into politics trying to tell a university what to do, I mean, it just shouldn't be political. We're supposed to go out and find the absolute best person for whatever job. We're supposed to give the best direction and policy. We don't need to get involved in micro-managing anything. But, you know, I was not a supporter of Caslen. But once he got the job, like I say, I would take him deer hunting. I would try and advise him. I tried to do everything I could to make him successful.

SPEAKER LUCAS: But at the end of the day, I think the biggest thing that was a detriment to the Caslen search was that it did turn political.

MR. WILLIAMS: Absolutely.

SPEAKER LUCAS: And it had people taking sides for or against a candidate to the detriment of the university that you and I went to.

MR. WILLIAMS: But it wasn't on a political basis. It was on a basis of whether you thought this person was qualified for the job and could do a good job as the president of the university.

SPEAKER LUCAS: All right. And I don't think I asked you this, but I had it down to ask you. What was -- what was the disqualifying factors for you for President Caslen? I know what they were for me, but --

MR. WILLIAMS: Yeah.

SPEAKER LUCAS: -- for you?

MR. WILLIAMS: But I think the bylaws required they have a terminal degree. I mean, I think they had to have Ph.D. You know, he came out of the third -- what I understand from the search committee is they had people they really wanted. That was in one class. They had people in the middle that were pretty good. And then they had a third class that was totally unqualified. And when the lady came -- went to Tennessee, the chairman of the search committee went into the unqualified and pulled Caslen as one of the finalists.

SPEAKER LUCAS: One of the things you said in your text, and I couldn't agree more, is that a house divided against itself will not stand. Do you still believe that?

MR. WILLIAMS: Absolutely. I do my very best to try and bring the board together. I quit my position and I tell why. And I think that it's just common sense. You know, I'm not going to ever support anything that I think is wrong. I'm going to do my absolute best to try and explain to other board members why I think it's a mistake. You know, and that's what I've done all my life and that's what I'm going to continue to do. My

mama always said, "If you don't want to know what Charles thinks, for God's sake, don't ask him."

SPEAKER LUCAS: So -- so, these reports about you being a lightning rod with regard to this issue weren't true. You tried to bring the board together on it.

MR. WILLIAMS: I think I was somewhat of a lightning rod because when it came to the board voting to do a process and then switching up and doing a whole 180 and people calling trying to get you to support Caslen I thought was wrong. I still think it's wrong.

SPEAKER LUCAS: And I don't disagree with you. I think when you see wrong, you have to call wrong out.

MR. WILLIAMS: Absolutely.

SPEAKER LUCAS: And I appreciate that. I think sometimes it's just how you do it that shapes those relationships on the board and, certainly not criticizing you, but there's a lot of criticism to be spread around across all of the board for the way they handled this particular issue. Thank you for answering my questions, Mr. Williams.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman. And thank you for your service, Mr. Williams. Mr. Williams, I want to know what you're thinking, so I want the truth; and so, that's why I'm going to ask a couple of questions. Does the chair know about the contracts ahead of the entire board?

MR. WILLIAMS: I do not know that answer. I would -- I don't know.

REPRESENTATIVE KING: So, and my next question is the micromanagement part of board members micromanaging over at USC. Do you find that to happen?

MR. WILLIAMS: You know, if things like that happen, I wouldn't ever hear about it. I mean, that's the problem with that kind of thing. I mean, if somebody went and said something to whoever that might be, I mean, it wouldn't get back to me. You know, I've heard that there is some micromanaging going on but, you know, could I swear under oath that it was true? I don't know.

REPRESENTATIVE KING: Did you also hear that a member of the board forced them to fire Frank Martin?

MR. WILLIAMS: You know, when I talked to Ray Tanner, I asked him why in the world would you fire somebody that's got some pretty good recruits coming in and we've got to pay out $3 million, and he just told me he was under extreme pressure. And, you know, that's all I know.

SENATOR HARPOOTLIAN: I couldn't hear you. What did he say?

MR. WILLIAMS: He said he was under extreme pressure. I did go to the president after the firing and I said -- I told Harris Pastides that I don't like -- I mean, I hate to talk about conversations you have with people, but I said, "Harris, did you okay firing the coach?" He said, "I told them I'm out of here in May. I don't have to live with it. But I thought the best thing is to let him stay another year and save $3 million."

REPRESENTATIVE KING: So, would you be surprised that I've gotten phone calls that a board member called and forced the firing of Frank Martin? My next question to you --

MR. WILLIAMS: No, I would not be surprised. But it certainly wasn't me.

REPRESENTATIVE KING: Can you tell me who were the people who actually got on the state plane and flew to Florida?

MR. WILLIAMS: I really don't -- I mean, I don't want to say somebody's name and they not be on the plane, so I don't --

REPRESENTATIVE KING: Well, can you tell me why you were not invited?

MR. WILLIAMS: Well, I don't think anybody on the board was invited except those that got on the plane. And then the last person they would invite would've been me, I promise you.

REPRESENTATIVE KING: But -- but I'm asking were you invited?

MR. WILLIAMS: No.

REPRESENTATIVE KING: Do you know why you were not invited?

MR. WILLIAMS: Yes, because that would've been a breach of what the board had approved was to continue the process.

REPRESENTATIVE KING: So, you're saying that the people who got on that plane breached the process.

MR. WILLIAMS: Yes, they did.

REPRESENTATIVE KING: Also, can you tell me how --

MR. WILLIAMS: Well, I take that back. Unless they were there just to tell him that he could continue to be a candidate in the new search. I don't know what the conversations were, so I can't -- I really can't answer that.

REPRESENTATIVE KING: Can you tell me in reference to the African-American candidate, why was he not selected?

MR. WILLIAMS: I voted for him. I mean, I said I was for him. But now, he had, like, six or seven -- it wasn't a vote, it was in session, but people were talking about who they really were impressed with and I was thoroughly impressed with Tate. In fact, I even committed to Caslen, when he hired him as our provost, because I thought he would be our president-in-waiting, and I was very disappointed that when he went to

LSU and then, what, two weeks later, Caslen screws up and, you know -- you know the story on that. Because he was well liked by the faculty and by the students and, you know, he was a great guy.

REPRESENTATIVE KING: Is there anywhere in the board bylaws in reference to members serving a certain amount of time as the chair?

MR. WILLIAMS: They can serve two terms and I don't know whether two years -- I think two-year terms.

REPRESENTATIVE KING: So, a total of --

MR. WILLIAMS: Four years, I believe.

REPRESENTATIVE KING: And then ask to switch over to another board member?

MR. WILLIAMS: Is that right, Eddie? Four years. Two, two-year terms.

REPRESENTATIVE KING: I read somewhere -- and I don't exactly where it is -- about the climate there and how women are treated. Can you address that? I heard that some women have been hollered at, at board meetings.

MR. WILLIAMS: Now, I -- I go to all the board meetings, but I really don't know anybody hollering at any women at a board meeting. If they did, I'd be the first one to call them down. But I -- no, I never remember any woman being either hollered at or some way spoken down to. I think it's very professional at our board meetings.

REPRESENTATIVE KING: Now, I want to switch a little bit on reference to diversity. What have you done as a board member? And I think you have been on the board since 2008.

MR. WILLIAMS: Well, that's a very big thing for me, because I'm from Orangeburg. I served on the South Carolina State board for 23 years. And I was very disappointed we -- I think we were up to 9.5 percent African-American and talking to head of --

REPRESENTATIVE KING: I know that my other colleagues have questions. I just wanted to --

MR. WILLIAMS: Yeah, but head of --

REPRESENTATIVE KING: -- know what have you done to promote diversity and inclusion in your capacity?

MR. WILLIAMS: I've gone -- I've spoken to our head admission saying why haven't we got more, and his explanation is that we accept every single African-American that meets our qualifications. We've never turned down an African-American that doesn't meet it. In fact, I've given names of people from Orangeburg. They were applying to USC, of African-American descent, and asking is there any way you can help, you know, these guys and --

REPRESENTATIVE KING: I appreciate that. My next question -- because I -- we have a lot of candidates and --
MR. WILLIAMS: I understand.
REPRESENTATIVE KING: So, my next question to you --
MR. WILLIAMS: I wanted to say that we're in the top three percent of graduating African-Americans in the whole country.
REPRESENTATIVE KING: So, as the former chair of the South Carolina Legislative Black Caucus, I was oftentimes myself and Senator SCOTT would be meeting with black members of your faculty and staff there who felt that they had no pathway to growth. As well as many times they felt that they were belittled. Can you address that to me? And this is something that you all are aware of, because we met with -- many times with you all about that.
MR. WILLIAMS: Yeah.
REPRESENTATIVE KING: How has that culture changed?
MR. WILLIAMS: Well, I hope it's changing. If we got a lack of diversity, it's in our faculty. We've got like maybe five percent of our faculty is African-American. We've hired people to come in to help recruit people so that it gets up a lot higher than what it is. I think University of South Carolina is 23 percent African-American.
REPRESENTATIVE KING: How many -- and I know this answer, but I just want it for the record. How many African-Americans in -- and it's left up to us and to people who apply to be on the board, how many African-Americans are on the board of trustees?
MR. WILLIAMS: Two.
REPRESENTATIVE KING: On your diversity and inclusion -- or equity and inclusion, are there any black board members on your committee that you all have for the committee?
MR. WILLIAMS: I'm not sure.
REPRESENTATIVE KING: You want me to answer that for you? None.
MR. WILLIAMS: Yeah, okay. I don't -- I don't know.
REPRESENTATIVE KING: And --
MR. WILLIAMS: I know Leah Moody and Alex --
REPRESENTATIVE KING: –- It’s not --
MR. WILLIAMS: No. Leah Moody and Alex are very aggressive toward us and done a good job and --
REPRESENTATIVE KING: Who makes those appointments.
MR. WILLIAMS: The chair.
REPRESENTATIVE KING: Thank you. Thank you for answering my questions.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: Thank you so much for your willingness to serve. I want to first commend USC for -- in its history, for hiring an African-American basketball coach. We had a lot of success with one coach. You made a comment earlier about the salary and I'm looking at SEC salaries to see whether or not that salary is in line. It doesn't matter where the coach comes from. And I'm pretty sure in their contract, it has a provision, if he doesn't perform, he's going to be gone. And it's up to the school to make sure if he's gone, of course, y'all figure out the compensation. And I was trying to figure out with a 2.2, because the man was making 250, why that was so out -- so out of line. And so, in terms of salaries, it didn't justify that. Then I looked at the schools y'all play, the SEC, the ACC, the Big Ten, the PACs, the Big 12s, the PAC-10s, and I look at those salary ranges. And with the top being 9.7 million at Duke; Kentucky, 8; Villanova, 6; Texas, 5; and comes right on down. And so, in terms of what the SEC pays compared to those schools, the true basketball schools -- that's where they spend all their money -- we're so far down the list in terms of being able -- if you're going to bring the kind of talent that you're talking, and all this, you're getting somebody that's coming from a smaller school, Division 1 school to come to USC, that's going to be pretty tough; especially given the turmoil in terms of where the school is and the big turnover that the school has had. What was Frank's salary when Frank Martin began; do you remember?

MR. WILLIAMS: I don't know. I believe --

SENATOR SCOTT: I think it was something like $2.2 million.

MR. WILLIAMS: Probably. Probably the same.

SENATOR SCOTT: And you've got the number one women's basketball coach in the country, and her salary was low compared to she could've gone anyplace in the country she wanted to as a coach. So --

MR. WILLIAMS: No, now, we paying -- we paying almost three million now.

SENATOR SCOTT: It's about time.

MR. WILLIAMS: Yeah.

SENATOR SCOTT: I mean, you can't -- you can't get the best talent and don't pay for it. And so, if you want good talent, you got to pay for it. I don't want to confuse what these coaches do with the mistake the boards and administration make. And I think that's so unfair to them to do that. Look at basketball coaches and the SEC football - - for football, the lowest -- one of the lowest paid. One of the lowest paid in the ACC, SEC, in terms of talent. But we want to win. And so, it's up to the board to get the contract situation worked out. I think it's policy at a school in

terms of what comes first, what comes second, what comes third, because it's always -- in the contract, it always have the 24-hour period of time for negotiations, so it gets to the board to make those decisions. You can make it 48 hours. You can make it three days. I mean, that's up to the board. I don't want to confuse that. Because let me state what the messages says. It says that we look to get good talent and the African-American, we want to pay you less than anybody else. And I don't think you and I are going to be anywhere in agreement with that kind of attitude given trying to talk about having some diversity at the university. You want things good on one hand. But because the board is messing up on the other hand, then you penalize those coaches. I mean, if the coach is that good and a coach -- if you look at this guy's record, and I did, yes, that was his record. But since then, in the last three or four years, he's been a winning coach. It says he's ready to go to a bigger league to be -- to be able to win. So, I'm strongly suggesting -- and I hope you've got some feedback. The problem is not in these coaches who negotiate with you. The problem is in the board and the board has to make that correction, and it shouldn't have taken that long. And you went back to several contracts. And this happened way before the Muschamp contract, if we can just take you back deeper, and you know that. So, what do you plan to do to try to offset the policy? Because the board sets policy for the administration to follow, not the administration sets policy; the board, policy. Because $10 million has been suggested that the board did not have complete control over it, and I don't care if he makes it, 46 million or just the 13 million by itself, the board had absolutely no control of it. So, what do you plan to do, as a member of the board, if you're going back on the board, to fix that policy?

MR. WILLIAMS: Well, the first thing is talk to our new president coming in. And let me say --

SENATOR SCOTT: The president don't set the policy. Y'all set the policy of the board.

MR. WILLIAMS: I understand. Well, you know, I think Representative Lucas was right. I mean, I think we have to work with the athletic director. We have to go to our president and work down and talk to him about, you know, some of these things. But I want to back up to two things you said, and I want to bring out. Number one is nobody objected to the salary that our basketball coach. But the objection was to these buyouts that are --

SENATOR SCOTT: Your comment was -- let me correct you. Your comment was, "Why are we paying them 2.2 when he's only making 250 coming in." That's what's got my mind --

MR. WILLIAMS: Well, I misspoke if I did that. What I mean --
SENATOR SCOTT: That's what you said.
MR. WILLIAMS: Yeah, but what I mean was in terms of a buyout. If we're going to -- if a guy that's making 250,000 and you're paying 2.2, why can't you cut a better deal on these buyouts that are killing the university.
SENATOR SCOTT: But the comment I heard, a correction, why did we negotiate -- he was making 2. -- 250,000, why did we negotiate 2.2 and you said, "This is what the market bears." That was your comment.
MR. WILLIAMS: Well, I reckon I would look at it -- not because he was black. I -- if we were hiring a white coach or anybody else with similar -- I mean, I think this guy turned out being our sixth choice, is what I understand. And no reflection, I'm all for it. But anybody, when we got a financial problem at the athletics department, the first thing I'm going to look at is how do we save money. And, you know, with somebody -- you're right, the last year, he had a good year. But, you know, I just -- you know, we -- I'll give you an example. We paid --
SENATOR SCOTT: Well, I have --
MR. WILLIAMS: Let me say this. We're paying Dawn Staley almost $3 million. At the same time, we're losing about $6 million a year --
SENATOR SCOTT: But is it Dawn's --
MR. WILLIAMS: -- on women's basketball.
SENATOR SCOTT: But is it Dawn Stanley's problem or is that the board's problem? That's the issue -- that's the point I'm trying to make. It may not be a big issue to you, but it's a big issue to me when it comes to diversity of these colleges and universities.
MR. WILLIAMS: Well, we paid the --
SENATOR SCOTT: Especially when start making some history --
MR. WILLIAMS: Well, we --
SENATOR SCOTT: -- and there's no more open process at the school.
MR. WILLIAMS: Well, we paid it to Dawn Stanley, because we know she's a treasure, even though we're losing a bunch of money on women's basketball.
SENATOR SCOTT: Well, you're right, that works. You don't pay them, if somebody else is going to pay her, she's going to go.
MR. WILLIAMS: Oh, we -- we're going to keep Dawn Stanley. I don't think that's a problem. We have a seven-year contract.
SENATOR SCOTT: So, what happens in 2022 season if y'all are one or two in the SEC and in the east, you win the east division --
MR. WILLIAMS: Are we in football or basketball or what?
SENATOR SCOTT: Football.

MR. WILLIAMS: Okay.
SENATOR SCOTT: You only pay this guy $2.8 million in football, which is the lowest pay, then you got a deal.
MR. WILLIAMS: That's right. But that time hasn't come yet, because he hasn't proven himself.
SENATOR SCOTT: Yeah, but let me --
MR. WILLIAMS: And, you know, you got to prove yourself if you want to -- you're going to have all this money.
SENATOR SCOTT: I'm just telling you -- I'm just telling you those divisions, y'all are some of the lowest paying. The issue is, at the top in the negotiation buyouts, that's probably why you're getting such a bad deal, because you don't just --
MR. WILLIAMS: Well, but you're also -- you're also hiring unproven coaches.
SENATOR SCOTT: Well, you've been doing that because you don't pay a lot. These coaches will transfer. We've seen them transfer, coaches have left and went to LSU, wins the national championship, first and second year of the transfer. They'll transfer if you're going to pay them. But if you get talent that you're not going to pay for, you're going to have to build those coaches so those coaches can actually build the talent. Thank you.
THE CHAIRMAN: Any other comments? First of all, we're looking forward to that four percent going to your Orangeburg residence.
MR. WILLIAMS: My county is going to miss that money I got -- I was paying them.
THE CHAIRMAN: And secondly, this morning on a motion of Speaker Lucas, we're going to hold over all Carolina candidates, not just you. And we will meet tomorrow morning and we'll decide whether we will approve or not at that time, or it could be later. So, thank you for --
MR. WILLIAMS: Thank you. Thank you for allowing me to appear before you.
THE CHAIRMAN: Well, good luck to you. All right. Our next one is Charlie Dorn Smith, III. Good afternoon, sir. If you would just tell us your name for the record, please.
MR. SMITH: Charlie Dorn Smith, III.
THE CHAIRMAN: All right. If you'll raise your hand, I'll swear you in. CHARLIE DORN SMITH, III, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give us a brief statement on why you'd like to serve on the Carolina board.

MR. SMITH: Thank you so much for the privilege to be here this afternoon. In January of 2020, I was selected to the chair of the board's ad hoc advisory committee on governance. After notification by the University Accreditation Body, that the university was under review for the alleged external influence in the 2019 presidential search. The ad hoc committee completely reorganized the board's structure and implemented new governance policies, as well as new committees and in August of 2020, I was honored to be elected as chairman of the board. During my tenure as chairman, the university completed its review by the accrediting body and passed with flying colors. We were granted a ten-year reaffirmation of accreditation for the university. During this period of time, the board has also sought outside advice from experts in governance practice and in policies in an effort to improve our work as judiciaries. We were leaders in the detection and management of COVID during the pandemic. We thrived during that very trying times with the support of the legislature, we made available to the other colleges and universities our saliva-based testing for COVID as well. We elected a new president in -- this past month that is imminently qualified to lead the university into the 21st century and he will take office on July the 1st, and we're extremely excited about that. During my tenure, we had named a residence hall for Celia Dial Saxon. This is the first building at USC for an African-American and we have also approved statues to honor Robert G. Anderson, Henrie Monteith Treadwell, and James O. Solomon, Jr., who integrated the university in 1963. In addition to that, we have committed to diversity, equity and inclusion and continue to go forward with board training sessions and educational sessions as we continue to review opportunities to name other buildings for deserving individuals as well. We continue to be the leader in health education provide almost 50 percent of the nurses for the state of South Carolina and we continue to provide a quality education while not raising tuition for the last three years. We have had significant success and our future is bright. But obviously, there is much work to be done and we look forward to that hopefully having the opportunity to be able to do that. I thank you for this opportunity and I look forward to any questions you have, Mr. Chairman.

THE CHAIRMAN: Thank you, Mr. Smith. The court reporter asked -- she's having a hard time sometimes when the senators or representatives are asking questions and it's back and forth. Sometimes they're speaking over each other and she would appreciate it if you would let the person speaking finish. Is that right?

COURT REPORTER: Yes, thank you.

THE CHAIRMAN: Okay. All right. At this time, does the staff have any information for us?
MS. WEBB: Good afternoon. I don't have any questions based off of your file that I reviewed. I will ask, like I've asked everyone else, for the record, can you please confirm your home address?
MR. SMITH: 2322 Burnt Branch Road, Lake City, South Carolina.
MS. WEBB: One more time.
MR. SMITH: 23- --
MS. WEBB: Sorry, you're still not on. Hold on.
MR. SMITH: I'm sorry. 2322 Burnt Branch Road, Lake City, South Carolina.
MS. WEBB: Perfect, thank you. And do you know if you're four percent or six percent at this address?
MR. SMITH: I do four percent.
MS. WEBB: Thank you, sir.
THE CHAIRMAN: Speaker Lucas.
SPEAKER LUCAS: Dr. Smith, good afternoon.
MR. SMITH: Hey, Mr. Speaker.
SPEAKER LUCAS: And thank you to your service to the University of South Carolina. I just have a few questions. I know there are more from the other members of the panel. But if you'd just indulge me for about five minutes. Did you serve as chairman of the board during the most recent presidential search that you had hired Dr. Amiridis.
MR. SMITH: Yes, sir, chairman of the board, not the search committee.
SPEAKER LUCAS: Okay. Prior to the selection of Dr. Amiridis, was the job offered to another candidate?
MR. SMITH: Yes, sir, it was.
SPEAKER LUCAS: All right. And could you tell me who that candidate was?
MR. SMITH: The gentleman's name is Dr. Mung Chiang. He was the dean for research at Purdue University.
SPEAKER LUCAS: And did that candidate accept?
MR. SMITH: He did, verbally.
SPEAKER LUCAS: All right. And obviously, he -- there must've been some -- don't want to say miscommunication, but a parting of the ways between the university and he, because he ultimately did not take the job; is that correct?
MR. SMITH: That is correct. He had personal family issues with his mother-in-law being sick.
SPEAKER LUCAS: And with all due respect to Dr. Amiridis, who I think is going to be a fine president of this school, do you think it was an

ideal search process that first saw public purports that he was not going to be offered the job and saw another candidate come into focus, only to withdraw from the process, and a short time later, Dr. Amiridis being hired.

MR. SMITH: Well, the short answer to that is having presidential searches are like making sausage and legislature. There's a lot of things that go on behind the scenes that you don't necessarily want to see, but as long as the end result is good, then you're there. I believe, with all my heart, that we have an excellent incoming president who would be the first choice of a number of people out the get-go. And I think that the end result speaks for itself, Mr. Speaker.

SPEAKER LUCAS: Thank you, sir. But Dr. Smith, you would agree with me, if you would, that certainly the process we selected Dr. Amiridis was not as smooth as we would have liked it to have been given what happened with President Caslen.

MR. SMITH: Certainly, that's true.

SPEAKER LUCAS: Okay. Was the board divided this time with regard to the hiring of Dr. Amiridis?

MR. SMITH: It was an unanimous vote, sir.

SPEAKER LUCAS: Was it unanimous prior to the other individual withdrawing?

MR. SMITH: It was unanimous for -- of Dr. Chiang also.

SPEAKER LUCAS: What reason, I guess, and I'm searching here, would there have been for us publicly taking Dr. Amiridis out of the search after the individual from Purdue surfaced, and then adding him back into the search? That appeared to be a little disjointed to me.

MR. SMITH: I'm not -- would you clarify that, please, sir? I apologize. I'm not certain what you're asking.

SPEAKER LUCAS: Well, Dr. Amiridis, in the newspaper, from all account I could get, was disqualified as being a candidate. Once the candidate from Purdue ultimately turned us down, we turned back to Dr. Amiridis. I'm trying to figure out why that was.

MR. SMITH: Dr. Amiridis was never disqualified by the search committee or by the board to be president, sir.

SPEAKER LUCAS: So, any report in the paper that I would've seen about that would've been untrue.

MR. SMITH: Yes, sir.

SPEAKER LUCAS: Okay. Correct me if I'm wrong, you were -- you more directly led the search for only a short time that led us hiring President Caslen?

MR. SMITH: No, sir. I was not -- I was on the search committee, but I was not chairperson of that search committee.
SPEAKER LUCAS: All right. And again, you heard, from the prior testimony of Mr. Williams that the board was again closely divided on the issue of whether or not we were going to hire President Caslen.
MR. SMITH: It was a very tumultuous time.
SPEAKER LUCAS: Was there any appetite among the board to move away from President Caslen and to Dr. William Tate, who would have appeared to have been a more consensus candidate?
MR. SMITH: At what time, sir?
SPEAKER LUCAS: At the time that we were going through the Caslen search -- MR. SMITH: Oh.
SPEAKER LUCAS: -- and we were having these groups of folks lining up one side for Caslen --
MR. SMITH: Oh, yes, sir.
SPEAKER LUCAS: -- the other side against Caslen?
MR. SMITH: I mean, yeah -- I mean, the short answer was there were four -- there were four good candidates for that position at the time and there were two that were most popular. But General Caslen won the vote.
SPEAKER LUCAS: But winning the vote by a slim margin as opposed to being a consensus candidate would be two different things, would it not?
MR. SMITH: It is.
SPEAKER LUCAS: And I think Mr. Tate, if we would've gone to the number two candidate, may have become a consensus candidate as opposed to President Caslen who never became a consensus candidate from the search.
MR. SMITH: Potentially, the concern at that time was that, quite frankly, that Dr. Tate, who is a superstar, needed to check another box and be a provost somewhere. As it worked back, he became the provost here and bore that out, and was indeed. And then, of course, that opened the door for him to become president at LSU.
SPEAKER LUCAS: In my mind and in -- you know what they say about people who second guess, but in my mind, we missed the absolutely golden opportunity to hire Dr. Tate. But that's -- that's behind us now. And as I said, Dr. Amiridis is going to be a great president for University of South Carolina.
MR. SMITH: Thank you.
SPEAKER LUCAS: Thank you, Dr. Smith.
THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chair. I have a question -- couple of questions for you.
MR. SMITH: Yes, sir.
REPRESENTATIVE KING: Were you on the plane?
MR. SMITH: Yes, sir, I was.
REPRESENTATIVE KING: Can you tell me what that conversation was that you had with -- once you all arrived in Florida, with Mr. Caslen?
MR. SMITH: Yes, sir. President Caslen was a nontraditional candidate and the chairman of the search committee asked me to get on the plane to fly to Florida to have a conversation with Caslen. Now, up close -- this was before the first vote, if you will, before Brendon Kelley became the interim, is when we went down. And we basically sat down and had a long raging discussion about his ability to lead, et cetera. It was nothing in particular other than the fact that we wanted more information. It was a very important hire.
REPRESENTATIVE KING: Was he the only candidate you all flew to see?
MR. SMITH: Yes, sir, he was.
REPRESENTATIVE KING: And why was he the only candidate that you all --
MR. SMITH: He was the only one I was invited to go see.
REPRESENTATIVE KING: And why were -- do you know why the other members of the board were not invited?
MR. SMITH: No, sir, I do not.
REPRESENTATIVE KING: Do you know -- or can you tell me, did you make any phone calls or request for the firing of Frank Martin?
MR. SMITH: No, sir.
REPRESENTATIVE KING: During your tenure, what were your efforts -- or did you make any efforts in reference to diversity, and please do not highlight your years as chair.
MR. SMITH: My efforts for diversity, equity, inclusion have been that we've worked very diligently. I am from a rural area. I'm from an area that both my representative and senator are African-American and I want to make certain that all the children of our area have the same opportunities regardless of their race. And I have been a huge proponent, in that community, of that.
REPRESENTATIVE KING: And I -- I appreciate that. And as the chair of the board, what training has the board had in diversity each year, and please quantify it in hours?

MR. SMITH: We had a three-hour session with a consultant that we brought in this past year. That was the first one. It is an ongoing process. And that was during my first year as chairman.

REPRESENTATIVE KING: And how many years have you been the chair?

MR. SMITH: A year and a half, sir.

REPRESENTATIVE KING: According to the Accreditation Report, the board undertook restructuring for the committees. Since the restructuring of the board, have you created a committee on diversity, equity and inclusion?

MR. SMITH: No, sir, we have not, but that is being handled through the governance committee. That is in the charter of the governance committee of which we do have diversity on the governance committee.

REPRESENTATIVE KING: Who leads that committee?

MR. SMITH: Leah Moody. Oh, the chairperson of that committee is Thad Westbrook. But Leah Moody is on that committee.

REPRESENTATIVE KING: My next question -- because I wanted to make sure I didn't ramble -- how many - - since you have been the chair, how many African-American members are on the board.

MR. SMITH: Two.

REPRESENTATIVE KING: Do any of those African-American members chair any of the award appointments that you make?

MR. SMITH: They do.

REPRESENTATIVE KING: Can you tell me which board appointments they chair?

MR. SMITH: Leah Moody is chairman of the systems board.

REPRESENTATIVE KING: And you do not have a diversity and equity committee as a --

MR. SMITH: We do not. And to clarify one thing, the committees elect their own chair people. The -- the appointments for the different committees are made and then that committee elects their own chairperson with the exception of the governance committee. The governance committee is made up of the chair people of each of the other committees and the vice chairman of the board is the chairperson of the governance committee.

REPRESENTATIVE KING: It has been said you are extremely unprofessional with administrative and faculty members as well as donors, including former President Caslen. Can you explain why that has been said?

MR. SMITH: No, sir.

REPRESENTATIVE KING: As a member of the board, you serve in a role of oversight. So, please explain why university officials under the presence characterize you -- your chairmanship as consistent interference with the day-to-day operations of the university.

MR. SMITH: I don't feel I interfere on a day-to-day basis with the university, and I was unaware of that criticism.

REPRESENTATIVE KING: What were your goals for improving the university and do you think that can be accomplished given the hostile of your chairmanship?

MR. SMITH: I didn't realize my chairmanship is hostile and I would take issue with that.

REPRESENTATIVE KING: Thank you, Mr. Chairman.

THE CHAIRMAN: Senator HARPOOTLIAN.

SENATOR HARPOOTLIAN: Mr. Smith, let me ask you some sort of basic questions before we get into details. You were asked on your Questionnaire -- and let make sure I don't misquote this -- you were asked, "Has a tax lien or collection producer ever been instituted against you personal by federal, state or local authorities. If so, please explain," and you said, "No." So, you've never had a tax lien instituted against you.

MR. SMITH: Yes, I'm sorry?

SENATOR HARPOOTLIAN: You've never had a tax lien instituted against you.

MR. SMITH: Was your -- I can't hear you, sir. I apologize. I got hearing aids.

SENATOR HARPOOTLIAN: Okay. And I've got hearing aids too, so here we go.

MR. SMITH: I apologize.

SENATOR HARPOOTLIAN: Question 23 on your Application, "Has a tax lien or collection procedure ever been instituted against you personally by federal, state or local authorities. If so, explain." And you said, "No." Is that accurate?

MR. SMITH: I believe it is, yes, sir.

SENATOR HARPOOTLIAN: Well, we've been given -- I want to make sure that -- a copy of a South Carolina Department of Revenue Tax Lien listing for you and Debra Smith at 407 Seminole Avenue, indicating that you had a tax lien in 2006, which was satisfied; 2008, which was satisfied; 2011, which was satisfied; and 2014, all which were satisfied, but you did have tax liens instituted against you; did you not?

MR. SMITH: If it says that, but I do not recall that, and I'd be happy to look into that, sir.

SENATOR HARPOOTLIAN: Well, I mean, are the rest of your answers based on what you recall or do you do a thorough check of your records? Because clearly, this is not accurate.
MR. SMITH: Senator, I apologize. I mean, I don't think that's --
SENATOR HARPOOTLIAN: Well, I'm not asking for your apologies. I want to know why you did not make an accurate representation. Tax liens -- I mean, waiting until you have a tax lien indicates that you have taxes due, you were put on notice, you didn't pay your taxes. And then at some point, after they threatened to sell the property, you paid them.
MR. SMITH: It had to be a clerical error, sir. We pay our taxes.
SENATOR HARPOOTLIAN: Five years in a row.
MR. SMITH: Again, whatever the error was, sir, it was not -- it was not because we didn't pay our taxes.
SENATOR HARPOOTLIAN: Do you pay your bills?
MR. SMITH: Yes, sir, we do.
SENATOR HARPOOTLIAN: We didn't do a credit check on you, I don't think.
MR. SMITH: Yes, sir. Well, you can.
SENATOR HARPOOTLIAN: But -- but my point is this. I mean, you didn't remember you had tax liens?
MR. SMITH: No, sir, because I've never had.
SENATOR HARPOOTLIAN: Pardon?
MR. SMITH: In my recollection, I never had, sir. I apologize.
SENATOR HARPOOTLIAN: We didn't ask for --
MR. SMITH: May I ask Ms. Macey Webb to provide a copy of that for me?
THE CHAIRMAN: Excuse me, let's help the stenographer here. Let's let Senator HARPOOTLIAN finish his statement or question, then you can do it. Just don't interrupt.
SENATOR HARPOOTLIAN: For the record, Mr. Chairman, this is a document furnished by the staff. It indicates tax liens through the South Carolina Department of Revenue. It indicates that they were satisfied, but they in fact were filed for five years in a row. Now, is this accurate?
MS. WEBB: Senator HARPOOTLIAN, yes, that is what was included in your SLED background check that we had received.
MR. SMITH: Okay.
MS. WEBB: Those tax liens were in fact included in that. If you would like, I do have your physical file here that does have that SLED background report.
MR. SMITH: Yes, ma'am.

MS. WEBB: And Senator HARPOOTLIAN did say -- in four of the five tax liens that were reported, he did state they all have been satisfied, which is what your record in the background check indicates.
SENATOR HARPOOTLIAN: Right. But my only point being that you would've gotten notice. And many of these years, you were actually living there, were you not? 2006?
MR. SMITH: 2006, yes, sir.
SENATOR HARPOOTLIAN: Okay, 2008?
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: So, this was your residence, Seminole Avenue in -- or Seminole Avenue in Florence, correct?
MR. SMITH: yes, sir.
SENATOR HARPOOTLIAN: And so, I guess your position is that you just weren't aware of what was going on?
MR. SMITH: In my house, unfortunately, I -- I make the money and my wife disburses it. I apologize for that. I'm sure it's probably different than yours, but I -- if it comes up to my level. I would have never gotten anthrax when all that was going on and I will never get a love letter in the mail, because I don't open any mail between my house -- my home wife and my office wife, I never get to see anything until it rises to my level, Senator.
SENATOR HARPOOTLIAN: Okay. Let's talk a little bit about that residence. When did you move to your Burnt Branch Street -- address?
MR. SMITH: 2009.
SENATOR HARPOOTLIAN: Okay. So, any time after 2009, you would've indicated that was your address, not Seminole, correct?
MR. SMITH: That is correct.
SENATOR HARPOOTLIAN: Now, you're aware that we've been furnished with a copy of an incident report that occurred in 2013 in Lake City.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: And that would've been a physical altercation between you and your brother Andrew?
MR. SMITH: It was not a physical altercation.
SENATOR HARPOOTLIAN: It says "he stated he was assaulted by his" -- okay, let me just read it for the record.
MR. SMITH: Sure.
SENATOR HARPOOTLIAN: "Complaintant A.B. Smith," that's Andrew Bethea Smith --
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: -- he's your biological brother.

MR. SMITH: He is.

SENATOR HARPOOTLIAN: -- came to the Lake City Police and stated he was assaulted by his estranged brother of nine years. Upon speaking with victim complaint" -- and this is the Lake City Police Department -- "he stated he was approached by the subject C. D. Smith on Main Street after he observed his brother, subject C. D. Smith coming in the backdoor of the Downtown Bakery, where he was socializing with coworkers. Victim A. D. Smith stated he quickly grabbed us to go back, rushed out of the bakery before he contacted the subject C. D. Smith, exiting the front door. Victim complained A. D. Smith, subject, rushed in front of him, stopped, stepped in his path. Stated subject C. D. Smith was asking him, 'Why aren't you answering your emails, why won't you talk to him, where was he going?' He gave no response. Victim A. D. Smith, at that time, pulled out his cell phone. Subject C. D. Smith then asked if he was going to call 911 and have him arrested. A. D. Smith nodded yes. The subject, C. D. Smith walked away. Victim A. D. Smith stated C. D. Smith had approached him on two other times; at a funeral home and then one in Lake City and one in Georgetown." So, do you remember this incident?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And, now, this is -- he's called Andy, isn't he?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: I spoke to him recently.

MR. SMITH: Good.

SENATOR HARPOOTLIAN: And he actually lives on Burnt Branch Road.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: Is he your neighbor?

MR. SMITH: A half a mile away.

SENATOR HARPOOTLIAN: Half a mile away. Is this old family property?

MR. SMITH: It is.

SENATOR HARPOOTLIAN: And does anyone live with Mr. Andy Smith?

MR. SMITH: My mother.

SENATOR HARPOOTLIAN: Your mother. I spoke to her last night.

MR. SMITH: Okay.

SENATOR HARPOOTLIAN: So --

MR. SMITH: Could she hear you?

SENATOR HARPOOTLIAN: She could hear me, actually.

MR. SMITH: Good.
SENATOR HARPOOTLIAN: I spoke very loudly.
MR. SMITH: Good.
SENATOR HARPOOTLIAN: So, in this -- on this incident report when the police talked -- and they did talk to you, right?
MR. SMITH: No, sir, they never did.
SENATOR HARPOOTLIAN: Well, it came up -- your address is 411 Seminole Drive in Florence.
MR. SMITH: They never -- I never found out anything about it till years after the fact.
SENATOR HARPOOTLIAN: Okay. Now, you and your brother are in some litigation; is that right?
MR. SMITH: There is -- well, actually, it's been settled. That lawsuit's been settled.
SENATOR HARPOOTLIAN: And that was over family property?
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Was it that piece of property down there or some other piece of property?
MR. SMITH: Another piece.
SENATOR HARPOOTLIAN: Okay. So, how many nights a week do you spend on Burnt Branch Road?
MR. SMITH: It varies. I spent last night there, as a matter of fact.
SENATOR HARPOOTLIAN: Okay. And that was a weekend.
MR. SMITH: It was.
SENATOR HARPOOTLIAN: During the week, where do you work, primarily?
MR. SMITH: I work out of MUSC Florence in Florence.
SENATOR HARPOOTLIAN: Okay. So, how far is the Seminole Drive, which is a residential home; is it not?
MR. SMITH: It is.
SENATOR HARPOOTLIAN: How far is that from where you work?
MR. SMITH: About three miles.
SENATOR HARPOOTLIAN: Okay. How far is the Lake City property?
MR. SMITH: Twenty-five miles.
SENATOR HARPOOTLIAN: Okay. And so most nights, you go home to where?
MR. SMITH: I go home most nights to Burnt Branch.
SENATOR HARPOOTLIAN: Twenty-five miles.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: As opposed to three miles.

MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: And why's that?
MR. SMITH: It's still my home. That's where I was born and raised.
SENATOR HARPOOTLIAN: Okay. And if somebody had been watching you over the last month, you would've gone home to your Burnt Branch Road --
MR. SMITH: It depends whether or not I'm on call, Senator. I'm a cardiovascular surgeon and I'll have sick people in the hospital, then I tend to stay in Florence if there's someone critically ill in the ICU, sir.
SENATOR HARPOOTLIAN: Now, if you did live in Florence, you'd have to be running against Eddie Floyd to be on the board, right? Eddie Floyd?
MR. SMITH: Yes, sir. Yes, sir.
SENATOR HARPOOTLIAN: Okay. So, living in a different circuit, you don't have to run against Eddie Floyd; is that correct?
MR. SMITH: I would have to run with whoever else filed in the Third Judicial Circuit, sir.
SENATOR HARPOOTLIAN: Okay. And nobody has.
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: And the first time you ran, did you have opposition?
MR. SMITH: I did.
SENATOR HARPOOTLIAN: And how long the second time?
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: Okay. So, this is your third time?
MR. SMITH: This is -- well, this is my fourth time, sir.
SENATOR HARPOOTLIAN: Fourth time. So, you've had no opposition since that first time?
MR. SMITH: That's correct. And I'd also like to point out that I -- I've been investigated by SLED and the FBI for security clearance, and they concur that my address is 2322 Burnt Branch Road, sir.
SENATOR HARPOOTLIAN: So you say. Let me move on to another area and that is your involvement with the athletic department.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: And I'll remind you you're under oath.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Do you talk to athletic director -- the athletic director, Ray Tanner, of the University of South Carolina frequently, infrequently --
MR. SMITH: Whenever he calls, I talk to him.
SENATOR HARPOOTLIAN: You never call him.

MR. SMITH: Oh, I call him from time to time, yes, sir.
SENATOR HARPOOTLIAN: For what reason?
MR. SMITH: Most of the time, it's returning his call or to talk to him about tickets or facilities of trying to accommodate someone.
SENATOR HARPOOTLIAN: Did you ever talk to him about the hiring or firing of a coach?
MR. SMITH: I've talked to him about everything, yes, sir.
SENATOR HARPOOTLIAN: So, did you talk to him about the termination of Mr. Muschamp?
MR. SMITH: He asked my opinion, yes, sir.
SENATOR HARPOOTLIAN: So, now, as I understand it, that decision is his, correct?
MR. SMITH: It is, yes, sir.
SENATOR HARPOOTLIAN: Okay. And the board -- did you know, at the time that he was talking to you, that he didn't have the money to make the payoff?
MR. SMITH: The AD hires and fires the coaches, sir. The board hires and fires four individuals at the University of South Carolina. We hire and fire at the president. We hire and fire the board secretary. We hire and fire the interim auditor, and we hire and fire the treasurer. Other than that, we have no direct control over who is hired or fired.
SENATOR HARPOOTLIAN: I guess, but so why would he be asking you about whether or not he should terminate Coach Muschamp?
MR. SMITH: I'm not the only one who's ever talked to him.
SENATOR HARPOOTLIAN: Well, I'm not asking everyone. I'm asking you.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Why would he talk to you? Why - - what -- if you have no weigh-in on it, why would he -- I mean, what's your background in athletics? Did you ever -- you played football?
MR. SMITH: Oh, yes, sir. Don't I look like a star?
SENATOR HARPOOTLIAN: Did you play football?
MR. SMITH: Yes, sir, I did.
SENATOR HARPOOTLIAN: At a university or high school?
MR. SMITH: Oh, no, high school; God, no.
SENATOR HARPOOTLIAN: Okay. So -- and how long ago was that?
MR. SMITH: I graduated in '76.
SENATOR HARPOOTLIAN: So that's been a while.
MR. SMITH: Oh, yes, sir.
SENATOR HARPOOTLIAN: And since then, your involvement with athletics --

MR. SMITH: I'm a fan.
SENATOR HARPOOTLIAN: A fan. Okay. So, you've never coached.
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: And so, why does Athletic Director Tanner care what you think? What's your opinion -- I mean, your opinion on the attributes of a football coach are based on what? ESPN?
MR. SMITH: Probably. I'm just a fan just like everybody else, sir.
SENATOR HARPOOTLIAN: Okay, so why is he talking to you? Why are you giving him an opinion about who he should hire or fire?
MR. SMITH: I don't give him opinions. As a matter of fact, when he hired Coach Gates, which I was very supportive of, I didn't find out that he'd hired Coach Gates until Wednesday before the board meeting on Thursday.
SENATOR HARPOOTLIAN: But you voted for him.
MR. SMITH: No, sir, I didn't vote. The chairman doesn't vote. I conducted the meeting. The chairman only votes if there's a tie, sir.
SENATOR HARPOOTLIAN: Okay. Well, let's talk about the Muschamp buyout.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: When he was talking to you, did he indicate that they'd have to pay him $13 million?
MR. SMITH: He did.
SENATOR HARPOOTLIAN: And did he indicate to you that the athletic department didn't have that money?
MR. SMITH: I don't recall that, sir.
SENATOR HARPOOTLIAN: Well, did the board only vote to give the athletic department -- loan then $10 million?
MR. SMITH: After the fact, yes, sir.
SENATOR HARPOOTLIAN: After the fact, you terminated him.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Do you think it's a good idea for the athletic director to terminate somebody and then incur a $13 million debt and not have the money to pay for it?
MR. SMITH: The short answer to that is, again, I come back to the governance structure of the board.
SENATOR HARPOOTLIAN: No, I'm not asking you about the governance structure of the board. I'm talking about --
MR. SMITH: Well, it --
SENATOR HARPOOTLIAN: -- is it a good idea that you fire the athletic director?

MR. SMITH: You've got to have a chain of command, Senator, and the coaches report to the AD, the AD reports to the president, the president reports to the board.

SENATOR HARPOOTLIAN: I've got all that, but I'm asking you was it a good idea for them to terminate Muschamp without having the money in the bank to pay -- to make the payoff?

MR. SMITH: The athletic director made that call. When we --

SENATOR HARPOOTLIAN: I'm not asking you --

MR. SMITH: When we approved --

SENATOR HARPOOTLIAN: -- about the call. I'm asking you about your opinion. We're trying to decide whether your qualified to be reelected.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And I want to know, your opinion, should Ray Tanner have terminated Muschamp without the money in the bank to pay him off.

MR. SMITH: The short answer is I don't like credit, obviously. I mean, I'd prefer --

SENATOR HARPOOTLIAN: So that would be a no?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: Okay. So, matter of fact, y'all had to loan him the $10 million to make the payoff.

MR. SMITH: That's partially true, but as Mr. Williams said before me, that money goes into a pool. It was not money that was loaned directly to Ray to pay off Will Muschamp.

SENATOR HARPOOTLIAN: Made a pool for the athletic department.

MR. SMITH: That is correct, yes, sir.

SENATOR HARPOOTLIAN: And I think, over the years, they -- you know, somebody has complained about the size of a coach's salary. The defense has been, well, the athletic department makes all the money. They don't -- they spend no general fund money. Isn't that correct?

MR. SMITH: Yes, sir, that is correct.

SENATOR HARPOOTLIAN: Okay. But now, that's not true, because y'all gave the athletic department $10 million to cover --

MR. SMITH: Yes, sir, be we were all --

SENATOR HARPOOTLIAN: -- the shortfall.

MR. SMITH: We were also going through a pandemic where it was unprecedented times. No one could've foreseen the COVID crisis that we had.

SENATOR HARPOOTLIAN: Yeah, but silly me, if you don't have the money, maybe you don't fire the guy. Maybe you just live with him until you don't have to pay any more money or you have enough money coming in in the athletic department to make the payment. Could you have kept him another year?

MR. SMITH: Certainly, but that was the athletic director's call.

SENATOR HARPOOTLIAN: Okay. Do you think it was a bad call?

MR. SMITH: I think Coach Muschamp is a fine person. I think he was not a great head football coach.

SENATOR HARPOOTLIAN: Well, I guess what I'm asking is it's not the context of Muschamp being a winner or a loser. It's a question of if you don't have the money to pay the buyout, was that a bad decision?

MR. SMITH: Coach Tanner, I feel certain that he weighed in whether or not it was more advantageous to keep Coach Muschamp there for another year when the program was struggling and lose the potential for having people in the -- fans to give up on the team and not buy season tickets the next year, sir.

SENATOR HARPOOTLIAN: And that economic -- and so, again, I'm just the fact at general -- money that we appropriate, it almost sends the message you don't need the $10 million we gave you because you had enough money laying around to blend into the athletic department. I mean, do you think the finance chairman, Senator Peeler or House Ways and Means chairman, and the speaker sitting right here, I mean, are we supposed to fund your every request when you've got $10 million you can loan to the athletic department?

MR. SMITH: No, sir, absolutely not. But by the same token, again, we were in very unprecedented times with the COVID crisis, sir.

SENATOR HARPOOTLIAN: Well, we were all in unprecedented time. Some businesses went under. Some businesses -- you might find this shocking - - didn't spend money they planned to spend, the couldn't afford to spend, but the athletic department always had y'all to bail them out.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: Okay. Now, let me -- let me move to another area, and that would be the hiring of General Caslen. While you were not chairman, you were on the selection committee.

MR. SMITH: I was.

SENATOR HARPOOTLIAN: And I understand there were four -- four finalists. He was one of them?

MR. SMITH: He was.

SENATOR HARPOOTLIAN: You said a moment ago -- let me make sure I don't misquote you -- that Tate, African-American, was an applicant and he was qualified, but needed to check a box. Is that what you said?

MR. SMITH: What I said was -- what I meant by that was that he was not quite -- had not done enough things to -- at that level, sir.

SENATOR HARPOOTLIAN: Like what had he -- what -- I mean --

MR. SMITH: Well, he had not been a provost at a major university yet.

SENATOR HARPOOTLIAN: And Caslen had been a provost.

MR. SMITH: Caslen had not, but Caslen was a three- star general that has led men in combat and the - - from the purview of the search committee, that that was qualified; plus, he was CFO at Central Florida University at that time.

SENATOR HARPOOTLIAN: Central Florida.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: Okay. Big school?

MR. SMITH: Yes, sir, it is.

SENATOR HARPOOTLIAN: Okay. And he was -- how long had he had that job?

MR. SMITH: About a year.

SENATOR HARPOOTLIAN: Okay. So, he had a year as provost -- provost?

MR. SMITH: He had, yes -- no, no. No, Caslen had been president -- the commandant at West Point, the superintendent at West Point, as well as he had been the CFO at Central Florida, sir.

SENATOR HARPOOTLIAN: CFO. So, Tate needed to check this box as being a provost somewhere, but Caslen, whose previous academic credentials included being the commandant at a military university --

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: -- where his word was law. There was no board. There was no -- I mean, he was the -- he was the general.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: So, there was no building of an -- of a faculty support, because if they -- I mean, those folks disagreed with him, they went. I mean, there was no -- so, it was a military school. You know that old saying about military justice is to justice as military music is to music? I mean, being the commandant at a military college is no -- nothing close to being the president of the University of South Carolina, is it?

MR. SMITH: I think if you look at his track record for what he did with diversity, equity, inclusion, what he did with -- to elevate females and

protect them from assaults and things of that nature at West Point, I think his record will speak for itself there, sir.

SENATOR HARPOOTLIAN: He didn't have a post-graduate degree, did he? But did he have a doctorate?

MR. SMITH: He had a master's.

SENATOR HARPOOTLIAN: But did not have a doctorate.

MR. SMITH: Yes, sir, but a master's can be considered a terminal degree also, sir.

SENATOR HARPOOTLIAN: But, I mean, when you're comparing these other folks like Tate and others, they -- they had experience and administrative positions at liberal arts colleges, right?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: They had a -- they had experience at liberal arts colleges --

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: -- in terms of administration.

MR. SMITH: Sure.

SENATOR HARPOOTLIAN: And their academic backgrounds were far more significant than Caslen's, right?

MR. SMITH: Yes, sir. It was -- as I said earlier, he was a nontraditional candidate. As it turned out, it turned out to be a big win. He came in and was --

SENATOR HARPOOTLIAN: I'm sorry, did you say that was -- that hiring Caslen was a big win?

MR. SMITH: What I said was that during his term as president here, he was the perfect person to -- to navigate the COVID crisis at the university, sir.

SENATOR HARPOOTLIAN: Well, let me ask you this. Did you support a mask mandate at USC?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: Okay. And when the attorney general wrote a letter indicating that the President Pastides, even though the court had ruled on a lawsuit I brought, that they could mandate masks, is it your testimony you supported that or did you contact President Pastides and ask him not to do that?

MR. SMITH: I don't recall that conversation. I remember Harris called me and asked me about my opinion. And I said, "Harris, I want to whatever the healthcare professionals say is the right thing to do."

SENATOR HARPOOTLIAN: You did not tell him, politically, not to do it.

MR. SMITH: No, sir.

SENATOR HARPOOTLIAN: Okay. Then Harris and I had miscommunication, then.
MR. SMITH: Okay.
SENATOR HARPOOTLIAN: So, let me get back to the hiring of Caslen, but let's understand this process. You were on the selection committee.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Were there originally four approved that didn't include Caslen?
MR. SMITH: No, sir, there were never -- the -- there were four that were approved coming out of Atlanta that included Caslen.
SENATOR HARPOOTLIAN: Okay. And of those four, one was Tate, right?
MR. SMITH: That's correct.
SENATOR HARPOOTLIAN: Who were the others?
MR. SMITH: Dr. Walsh from Indiana and I'm blanking on the other gentleman's name. I apologize.
SENATOR HARPOOTLIAN: Okay. Now, you and who went on that airplane ride down to Florida to meet with the president?
MR. SMITH: If I recall correctly, it was myself, Hugh Mobley, who organized it. It was Gene Warr, and I think it was Dr. Eddie Floyd.
SENATOR HARPOOTLIAN: Now, this guy up in Indiana, did y'all fly up to see him?
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: Did you fly to see anybody else?
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: Did you meet with anybody else?
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Well, what was so special about going to Florida and meeting with Caslen?
MR. SMITH: He was -- he was a nontraditional candidate and the -- Hugh Mobley asked me to go because he thought that he had some leadership qualities and some things that we needed to look at.
SENATOR HARPOOTLIAN: You'd met with him before, though, hadn't you?
MR. SMITH: The chairman of the search committee -- sir?
SENATOR HARPOOTLIAN: You'd met with him before, hadn't you?
MR. SMITH: I had not met with him individually. I had met with him in a room like this.
SENATOR HARPOOTLIAN: Yeah, but I mean, he was in the room. You could ask him questions.

MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Okay. So, you -- and you took the university plane.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: You didn't fly commercial.
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: Why?
MR. SMITH: I was asked to go on the trip, sir.
SENATOR HARPOOTLIAN: Well, I mean, it cost several thousand dollars to fly to Florida and back. It was -- I mean, y'all couldn't fly commercial?
MR. SMITH: We could have, but it was a direct flight and, as you know, getting from Columbia to anywhere is not as convenient as a direct flight, sir.
SENATOR HARPOOTLIAN: So, you, as a member of the board of trustees of Carolina, can't be inconvenienced like the rest of us when we have to fly to Columbia? Where were you going? Jacksonville?
MR. SMITH: No, sir, we -- it was -- gosh, what beach was it. I'll have to look it up. It was south of Jacksonville, but I don't remember. Pompano Beach.
SENATOR HARPOOTLIAN: Many of us drive down there. Many of us fly commercial from -- drive to Charlotte, probably a straight shot.
MR. SMITH: It was a seven-hour -- it was a seven-hour car drive versus an hour.
SENATOR HARPOOTLIAN: Well, y'all could bond.
MR. SMITH: Sir?
SENATOR HARPOOTLIAN: Y'all could bond, couldn't you?
MR. SMITH: There you go. Absolutely.
SENATOR HARPOOTLIAN: But instead, you spent -- what do you think it cost to fly? What'd you fly? King-Air or a jet?
MR. SMITH: It was a King-Air, sir.
SENATOR HARPOOTLIAN: Okay. So, what's that? A $20,000 round trip?
MR. SMITH: I'm not certain, sir.
SENATOR HARPOOTLIAN: You don't know how much money, state money, university money you spent so that you could fly down there private?
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: I mean, you understand that $20,000 is a lot of money to most people --
MR. SMITH: I do, sir.

SENATOR HARPOOTLIAN: -- including your students and the parents paying that tuition.
MR. SMITH: I do, sir.
SENATOR HARPOOTLIAN: And that when y'all spend money, do you think it was necessary for you to fly down there? How about Zoom? You couldn't do a Zoom meeting with him?
MR. SMITH: We've done tons of Zoom calls for lots of things. And my personal opinion is you lose something in an internet interview as opposed to in-face based, sir.
SENATOR HARPOOTLIAN: You couldn't ask him to come up here?
MR. SMITH: We could have, yes, sir.
SENATOR HARPOOTLIAN: But you didn't.
MR. SMITH: The chairman of the search committee request that I go. I was asked to go and I went.
SENATOR HARPOOTLIAN: And the chairman of the search committee was Mr. Mobley?
MR. SMITH: That's correct.
SENATOR HARPOOTLIAN: Okay. So, you went down there and what was it -- well, let me ask you this before we get all the way to the end.
MR. SMITH: Uh-huh.
SENATOR HARPOOTLIAN: Was hiring him a mistake?
MR. SMITH: Not in my opinion.
SENATOR HARPOOTLIAN: So, that was a success?
MR. SMITH: I think when -- in the grand scheme of things, when you look at the way he handled the COVID crisis, I think it was a win, yes, sir.
SENATOR HARPOOTLIAN: We ended up Harris Pastides took over. He's an epidemiologist. Any indication he wouldn't have handled it as well?
MR. SMITH: There's no indication of that. But at the time, Dr. Pastides had indicated -- well, he's already resigned, sir.
SENATOR HARPOOTLIAN: Right. So, I guess he saved us from COVID, but in the process, huge, huge conflict about hiring in the beginning with, right?
MR. SMITH: yes, sir.
SENATOR HARPOOTLIAN: Barely not elected. Was that good to not have -- to have the kind of split in the board?
MR. SMITH: No, sir, it's never good. But it's never good for us to agree on everything either, Senator. If I ask your opinion on something, I don't

want you to tell me -- and you never would, obviously, tell me how smart I am or how handsome I am --

SENATOR HARPOOTLIAN: No.

MR. SMITH: -- or something like that. I want to hear your honest opinion or difference of opinion from that standpoint, sir.

SENATOR HARPOOTLIAN: But here's my point. There's a difference -- and we heard from Mr. Williams a moment ago -- a difference between an honest exchange of opinion that's working towards a consensus and then there's just external forces weight in to get it done. And you would admit the governor did weight in, correct?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And he talked to you.

MR. SMITH: He called me, but he didn't influence my vote, sir.

SENATOR HARPOOTLIAN: Pardon me?

MR. SMITH: He did not influence my vote.

SENATOR HARPOOTLIAN: You were already committed to Caslen.

MR. SMITH: I had, yes, sir.

SENATOR HARPOOTLIAN: So, he couldn't influence you.

MR. SMITH: That's right.

SENATOR HARPOOTLIAN: But other folks, he did. He did talk to, did he not?

MR. SMITH: He did, but if you look before -- there were two votes, if you will, the one that didn't happen and the second one, we actually lost votes between the first vote and the second vote.

SENATOR HARPOOTLIAN: And that's why you needed that second vote quickly. And I believe -- and Mr. Williams had to sue to stop y'all from doing it, did he not?

MR. SMITH: That was a -- that was a tactical error on -- from the standpoint of whoever called for the meeting within five days. The bylaws required that the board members have to have five days. It was a mistake. It was corrected.

SENATOR HARPOOTLIAN: Well, who called the meeting?

MR. SMITH: The chairman of the search committee.

SENATOR HARPOOTLIAN: Which is Mr. Mobley.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And he called the meeting without giving the appropriate legal notice. Was he in a hurry?

MR. SMITH: You'll have to ask him that, sir.

SENATOR HARPOOTLIAN: Okay. Well, you know, Chairman Smith, you act as if you never talked to these people. I mean, you flew

-- wasn't that flight down to meet with President Caslen, how long did that take, an hour?
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Okay. And then y'all had lunch while you were down there?
MR. SMITH: No, sir.
SENATOR HARPOOTLIAN: You just flew down, met with him, got on the plane and flew back.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: And in those two hours or hour and a half to get there and hour and a half to get back y'all never talked about anything?
MR. SMITH: We talked about a variety of things, sir.
SENATOR HARPOOTLIAN: Did you talk about him? Did you talk about we got to get this guy elected?
MR. SMITH: We didn't -- Senator, we talked about a thousand things on that plane. What we talked about exactly, I don't remember, sir. That's been three years ago.
SENATOR HARPOOTLIAN: Okay. So, in terms of the vote for Caslen, you today -- you would stick by that vote and if you had to do it again, you'd vote for him again?
MR. SMITH: Hindsight is always 20/20. Are we talking about voting in 2019 or are we talking about voting in 2022, sir?
SENATOR HARPOOTLIAN: Right now.
MR. SMITH: Right now?
SENATOR HARPOOTLIAN: Would you vote for him again?
MR. SMITH: I'm happy with our new president as it is, Michael Amiridis.
SENATOR HARPOOTLIAN: And I asked -- I'm going to ask you would you vote for him again?
MR. SMITH: Knowing -- if I were back -- if you wound the clock back three years ago, yes, sir, I would have.
SENATOR HARPOOTLIAN: So, his comments about South Carolina sucks, that South Carolina is a horrible place, that South Carolina is dysfunctional, nobody ought to come to work here, all of that would not influence you in any way.
MR. SMITH: Again, we're talking about voting for him prior to all that, sir.
SENATOR HARPOOTLIAN: No, I'm asking right now, if you were faced with the prospect of voting for him again, would you vote for him?

MR. SMITH: I would vote for Michael Amiridis to be president today, sir.
SENATOR HARPOOTLIAN: Let's say it's not Michael Amiridis. It's him --
MR. SMITH: Yeah.
SENATOR HARPOOTLIAN: -- versus anybody.
MR. SMITH: Well, there would've been other candidates out there. Knowing what you know now, if -- you know, again, that if someone says that and says they don't want the job, absolutely no, you're not going -- you don't want someone that doesn't want to be here.
SENATOR HARPOOTLIAN: Well, why did he -- why was he so critical of the board in his public comment saying they didn't support him, they didn't have his back? Matter of fact, he indicated -- I believe that he called -- was it you he called and tendered his resignation?
MR. SMITH: He did not tender his resignation to me until the night he actually resigned. There is a difference between tendering a resignation, sir, and you saying, "I will resign if I have lost the confidence of the board."
SENATOR HARPOOTLIAN: And at that point, what did you tell him?
MR. SMITH: What I told him was that we -- I -- I could not accept that, because I didn't know that he had lost he confidence of the board.
SENATOR HARPOOTLIAN: Did you have the authority to accept his resignation?
MR. SMITH: I accepted it when he resigned. I did have the authority to accept his resignation 48 hours later.
SENATOR HARPOOTLIAN: Did you tell the --
MR. SMITH: But there's a difference.
SENATOR HARPOOTLIAN: -- rest of the board that he had communicated with you that he was thinking about resigning?
MR. SMITH: I did.
SENATOR HARPOOTLIAN: Mr. Williams didn't seen to know about it.
MR. SMITH: Yes, sir, I called Charles Williams.
SENATOR HARPOOTLIAN: Okay. So, Speaker Lucas asked Mr. Williams about -- do you think the board's too big?
MR. SMITH: No, sir. And the reason I don't think the board's too big is -- is it sometimes unwieldy, yes. But without a board of our size, you're going to completely cut out rural South Carolina.
SENATOR HARPOOTLIAN: Why do you say that?
MR. SMITH: Because everything will gravitate towards Hilton Head, Charleston, Columbia, Myrtle Beach, Greenville, Spartanburg, Rock

Hill. And places like Lamar and places like Turbeville, they won't have any representation on the board, sir.
SENATOR HARPOOTLIAN: I mean, that's your theory.
MR. SMITH: That's my opinion.
SENATOR HARPOOTLIAN: Your opinion. And your -- again, you're not an expert on football. Are you an expert on electoral politics?
MR. SMITH: I have no desire to serve in any political role other than this, and I only do it for the love and adoration of the fans.
SENATOR HARPOOTLIAN: Well, and it does give you some authority, correct, being chairman of the board at USC?
MR. SMITH: That authority is I serve at the pleasure of the board, sir. And before I became chairman, there was not a way to remove a chairman. One of the first things I did as -- even before I became chairman, that we put in place where the board has the authority and the mechanism to remove me or anyone else that they deem is not doing a good job, sir.
SENATOR HARPOOTLIAN: I guess I come back to this. You don't think it's too big. I mean, between the Caslen debacle and the buyout of Muschamp, I mean, this didn't really create a lot of confidence in y'all's competency. Do you understand how that perspective --
MR. SMITH: I do.
SENATOR HARPOOTLIAN: And you just basically say water under the bridge, over the dam, let's move on, we got new policies, we got new procedures?
MR. SMITH: No, sir. The things that you haven't seen are the things that have happened since all of that. Again, I come back to the changes in our governance structure, the reorganization of the committees. Believe it or not, there are lots of things that -- behind the scenes that are not readily evident. But quite frankly, the search - - this last presidential search really was a quality search, sir. We had really top quality candidates.
SENATOR HARPOOTLIAN: Well, the Speaker -- the Speaker just a moment ago commented on that and I got the sense there may have been some bumps in the road on that. I mean, isn't it time that we do more that just rearrange the deck chairs on the Titanic? I mean, this university has had its ups and downs -- I mean, as long as I've lived in Columbia -- I don't know whether you remember Tom Jones, your president back in the '70s.
MR. SMITH: I don't -- I remember him, but I was too young to know that, sir.

SENATOR HARPOOTLIAN: Well, I wasn't. I was in law school and he was asked to leave. And of course, Jim Holderman --
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: -- a disaster, correct?
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Okay. And I know that because I prosecuted him. So, and the board, at that point, was interesting because whatever Jim Holderman wanted, Jim Holderman got.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Le se fairre. They had no -- no input. Most of them were more concerned about who the football coach was going to be than what the president did. And a president could bring the pope or bring all these stars to Columbia was just wonderful. But since then, I'm not convinced there's been any dramatic change in the -- in the attitude of the board. I just -- I got to tell you that Caslen process was a humiliation, him -- how he was hired and how he left. A humiliation of the people. The university's in my district. Many of the people that work at the university live in my district and they were embarrassed and humiliated by what y'all did with Caslen both, bringing him in and the way he left.
MR. SMITH: Yes, sir.
SENATOR HARPOOTLIAN: Do you understand that?
MR. SMITH: I do, sir.
SENATOR HARPOOTLIAN: So, if we take the position that maybe we need new folks to do this, it wouldn't bother you, would it?
MR. SMITH: The short answer to -- well, the board does not define who I am. But I came on the board for the one goal of trying to make the University of South Carolina and my home state of South Carolina a better place.
SENATOR HARPOOTLIAN: Well, if -- if you look at Caslen as a loss, certainly you can't look at it as a win. And you look at the Muschamp buyout as a loss, y'all don't really have a winning record. Shouldn't we fire y'all like we -- like y'all did to Muschamp and like y'all did to Frank Martin? And the buyout's a lot cheaper.
MR. SMITH: That's your prerogative, sir. I mean, I defer to you, obviously.
SENATOR HARPOOTLIAN: Well, thank you. That's all I have.
THE CHAIRMAN: Who's next? Senator SCOTT.
SENATOR SCOTT: Thank you, sir. Thank you, sir, Doctor, for your willingness to serve. I want to go back to a visitor on the campus, Angela

Davis. Tell me exactly what happened. You probably were chairman around that time, Angela Davis invitation to come to USC?
MR. SMITH: I'm not aware of that, Senator SCOTT. I apologize.
SENATOR SCOTT: You're not aware of Angela Davis -- the Angela Davis, historian --
MR. SMITH: Yes, sir, I know Angela --
SENATOR SCOTT: -- professor who -- there was an invitation sent to her to come to USC. There was a lot of mixed emotions on that campus.
MR. SMITH: I didn't have anything to do -- that's -- that never came to the level of the board, sir.
SENATOR SCOTT: Well, tell me a little bit about what are you doing on that campus actually to actually promote diversity on the campus.
MR. SMITH: Again, what we have done --
SENATOR SCOTT: Not we, you.
MR. SMITH: Yes, sir, me.
SENATOR SCOTT: What are you doing?
MR. SMITH: All right.
SENATOR SCOTT: You've been there a long time. You've been --
MR. SMITH: I've been there 12 years, yes, sir.
SENATOR SCOTT: Yes, and tell me what you're doing to promote diversity on the campus.
MR. SMITH: During my chairmanship, that our first -- our first vice president for diversity was highered, Julian Williams. In addition to that, we continued to work to try to build the civil rights center that should -- will continue to --
SENATOR SCOTT: I understand about that.
MR. SMITH: I'm sorry?
SENATOR SCOTT: I understand about the building the center. I'm talking about what are you doing in terms of working with your colleagues on the board; now, you've got two African-Americans on the board.
MR. SMITH: Again -- again, we have done diversity training to try to make everyone aware and make the university a more open place for access for all, sir.
SENATOR SCOTT: What are you doing?
MR. SMITH: That's what I'm doing.
SENATOR SCOTT: You've told me what the -- you've told me what the board is doing.
MR. SMITH: That is what --
SENATOR SCOTT: What have you actually been --
MR. SMITH: That has been part of my agenda as chairman, sir.

SENATOR SCOTT: Okay. Thank you.
THE CHAIRMAN: Senator from Laurens.
SENATOR VERDIN: Mr. Chairman, I'd like to ask a question of the -- there you go. Dr. Smith, you have indicated that expanding the nursing program is of great significance to you. PRESIDENT ALEXANDER chairs the major budget right subcommittee for finance of the senate that hears from the public sector healthcare delivery agencies. And those directors and board members have been before his committee, which I serve as well, with an incessant call of concern about the insufficient availability of healthcare delivery workers, nurses, et cetera. Of course, in the public sector, we try to remedy that as best we can with salary and try and stay competitive with private sector, which is where they apparently all gravitate to based on that very economic factor. Until just -- we heard from the sixth agency, whose director told us from the high school level recruitment into the various public and private colleges and universities in the state, there's really not a shortage yet of young people desiring to enter this vocation or profession. The real problem -- and it's going to be even more exacerbated in the future, is the ability to train them, to have the proper level of academia/administrative professionals in place to bring this next generation along. I'm curious -- because you're obviously in practice, you're in a hospital setting, a surgical setting; and as your role here with U of SC School of Medicine and other affiliations, is it possible that we can go back and rediscover the model that I grew up as a child, having numerous family members that receive their nursing training at old Greenville General. And then, of course, you had expanded degrees beyond RN, you had the expansion of higher-end nursing programs. Can we not see that as a proper blending of -- since your highest capabilities gravitate to academia or administration in the hospital settings, could we not capitalize in the future with more schools/hospital, participate not just rotations, but true collaboration in the program in its entirety?
MR. SMITH: Yes.
SENATOR VERDIN: I'm anxious for your thoughts.
MR. SMITH: Yes, sir. No question, it's a huge crisis and needs to continue the work on. There -- it's actually a two-pronged attack, Senator Verdin. Prong number one is what you alluded to. Unfortunately, we do not have enough teachers right now, master's, Ph.D., preceptors and even preceptor sites for all of the young ladies and gentlemen to go into nursing. And that's what one of the focus of the University of South Carolina on the Columbia campus is. About half of those individuals that enroll in nursing, they are not going to be bedside nurses per se, but

they're going to be the ones to train the nurses, the nurse practitioners, the nurse anesthetists, if you will. The other prong of that is the bedside nurses, the floor nurses, the one that would change the bedpan, the one that would start the IV and, with that, and you've got to attack both areas simultaneously. But you -- but in order -- the bottleneck is to have the preceptors and the instructors to be able to expand the second portion of that also, sir. Does that make sense?

SENATOR VERDIN: Yes, sir, I appreciate you bringing it back to even some preceptorship. Yeah, it's - - well, it's been a growing -- the crescendo is getting louder and the alarm bells --

MR. SMITH: And we want to continue to expand our nursing programs in Upstate, at Aiken, all over the state. I mean, it's just mandatory. One of the things that I see the university doing is being able to provide the healthcare. The University of South Carolina School of Medicine provides more primary care physicians for rural South Carolina than any other school in the country. In addition to that, we also produce physician's assistants and nurse practitioners, which to some degree are replacing family practitioners in places like Turbeville or Lamar or Olanta, if you will. And -- but they also have to have the nurses as well. And we have great leadership in that role. Jimmy Stallworth runs the P.A. program. Jeanette Andrews leads the nursing program. She is a fabulous leader and role model for our state.

SENATOR VERDIN: I'll take Olanta, if you will, because I have a truck at Warren Coker's farm every week bringing --

MR. SMITH: You're four miles from me, sir.

SENATOR VERDIN: Yeah. I've brought 40,000 square bales of hay out of there in the last calendar year.

MR. SMITH: I'll tell Warren to give you a discount, sir.

SENATOR VERDIN: Thank you. Thank you, Mr. Chairman.

SENATOR HARPOOTLIAN: Mr. Chairman?

THE CHAIRMAN: Yes, sir.

SENATOR HARPOOTLIAN: A couple other matters that come to mind when Senator SCOTT was talking about diversity that I've got.

THE CHAIRMAN: Okay, come up.

SENATOR HARPOOTLIAN: Okay. We all saw the news reports and I spoke to Lou Kennedy about y'all's problem, if you will. And as I understand it, she was appointed to a committee that, pursuant to your new rules, would participate in helping pick the next president of University of South Carolina; is that correct?

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And what was that committee?

MR. SMITH: It was the presidential search committee and I'm the one who appointed her, sir.

SENATOR HARPOOTLIAN: Okay. And during that process, apparently, she indicated -- and I talked to her yesterday to confirm this -- that you were short with her, wagged your finger in her face and told her that she was basically irrelevant. I think the word used was "irrelevant." Is her depiction of that meeting correct.

MR. SMITH: No, sir, it's not.

SENATOR HARPOOTLIAN: So, she is not telling the truth.

MR. SMITH: I think her interpretation of the events are different than mine, sir.

SENATOR HARPOOTLIAN: Well, she used the word "misogynist," that you did not appreciate the opinion of women, especially strong women. Do you think that's accurate?

MR. SMITH: No, sir. I've been surrounded by strong women my whole life.

SENATOR HARPOOTLIAN: Well, let me ask you this. And these are -- hold on one second, let me make sure this is correct -- Have your privileges at the hospital ever been suspended or have you ever had to leave a hospital because of complaints?

MR. SMITH: No, sir.

SENATOR HARPOOTLIAN: You've never had complaints from female employees.

MR. SMITH: No, sir.

SENATOR HARPOOTLIAN: Never.

MR. SMITH: Not that I -- if there's something filed, I'm unaware of that, Senator.

SENATOR HARPOOTLIAN: Have you ever had your privileges suspended at any hospital?

MR. SMITH: Never.

SENATOR HARPOOTLIAN: Have you had to give up your privileges at any hospital?

MR. SMITH: Never.

SENATOR HARPOOTLIAN: Okay. And you're indicating that Lou Kennedy misinterpreted your finger wagging.

MR. SMITH: My comment to Ms. Kennedy was at the end of the meeting when it was over with and we were -- she was giving advice to the board on how to handle the presidential search. And what I pointed out was that we had had voting and nonvoting members on the board -- not on the board, on the committee. And during that period of time, I said, "Lou, you know, golly gee, thank you all for your service." And

we basically have had -- we appreciate it. I said, "I'd like to point out that there were voting and nonvoting members, but we let everybody vote to give their opinion on who should be recommended to the" -- "back to the board to determine that." And as a courtesy for everyone's hard work, even the nonvoting members were granted their right to say their -- their say, sir.

SENATOR HARPOOTLIAN: Well, why'd she get angry?

MR. SMITH: She felt that -- she felt that I was saying to her that her opinion didn't count. I think she misunderstood my statement.

SENATOR HARPOOTLIAN: Did you wag your finger in her face?

MR. SMITH: If I did, I don't recall it, sir.

SENATOR HARPOOTLIAN: You don't recall it.

MR. SMITH: And in addition to that, I flew home with her on her plane that night and rode with her in the car back to the airport. And just for the record, I apologized to her just for any miscommunication. That was obvious she was upset with me. And she accepted my apology on the plane. She even poured champagne for everyone and celebrated on the way back, sir.

SENATOR HARPOOTLIAN: And then she pulled $20 million of a pledge that she made to the University of South Carolina; is that correct?

MR. SMITH: I was not aware of a $20 million pledge pull, sir.

SENATOR HARPOOTLIAN: Well, she pledged 30 and put 10 in and pulled the other 20.

MR. SMITH: I was not aware of that.

SENATOR HARPOOTLIAN: Still not aware of that?

MR. SMITH: I am now.

SENATOR HARPOOTLIAN: Okay. So, obviously, she was upset about something.

MR. SMITH: Yes, sir.

SENATOR HARPOOTLIAN: And you don't know what that was.

MR. SMITH: I just told you my recollection of the story, sir, and I would ask the other people there that can verify that.

SENATOR HARPOOTLIAN: So, she's just hysterical?

MR. SMITH: I do not know. I have utmost respect for her. She is a valued member of our community. She's a very successful businesswoman and I am so sorry that I offended her in any way.

SENATOR HARPOOTLIAN: And the same would go for Darla Moore?

MR. SMITH: Darla Moore is a wonderful lady and a treasure of this state, sir.

SENATOR HARPOOTLIAN: And she's pulled all her funding for Carolina.
MR. SMITH: Darla Moore is a wonderful person.
SENATOR HARPOOTLIAN: There seems to be a pattern there. Both of them indicate that the reason they pulled their funding was the treatment from you, tens of millions -- well, tens of billions of dollars, under -- maybe a hundred million, maybe more. You don't understand why that would happen? I mean, there's you're totally clueless.
MR. SMITH: We had -- we had a disagreement, sir.
SENATOR HARPOOTLIAN: "We" being who?
MR. SMITH: Myself and Ms. Kennedy.
SENATOR HARPOOTLIAN: But y'all apparently made up, drank champagne, kissed and hugged?
MR. SMITH: On the plane on the way home, yes, sir.
SENATOR HARPOOTLIAN: Okay. You flew there with her?
MR. SMITH: I did.
SENATOR HARPOOTLIAN: Okay. So, she could either leave you there or you could fly back with her?
MR. SMITH: That's correct.
SENATOR HARPOOTLIAN: I'm shocked she didn't leave you. That's all I have.
THE CHAIRMAN: Thank you, Dr. Smith. As you know, we are not going to approve any USC candidates today.
MR. SMITH: Thank you.
THE CHAIRMAN: Maybe sometime in the future. Thank you. MR. SMITH Thank you, sir.
THE CHAIRMAN: Next up is Alexander English. Welcome. If you would state for the record your full name, please.
MR. ENGLISH: Alexander English.
THE CHAIRMAN: If you would raise your right hand, I'll swear you in. Alexander English, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give a brief statement of why you would like to continue on the board.
MR. ENGLISH: Well, first of all, I'd like to thank y'all for having me here today and to say that I am honored to have served this past year and a half as representing the Fifth District. I have gotten to be a part of some of the history making decision, including the negative ones that you all were just speaking about, including the vote to move forward with our Bull Street project, which is a health science campus, which I think is going to be revolutionary for the City of Columbia and our university as

well as the state in regards to providing healthcare and for our research here in this state. Also, the west campus, which is over on Wheeler Hill, which will bring our campus back to the modern day era as far as housing and being able to have the proper Wi-Fi and all that. Also, approving -- been a part of approving the contracts of Dawn Staley, Coach Shane Beamer and recently Coach Lamont Paris, as well there's a lot of other positive things that have happened to this university. I am honored to have been a part of that. I also serve on the history group implementation committee, and that's been very rewarding because it deals with our diversity, equity and inclusion on our campus. So, thank you all for having me.

THE CHAIRMAN: staff, do you have any information you want to share with you us, Mr. English?

MS. WEBB: Hi, good afternoon, Mr. English. Upon reviewing your application back when you submitted this in November, on the blank for the four or six percent, you just put, yes, so I'm going to do this two part.

MR. ENGLISH: Okay.

MS. WEBB: First, can you confirm for me on record what is your home address?

MR. ENGLISH: 596 Rimer Pond Road, Blythewood, South Carolina.

MS. WEBB: Thank you, sir. And do you pay your four percent or six percent at that address?

MR. ENGLISH: Six percent.

MS. WEBB: Six percent?

MR. ENGLISH: Yes.

MS. WEBB: Okay. Thank you. That's all that I have.

MR. ENGLISH: Thank you.

THE CHAIRMAN: Well, I've got a question.

MR. ENGLISH: Yes, sir.

THE CHAIRMAN: Why is it six percent instead of four percent where you're currently located?

MR. ENGLISH: Well, I guess it's the cost, or maybe I misunderstood. Six percent based on --

MS. WEBB: So for your property tax, the percentage that you're paying, is it four percent that's your personal home residence or the greater at six percent?

MR. ENGLISH: I pay four percent. I pay, because I do have -- I do grow a farm tax on that as well.

SENATOR ALEXANDER: Mr. Chairman, can I do a follow-up?

THE CHAIRMAN: Yes, sir, go ahead.

SENATOR ALEXANDER: So do you have -- the residence that you have on your application is the residence that you live in? Do you have another home other than that location, or is that your --
MR. ENGLISH: That's the only place I've lived in Columbia the last 30 years.
SENATOR ALEXANDER: Thank you, sir. I think that clarifies it.
THE CHAIRMAN: Okay. I just think you misspoke. You meant four percent.
MR. ENGLISH: Okay.
MS. WEBB: So four percent it is. I would just let the record reflect that he has stated it's four percent and not six percent at his Blythewood residence.
THE CHAIRMAN: Okay. Questions for Mr. English? Senator SCOTT.
SENATOR SCOTT: Thank you, Mr. English, for your willingness to serve.
MR. ENGLISH: Thank you.
SENATOR SCOTT: A lot has happened in the year and a half since you came.
MR. ENGLISH: Yes, it has.
SENATOR SCOTT: Has it been difficult, heavy lifting to get them to finally move in the direction of trying to make those kind of diverse commitments you now under -- it's the third president here shortly in that very short period of time. What is the attitude of the board with the kinds of things that we're actually talking about, diversity, identifying those who have made tremendous contribution to the school and your willingness to work with the two African American members of the board and others who share the same kind of concern moving that board forward?
MR. ENGLISH: Well, I think we have made progress. You know, I mentioned I served on the history committee implementation group, and, you know, that --
SENATOR SCOTT: You chair it?
MR. ENGLISH: I chaired it.
SENATOR SCOTT: Yeah, go ahead.
MR. ENGLISH: And we have moved forward. We were unable to name the Celia Dial Saxon building down on Park Street. We've got a bunch of other things that we are still working on as far as trying to educate people about the history of this university as it pertains to the African American people that contributed to it. And we are still working on those. We have moved forward on putting statutes of the first three

African American students on our campus. We haven't come up with a place yet, but we are doing that, and I'm very proud of that as well.
SENATOR SCOTT: This is after how many years those first African American students were on the campus?
MR. ENGLISH: It's been a long time.
SENATOR SCOTT: A long time?
MR. ENGLISH: Yes, sir.
SENATOR SCOTT: So what do you see as any push back in terms of trying to move the school forward with your faculty, staff, students? You know, when I look at some of the other campuses around South Carolina, USC, they're doing a lot better than the downtown Columbia campus in terms of students --
MR. ENGLISH: Well, like I said, we've got this group. We've got this list of things that we will bring before the board and hopefully will get approved, like walking tours, like education on all the different buildings on campus having a plaque that talks about why the building is named that and giving a little history on it. Then, you know, those are the things that we've got on the board that we've got to get through the board, got to get past, and, you know, until we get those things done, you know, I think our job isn't done.
SENATOR SCOTT: You played basketball at USC in '72 until about '76. What does this new basketball coach mean to the university? I'm talking about the boys basketball -- mean to the university, especially just in the overall case of high schools and around South Carolina in terms of he won't even consider coming to the university given this is the first time in history that has ever occurred?
MR. ENGLISH: Well, I think being this is the first time in the history of this university we've had an African American head basketball coach is going to mean a lot. I think he will get the opportunity to recruit, you know, in the City of Columbia and a lot of the other surrounding cities as well as the state. And, you know, it gives the young player a different perspective, not that Coach Martin wasn't that person that embraced athletes, but I think that having an African American coach will mean that when the player talks to him or looks at that person, they will feel that they've got someone who may be able to relate to the lives that they've lived as an athlete.
SENATOR SCOTT: Since you're likely dealing in the basketball community, we had some parents to make comments or talk about their kids, rethinking where they want to go, looking at staying at home rather than leaving the state. My goal is to keep my kids here. We've got a lot to offer them here, especially if we give them what they need to grow.

MR. ENGLISH: Well, the only player that I've spoken to, and I did this at the behest of Coach Martin, is a young kid from Columbia who's one of the top athletes in the state who hadn't decided whether he's going to leave or not --

SENATOR SCOTT: I saw that.

MR. ENGLISH: I just impressed upon him what it was like for me being a Columbia resident and staying home and how invaluable that was to me. And at that time, he was very positive. His parents were very positive. Whether he will stay, I don't know, but I think just from speaking with Coach Paris only once, I like what he sounds like, what he intends to do, and hopefully he's going to do a great job for this university.

SENATOR SCOTT: Has there been much push back from the other board members with this new decision to bring -- make that kind of change --

MR. ENGLISH: Well, you heard Mr. Williams.

SENATOR SCOTT: Yeah, I did. That was troubling.

MR. ENGLISH: Yeah. He was probably the biggest push back. I think with buyouts we discussed that in our board conference call, and everybody, you know, was a little concerned, but, you know, we ended up voting for Mr. Paris' contract, and I had to add to it is that -- what you've already spoken about is that, you know, you bring in a person that's going to be on the lowest end of the totem pole when it comes to SEC coaches. He's going to be the least amount -- make the least amount of money.

SENATOR SCOTT: You're correct.

MR. ENGLISH: So, you know, I don't think that that should be something that we hold against Ray Tanner yet, but I'm sure he's got the opportunity -- Coach Paris has got the opportunity to earn money, to increase his salary.

SENATOR SCOTT: I hope if you remain on this board, you continue to educate your board and colleagues on the board, you get what you pay for --

MR. ENGLISH: And I agree with that. I agree with that, and, you know, I feel that, you know, it's important to have that diversity on the board so that you can get another perspective, you know, of what your stakeholders may think and what your stakeholders may be looking for. And I think I offer some of the perspective. We've got one other African American board member, and that's Lea Moody, who's also very much into representing all students, but making sure that we make

that point that we have to represent all of our stakeholders, and we have to be concerned with everybody.

SENATOR SCOTT: In looking at what coaches get paid in the SEC, the top was Kentucky at 8.6. It ranges to about three million dollars, for those who have not done their homework. And the bottom -- last on the list was the 2.2. And I hope as time progresses on we at least pay coaches what coaches make in the SEC. Now there are other schools. When you add the other teams I have mentioned pay a whole lot more than that. And so if you're going to get winning coaches, I hope you will continue to educate them, and you've had a chance to play college ball, professional ball just like a professional ballplayer. If I'm good, you don't pay me, I'm leaving and going some place else -- some place else to be paid. No stacking in the bleachers. You've got to pay the coaches, especially if they bring recruits. Thank you so much for your willingness. I've seen in the last year and a half some movement than I've seen at the university before. Thank you.

MR. ENGLISH: Thank you.

THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Mr. English, thank you for being here today.

MR. ENGLISH: Yes, sir.

SPEAKER LUCAS: I brag all the time that you and I were in Bates House together at USC.

MR. ENGLISH: We're getting ready to get rid of it.

SPEAKER LUCAS: Oh, my gosh.

MR. ENGLISH: Yes.

SPEAKER LUCAS: Just a few questions to kind of clarify some earlier testimony. You serve on the board, and the board elects the president; is that correct?

MR. ENGLISH: Yes, sir.

SPEAKER LUCAS: And the president appoints or hires an athletic director; is that correct?

MR. ENGLISH: Yes, sir.

SPEAKER LUCAS: And when there are contracts involving coaches, the athletic director brings those contracts to the board for approval; is that the way it goes?

MR. ENGLISH: Yes.

SPEAKER LUCAS: Okay. So the athletic director doesn't approve the contract and then show them to the board. He actually has to have board approval of the contract, I believe, over a certain amount; is that correct?

MR. ENGLISH: Yes, but the -- I guess the athletic director bases the contract on what else is in the SEC, what other coaches make and kind of, I guess, sets the price or sets the salary and brings it to the board, yes.
SPEAKER LUCAS: If you have a buyout in the contract, the buyout usually comes into play when the coach fails; would that be right?
MR. ENGLISH: Usually.
SPEAKER LUCAS: And Coach Paris it looks like to me may not have to worry about that buyout because he's incredibly talented, and I think he's going to do good things at USC.
MR. ENGLISH: Yes, sir, I am hoping he will.
SPEAKER LUCAS: Thank you, Mr. English.
MR. ENGLISH: Thank you.
THE CHAIRMAN: Representative King?
REPRESENTATIVE KING: Thank you, Mr. Chairman and thank you for your service, Mr. English. How long have you been on the board?
MR. ENGLISH: I think it's about a year and a half now. I was before y'all about a year ago.
REPRESENTATIVE KING: Okay. I just wanted to make sure our information was correct, yes, sir.
MR. ENGLISH: Uh-huh.
REPRESENTATIVE KING: I thought you were fairly new. I want to go back and ask you a question. Senator HARPOOTLIAN asked the Chairman a couple of questions, but I want to ask you something in reference to maybe your presence at maybe an event. Were you present in Atlanta with Lou Kennedy?
MR. ENGLISH: Yes.
REPRESENTATIVE KING: Did you witness the episode between the Chairman and Ms. Kennedy?
MR. ENGLISH: Kind of glancing. You know, it was at the end of our meeting, and everybody was moving around, but, yes.
REPRESENTATIVE KING: Was Ms. Kennedy's interpretation incorrect?
MR. ENGLISH: Not incorrect. You know, it was --
REPRESENTATIVE KING: Do you think she overreacted?
MR. ENGLISH: I think she was very -- you know, she was very concerned, you know, to be -- you know, she felt like she was mistreated, and, you know, that's what she felt, so --
REPRESENTATIVE KING: Thank you for answering those. My next question to you, being one of two African Americans on the board, do you think that the board has done or is doing a decent job, a good job or

great job when it comes to diversity and inclusion and equity? And if not, or if they are, where can we do better?

MR. ENGLISH: Well, in most instances I think we've done pretty good. You know, one of the things that I was concerned about was making sure that when we hire people we make sure that we've got, you know, minorities included in the pool. And, you know, with Ray Tanner handling -- giving the job to Mr. Paris, I feel comfortable about that. I still feel that there are instances where, you know, we have to be more focused when it comes to -- not just focus but understanding -- and we've got to be more focused and understanding when it comes to the rules.

REPRESENTATIVE KING: I know a lot of talk today has been about the athletic department, but let's talk about senior level positions.

MR. ENGLISH: Uh-huh.

REPRESENTATIVE KING: The administration. What percentage of senior level positions are African American?

MR. ENGLISH: I couldn't tell you that, sir.

REPRESENTATIVE KING: Do you know of any senior level positions, and if so, how many can you think of that are held by African Americans?

MR. ENGLISH: Well, I know V.P. Julian Williams, who is the head of our diversity, equity and inclusion, and Larry -- yes, Larry Thomas is our communications. Those are senior level positions that I think are very important.

REPRESENTATIVE KING: What bothers me is that we have to think, because there's only two.

MR. ENGLISH: And that, too, is a big improvement over the last few years.

REPRESENTATIVE KING: Hopefully y'all will do better things.

MR. ENGLISH: Thank you, sir.

THE CHAIRMAN: Senator HARPOOTLIAN.

SENATOR HARPOOTLIAN: Mr. English, thank you for your service on the board.

MR. ENGLISH: Thank you.

SENATOR HARPOOTLIAN: April the 3rd, today and prior to today. It's obviously not an easy job. I'm intrigued by the fact you were present during the Lou Kennedy, Chairman Smith discussion, and I'm not quite sure that Representative King asked you the ultimate question, which is, she was upset?

MR. ENGLISH: Yes.

SENATOR HARPOOTLIAN: Did you see why she was upset:

MR. ENGLISH: Yes. You know, she was --

SENATOR HARPOOTLIAN: Okay. Well, tell me what you saw.
MR. ENGLISH: Well, she was upset with the interchange between --
SENATOR HARPOOTLIAN: Yeah, but what was the interchange?
MR. ENGLISH: The interchange I know that Chairman Smith had mentioned, you know, something to her about the committee, and, you know, and I guess, you know, in his voice -- it was raised, and she felt, you know, that it wasn't necessary.
SENATOR HARPOOTLIAN: Was it dismissive, the tone, dismissive?
MR. ENGLISH: I think she felt that way.
SENATOR HARPOOTLIAN: Did you feel that way?
MR. ENGLISH: Like I said, I was at the end of the meeting, and I was moving around, and I noticed, you know, that it was happening, and, you know, she had -- I think she had a reason and a right to feel that she was being, not necessarily dismissed, but I think she felt --
SENATOR HARPOOTLIAN: Disregarded?
MR. ENGLISH: I think that's the way she felt.
SENATOR HARPOOTLIAN: And Chairman Smith indicates it was basically -- did you fly back on the plane with them?
MR. ENGLISH: No, I didn't.
SENATOR HARPOOTLIAN: They didn't ask you on the plane?
MR. ENGLISH: I don't like flying on small planes.
SENATOR HARPOOTLIAN: Smart. So if you had been invited to go on that Caslen trip, you would have driven?
MR. ENGLISH: Probably.
SENATOR HARPOOTLIAN: Yeah. But you believe based on what you saw, Lou Kennedy had every right to be offended?
MR. ENGLISH: I think so.
SENATOR HARPOOTLIAN: Okay, thank you.
THE CHAIRMAN: Thank you, Mr. English. We're not approving any candidates of USC now.
MR. ENGLISH: Thank you, sir.
THE CHAIRMAN: Thank you for your service. All right. Next we've got David Benjamin Graves.
MR. GRAVES: Thank you, Mr. Chairman.
THE CHAIRMAN: If you'll just state for the record your full name.
MR. GRAVES: David Benjamin Graves.
THE CHAIRMAN: Raise your right hand. We'll hear a brief statement of why you'd like to serve. Daniel Benjamin Graves, having been first duly sworn, was examined and testified as follows:
MR. GRAVES: Thank you so much for letting me be here. I have served proudly on the development foundation board for USC for four years. I

served on the USC commission on higher education for Spartanburg County prior to that. I graduated from South Carolina Honors College in 1996, and the USC School of Law in 2000. I've been in private practice as an attorney and then got into the real estate development business where I ran one of the largest family offices for a very successful entrepreneur in South Carolina, and then started my own development company four years ago that's enjoyed rapid growth. And I'm frankly here -- I'm soon to be a third generation Gamecock with my son as an incoming freshman. You know, I just believe in throwing my hat in the ring if I feel like I can be helpful frankly. And in this case, I've enjoyed the service there to the commission on higher education in Spartanburg and the development foundation board, primarily involved in the property committee, helping to grow the physical campus and hopefully bring a business pragmatism, you know, a responsibility of how you manage a P&L for a company that I'm responsible for solely and would offer myself for service if you think I'd be a good candidate.

THE CHAIRMAN: Okay, thank you. Staff, any information to share with us?

MS. WEBB: I do not have anything based off the file that you submitted, but I will do the same with you. Can you please state your home address for the record?

MR. GRAVES: That's 109 Coleman Hill Drive, Spartanburg, South Carolina.

MS. WEBB: Thank you. And you pay a four percent or six percent yearly?

MR. GRAVES: Four percent.

MS. WEBB: Thank you.

THE CHAIRMAN: Questions? Senator SCOTT.

SENATOR SCOTT: Yes, sir. Thank you for your willingness to serve. You've had four years to make some observations in terms of what's going on proves you actually see that encouraged you to want to be on this board, and what do you think you actually bring to this board during a time it's having a lot of questions spending, diversity issues, growing and making historic changes --

MR. GRAVES: Yes, sir.

SENATOR SCOTT: And you said you're a developer, so tell me a little bit about how you think all this is going -- and an attorney -- that's going to fit into the growing changes at the university.

MR. GRAVES: Well, it's been very educational to see the things we could do to help with growth to the campus. The development foundation board actually developed the 650 Lincoln property that was

recently renamed for Ms. Saxon. We're very proud of the role we played in that. We're also looking at student housing opportunities we can do to help facilitate growth for the campus and provide, you know, a larger nest egg to grow the endowment. We're also involved in parts of putting together the puzzle, if you will, for the health science campus. So those roles have been the places that I've had the most impact, but it's allowed me to, you know, interact with people like Ed Walton, who is the CFO of the USC enterprise altogether and learn about growth and things that I think can allow me to be more effective.

SENATOR SCOTT: What about diversity? I mean, you're going to be faced with those issues. Do you have any background, training, understand how that process actually works?

MR. GRAVES: I've served on nonprofit boards in Spartanburg. I've had some informal training in that regard. I would say I'm a conscientious student in that regard, enjoy learning --

SENATOR SCOTT: So you've got a lot to learn is what you're saying?

MR. GRAVES: I would say I have a lot to learn. I think in a lot of cases folks in my position have a lot to learn.

SENATOR SCOTT: Okay, thank you, Mr. Graves.

THE CHAIRMAN: Senator HARPOOTLIAN.

SENATOR HARPOOTLIAN: So on the development -- tell me what the development board is. What is it you do over there?

MR. GRAVES: Sure. Well, we have -- it's tied into the educational foundation, Senator HARPOOTLIAN. You know, we can actually move forward with purchasing property and facilitating growth with our own funds, you know, tied to the educational foundation endowment. So it provides a vehicle to move quickly and pick up property in the path of progress, work with the university, fulfill its mission.

SENATOR HARPOOTLIAN: Did y'all own the property on Wheeler Hill that was recently conveyed to a private developer in developing that?

MR. GRAVES: That's correct, sir.

SENATOR HARPOOTLIAN: Okay. Now I know what y'all do. Well, let me ask you this. How long have you been on the development board?

MR. GRAVES: This is my second term, approximately four years.

SENATOR HARPOOTLIAN: And so, do you have interaction -- you said Ed Walton, but do you have interaction with any other member of the USC community?

MR. GRAVES: We've had -- the president comes and speaks to us about twice a year I would say. So, you know, we had had interaction that

way. We've also talked to Derrick Renner, the USC architect, about some of the facilities issues that we've dealt with.

SENATOR HARPOOTLIAN: So let me ask you this. And you sat here and listened to our discussions?

MR. GRAVES: Yes, sir.

SENATOR HARPOOTLIAN: And you've read about the Caslen -- I would call a disaster --

MR. GRAVES: Of course.

SENATOR HARPOOTLIAN: -- perhaps some of us would rather put lipstick on a pig and the issue about Muschamp being fired and paying him 13 million dollars not to work. Do you have any opinions about, first of all, Muschamp, paying him 13 million not to work? Is that a good thing?

MR. GRAVES: No, it's not a good thing. And I live in a world where we have to be responsible for our decisions, and I -- you know, the idea of paying someone not to do a good job, unfortunately, is something that I would strongly disagree with.

SENATOR HARPOOTLIAN: So if a contract came before you on the board, and of course what they're going to tell you is this is what happens in the SEC, you've got to pay this money to get a decent coach, and that's the athletic department representing that. I mean, are you going to ask further questions, are you going to delve into this, or are you just going to do whatever you're told the athletic department says is that's what everybody else does?

MR. GRAVES: No, sir, I'm not here to maintain the status quo. I would definitely investigate that. It's something to where I -- I believe in alignment of interests and meritocracy in pay. And so if you do a good job, and we can provide an incentive for you to get paid more for doing a good job, I am all in favor of that. I am absolutely not in favor of the reciprocal.

SENATOR HARPOOTLIAN: Which is paying somebody to do a bad job?

MR. GRAVES: Correct.

SENATOR HARPOOTLIAN: And let's talk about Caslen for just a moment. You've heard more today than probably most people know --

MR. GRAVES: Yes, sir.

SENATOR HARPOOTLIAN: -- the fact that the decision of hiring him was so fractured to begin with, the faculty and the students opposed to it. It was a one vote margin by the board. Was that a good thing? Was that something you would want to participate in?

MR. GRAVES: You know, it was very interesting to sit here and listen to that, right. And it's always -- you know, there is perfect clarity from hindsight looking back at that, but, no, I would say you certainly want to build, you know, continuity and a super majority of belief in the direction the university's headed.

SENATOR HARPOOTLIAN: Do you serve on any boards of directors?

MR. GRAVES: No.

SENATOR HARPOOTLIAN: Okay. Have you been around any corporate boards of directors?

MR. GRAVES: Yes.

SENATOR HARPOOTLIAN: Do they operate like this? MR. GRAVES: No.

SENATOR HARPOOTLIAN: So this would not be tolerated in the private sector?

MR. GRAVES: It would not.

SENATOR HARPOOTLIAN: Thank you. I have no further questions.

THE CHAIRMAN: Thank you, sir.

MR. GRAVES: Thank you.

THE CHAIRMAN: We will make a decision on approval at a later date.

MR. GRAVES: Thank you, sir.

THE CHAIRMAN: Next we have Henry Levy Jolly, Jr. Will you state for the record your full name?

MR. JOLLY: My name's Henry Levy Jolly, Jr.

THE CHAIRMAN: And if you'll raise your right hand, I'll swear you in. Henry Levy Jolly, jr, having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: Okay. Just make a brief statement on why you would like to be elected to the USC board.

MR. JOLLY: Well, first off, I'd like to thank y'all for allowing this opportunity for me to be here. I live in Gaffney. I'm in the Seventh Judicial Circuit, which is Cherokee and Spartanburg. I have been on the USC board of visitors. I've also served as a trustee at Limestone College, now Limestone University. And I was just appointed to the Spartanburg County Commission of Higher Education as the Cherokee County representative, but I'd like to serve the university that gave so much to me. So that's the reason I'm here.

THE CHAIRMAN: All right. Staff, have any information for us?

MS. WEBB: Hi, good afternoon, Mr. Jolly. I don't have anything based off of your file, but just as we have previously done, can you please state your home address for the record?

MR. JOLLY: It's 312 Silver Circle, Gaffney, South Carolina.

MS. WEBB: Thank you. And do you pay your four percent of six percent?
MR. JOLLY: Four percent.
MS. WEBB: Thank you.
THE CHAIRMAN: Questions of Mr. Jolly? No questions. All right. Thank you, sir.
MR. JOLLY: Thank you.
THE CHAIRMAN: We'll let you know at the appropriate time.
MR. JOLLY: Appreciate it.
THE CHAIRMAN: Yes, sir. Next up we have John C. Von Lehe, Jr. Welcome, sir. If you'll state your full name, and I'll swear you in.
MR. VON LEHE: Thank you. John Christopher Von Lehe, Jr.
THE CHAIRMAN: If you'll raise your right hand. Give us a brief statement of why you'd like to continue. John C. Von Lehe, having been first duly sworn, was examined and testified as follows:
MR. VON LEHE: Thank you. If I may, I'll read it. It is brief. I left my home in St. George in 1961 to go to the University of South Carolina. We just called it the university back then. I never left it. Seven years of education, ten years of teaching in the business school as an adjunct professor, then I was elected to the board in 1998. I was the chairman from 2016 through 2020. I hope to be able to serve another term as chairman emeritus. I think the institutional knowledge that I've gained during my tenure is important to governing of the institution. I hope to have been a credit to the board in both good times and bad. Yes, we faced obstacles over the presidential search, but we now have a great tried and true president in Michael Amiridis, with whom I've worked closely before. For example, in the establishment of the Greenville Medical School, which while I was chairman of the health affairs committee. By the way, as you know, the Greenville school has no state funding. It's probably unique in that regard in a medical school that I've ever heard of. I know the university is in good shape, both academically and financially, so I'm humbly proud of my service to my alma mater, and I'd like to continue that service. I would like to mention one thing in my application. Reading back over it and double checking a couple of facts, in number 9 I said that online education was roughly the same tuition expense as being present at the university. That's not accurate. Per semester tuition at university for a student who personally attends is $6,344.00. If instead you are online, and you don't actually attend the university, not physically, then it's about $1,000.00 cheaper or somewhere around $5,344.00.
THE CHAIRMAN: Staff, any information?

MS. WEBB: Good afternoon, Mr. Lee. I didn't find anything based off of your file that I would have any questions to ask you about, but the same that we have done, can you please confirm your home address for the record?
MR. VON LEHE: 331 Banfield Drive, Mt. Pleasant.
MS. WEBB: Thank you, sir. And is this your four percent or six percent address?
MR. VON LEHE: Four percent.
MS. WEBB: Thank you, sir.
THE CHAIRMAN: Questions? Senator HARPOOTLIAN.
SENATOR HARPOOTLIAN: So you were the chairman of the board during the selection of Caslen; is that correct?
MR. VON LEHE: That is correct.
SENATOR HARPOOTLIAN: And I'm trying to understand, and I haven't quite gotten a clear understanding on how that process worked or didn't work. Did you go on that airplane trip to Florida?
MR. VON LEHE: I did not, and the reason for that, if I may.
SENATOR HARPOOTLIAN: Sure.
MR. VON LEHE: I was not on the presidential search committee. It was the policy of the board up until that time not to allow the chairman of the board to be on the presidential search committee. That's been changed, I think, quite correctly, but that was the policy, so I was not a member of that committee. I did not attend any of the committee meetings because I wasn't a member of the committee.
SENATOR HARPOOTLIAN: So there was a presentation of four finalists; am I correct on that?
MR. VON LEHE: Yes, correct.
SENATOR HARPOOTLIAN: And Caslen was one of them?
MR. VON LEHE: Yes.
SENATOR HARPOOTLIAN: And Mr. Tate was one of them?
MR. VON LEHE: He was.
SENATOR HARPOOTLIAN: And there was a -- I think from everything I've read in the press indicates that Eddie Floyd from Florence was unwilling to go forward at that point. He wanted to get more of a consensus, thought they were too divided; is that accurate?
MR. VON LEHE: I think that's generally accurate. I think most of the board felt the same way.
SENATOR HARPOOTLIAN: And so was it a decision to hire an interim president?
MR. VON LEHE: There was.

SENATOR HARPOOTLIAN: And y'all offered the job to the president of the upstate campus?
MR. VON LEHE: That's correct.
SENATOR HARPOOTLIAN: And he accepted?
MR. VON LEHE: That's correct, Brendon Kelly.
SENATOR HARPOOTLIAN: And Mr. Kelly started a couple weeks later?
MR. VON LEHE: That's correct.
SENATOR HARPOOTLIAN: And I think he even bought a house here, do you know?
MR. VON LEHE: Was not aware of that, but I'm not surprised. That would have been what I would have expected or get a lease or rent.
SENATOR HARPOOTLIAN: And within 30 days -- actually it was 34 days after that, after you offered the job to him, y'all offered the job to General Caslen; is that correct?
MR. VON LEHE: That sounds about right.
SENATOR HARPOOTLIAN: So I guess what I'm trying to figure out is, what happened in that 34 days from we need to take more time and, you know, executing the decision to hire Caslen. Now let me back up for a second. Did y'all not also decide to hire a company that participated in a presidential search for Clemson?
MR. VON LEHE: Yes. The one that we had, we didn't feel that they had fulfilled what we needed. We were going to hire a second presidential search committee, but I don't think that ever happened.
SENATOR HARPOOTLIAN: So what was it about that original group that you said didn't fulfill their obligation? What was it they hadn't done?
MR. VON LEHE: Well, they didn't have a woman candidate for one thing.
SENATOR HARPOOTLIAN: Yeah, that didn't get corrected. What else?
MR. VON LEHE: They -- the methodology that they used, which has been successful in some schools, wasn't successful for us, and that's bring everybody to town, introduce them to everybody, faculty, students, community leaders. A lot of people won't do that because they're afraid they will lose the job where they currently are. So that type of a search, I don't think, is a good one.
SENATOR HARPOOTLIAN: Well, the second time -- well, y'all did more recently, you offered the job to - - I forget the gentleman's name - -
MR. VON LEHE: Amiridis.

SENATOR HARPOOTLIAN: No, no, before him.
MR. VON LEHE: Yes, Mung Chiang, I believe it's pronounced.
SENATOR HARPOOTLIAN: Right. And once it became public, he decided not to come, correct?
MR. VON LEHE: Yeah. It was said a little bit earlier today, which is quite accurate, he wanted to come, but his family situation was such that he couldn't do it.
SENATOR HARPOOTLIAN: Well, he didn't know that before he accepted? MR. VON LEHE: No.
SENATOR HARPOOTLIAN: Huh.
MR. VON LEHE: Apparently. I certainly think not.
SENATOR HARPOOTLIAN: So based on what I've read in the press, it was like three or four days after he accepted, and then he reproved; is that --
MR. VON LEHE: Something like that. His mother in law was sick. I remember that. She was --
SENATOR HARPOOTLIAN: Was she not sick when he accepted it?
MR. VON LEHE: Unknown to me. Unknown to me.
SENATOR HARPOOTLIAN: But it certainly was embarrassing, was it not?
MR. VON LEHE: Well, no. I wasn't embarrassed about it. I mean, we thought he was the better candidate. We voted to hire him. Said he wanted the job, and then he changed his mind because he had a family situation, so I wasn't embarrassed about it.
SENATOR HARPOOTLIAN: But let's go back to Caslen. I mean, with Caslen, you brought all four of those folks to Columbia, everybody that was approved, and made them available to the faculty and the students and to the board to talk to --
MR. VON LEHE: We did.
SENATOR HARPOOTLIAN: The four were publicly known, were they not?
MR. VON LEHE: Well, they -- it was publicly known, yes. They met with large groups of people.
SENATOR HARPOOTLIAN: I mean, at some point a number of faculty and students objected -- before you narrowed it down, objected to General Caslen, correct?
MR. VON LEHE: Yes. It was something like the night before the -- that April 29, I think it was, the first election of those candidates. It was something like the day before -- Charles Williams testified to this accurately a little earlier today -- something like the day before or something like that that this search firm gave us all of these

questionnaires, and I remember the night before that failed election attempt, when it didn't -- when there was no election -- I remember through that stuff the night before.

SENATOR HARPOOTLIAN: And that was the meeting at which y'all decided to look further?

MR. VON LEHE: Postpone, yes, to get an interim, yes.

SENATOR HARPOOTLIAN: Right. They took the 34 days, the 30 days plus.

MR. VON LEHE: Yes, that's correct.

SENATOR HARPOOTLIAN: Okay. And during that period of time student and faculty opposition did not collapse. As a matter of fact, it got worse, did it not?

MR. VON LEHE: I think it would have, yes, yes.

SENATOR HARPOOTLIAN: And so did you receive a call from the governor at the governor's office?

MR. VON LEHE: I did not receive a call from him. I was invited to come to his office, which I did.

SENATOR HARPOOTLIAN: Who did you meet with there?

MR. VON LEHE: I met with the governor, his chief of staff, Gene Warr and three trustees.

SENATOR HARPOOTLIAN: And the purpose of the meeting was for the governor to convince you that Caslen would be a great president?

MR. VON LEHE: I would agree with that.

SENATOR HARPOOTLIAN: That that's why he had you there, to convince you of that?

MR. VON LEHE: That was what he proposed when we were there. That's what he believed.

SENATOR HARPOOTLIAN: And --

MR. VON LEHE: He was chair -- if I may, he was chairman of the board. That's the way it's set up. The governor is chairman of the board of trustees of the University of South Carolina.

SENATOR HARPOOTLIAN: He's ex officio?

MR. VON LEHE: Ex officio chairman of the board.

SENATOR HARPOOTLIAN: But you were the chairman of the board?

MR. VON LEHE: I was indeed.

SENATOR HARPOOTLIAN: So who's chairman of the board, him or you?

MR. VON LEHE: Well, that was a good question.

SENATOR HARPOOTLIAN: That's why I'm asking it.

MR. VON LEHE: I asked our lawyer that --

SENATOR HARPOOTLIAN: Yeah.

MR. VON LEHE: -- and he said if the governor comes to a meeting, he's chairman of the board, you get out of that chair, and I said, okay.
SENATOR HARPOOTLIAN: Did the governor come to a meeting?
MR. VON LEHE: Did he come, no. SENATOR HARPOOTLIAN: No.
MR. VON LEHE: But I did ask --
SENATOR HARPOOTLIAN: So --
MR. VON LEHE: -- but I did ask, but I did ask, because I mean --
SENATOR HARPOOTLIAN: But he had no authority unless he showed up, correct?
MR. VON LEHE: That's correct.
SENATOR HARPOOTLIAN: So -- and he wanted y'all to do his bidding. He didn't want to come do it, right?
MR. VON LEHE: I wouldn't say that. He didn't come. I'm glad he didn't, because as was pointed out earlier today, which is certainly true, the accreditation committee looks very poorly on any political involvement.
SENATOR HARPOOTLIAN: Now --
MR. VON LEHE: Sachs is the name, the Southeastern Accreditation.
SENATOR HARPOOTLIAN: So do you ultimately end up voting for Caslen?
MR. VON LEHE: Did I?
SENATOR HARPOOTLIAN: Yes.
MR. VON LEHE: Yes, I did.
SENATOR HARPOOTLIAN: And was that -- I mean, you didn't go to Florida. Did you meet with him any other time other than that initial --
MR. VON LEHE: Yes. I had a meeting with him when the group was brought to town. I met with Dr. Bill Tate, who was the other candidate who has been mentioned, who was another one of the -- there were two basically who were above the others in the estimation of those other trustees. One of them was Professor Bill Tate, who was at Washington University at that time, and as you know, he's now president of -- I think it's Tennessee. No. Anyhow, it doesn't matter right now, but I did meet with both of them, yes.
SENATOR HARPOOTLIAN: And what was it about General Caslen that convinced you in not having any real academic background except being a commandant at West Point -- what convinced you that he could run a liberal arts mega university after having run a very small military school?
MR. VON LEHE: Well, academically, I believe he was qualified. That's where I disagree with many of the faculty members, because the bylaws say Ph.D. or other terminal degree. For example, a

law degree is a terminal degree. A medical degree is a terminal degree, and he had an MBA, masters in business administration. And that is commonly referred to as a terminal degree.

SENATOR HARPOOTLIAN: Where was that MBA from?

MR. VON LEHE: I can't remember. I don't remember.

SENATOR HARPOOTLIAN: So you decided he was more qualified than other candidates who did have Ph.D.'s, who had a background in dealing in managing liberal arts colleges, right?

MR. VON LEHE: I did. Bill Tate was a great candidate, obviously, from where he is now today. He was a great candidate. He was head of the graduate school at Washington University in St. Louis, so called Harvard of the West, so it's a good school.

SENATOR HARPOOTLIAN: Yeah.

MR. VON LEHE: And he was head of the graduate school there. So I mean, I think he was qualified, but he had never been a president of a major university, and he had never been a provost. So I felt General Caslen was more qualified.

SENATOR HARPOOTLIAN: Was hiring him a mistake?

MR. VON LEHE: Again, that depends on the times, you know, it --

SENATOR HARPOOTLIAN: And I'm talking about as you look back on it -- I mean, I've made all kinds of mistakes in my life.

MR. VON LEHE: If I knew what I know today, I wouldn't, and he wouldn't take the job either. So this is --

SENATOR HARPOOTLIAN: Looking back on it, the very close split decision of the trustees -- I mean, that was the reason y'all didn't have the vote 30 days earlier, because you were trying to get a consensus --

MR. VON LEHE: That is true.

SENATOR HARPOOTLIAN: -- and it never happened, correct?

MR. VON LEHE: That is true.

SENATOR HARPOOTLIAN: And what was the hurry?

MR. VON LEHE: I'll tell you what it was. The governor told us that President Caslen had been offered another job and that he had to make a decision on whether or not to take that job or not. I then called President Caslen, and I asked him about this, not that I didn't believe what the governor said, I just thought it was my responsibility. And he said, yes, that he had until a certain time, which was something like about a week or something like that away, in order to accept that job or not accept it. And I said, okay, thank you. And so that was the hurry. It was either -- it was either vote for him or let him go. It wasn't a question of, look, if you postpone this, he'll still be in the pool, and you can look for other

people. It was either hire him or not hire him. So we had a board meeting and --

SENATOR HARPOOTLIAN: So a one vote margin was just fine to land this whale, right?

MR. VON LEHE: Yes.

SENATOR HARPOOTLIAN: And that was, in your opinion, not a mistake?

MR. VON LEHE: Again, if I --

SENATOR HARPOOTLIAN: I'm talking about what you knew then.

MR. VON LEHE: At that time, it was not a mistake.

SENATOR HARPOOTLIAN: And the governor's expertise in hiring a president of the university -- how many university presidents has he participated in the hiring of?

MR. VON LEHE: I hope just one.

SENATOR HARPOOTLIAN: We hope to keep it there anyway, right?

MR. VON LEHE: I'm sure today, you know, things wouldn't be done the same way --

SENATOR HARPOOTLIAN: Were you talking --

MR. VON LEHE: -- I guarantee that for myself.

SENATOR HARPOOTLIAN: -- were you talking to Trey Walker at all?

MR. VON LEHE: He was there that day.

SENATOR HARPOOTLIAN: Did he indicate to you any political motivation?

MR. VON LEHE: He did not.

SENATOR HARPOOTLIAN: He didn't indicate to you that if you -- there was email between him and Mark Westbrook in which he talked about Beto O'Rourke and our friends on the left, all kinds of political things. He never did that with you?

MR. VON LEHE: He did not.

SENATOR HARPOOTLIAN: Well, I mean, do you now admit that the hiring of Caslen and how it went was a disaster, not good for the university.

MR. VON LEHE: And in some ways it was good for the university, and I'll tell you how. It's been mentioned today that President Caslen really was the right man at the right time during COVID. He did a great job. The faculty embraced him. I mean, I was with him almost -- I wouldn't say daily, but just about every other day we would have some conversation about something. So I thought he did an excellent job during that difficult, difficult period, and then it sort of all went up in smoke with that graduation and that plagiarism and all problem. It was

one of the worst days of my life and certainly as far as the university's concerned, but I thought President Caslen did a great job.
SENATOR HARPOOTLIAN: Really?
MR. VON LEHE: I certainly did.
SENATOR HARPOOTLIAN: Other than COVID, what else did he do?
MR. VON LEHE: Well, he united. He united the university for one thing. He was well liked by the faculty. By the time all of this happened, he had "won the faculty over." He was well liked by faculty and the students.
SENATOR HARPOOTLIAN: That didn't appear to be the remarks that we read in the paper from faculty members about plagiarism, because plagiarism typically is awarded with expulsion at an institution of higher learning, is it not?
MR. VON LEHE: That's what happened to him, basically.
SENATOR HARPOOTLIAN: Well, he didn't get expelled. He left on his own steam.
MR. VON LEHE: Well, that's a major different certainly, but nevertheless he left. He left because of the plagiarism.
SENATOR HARPOOTLIAN: And his comments about the university were just horrible, were they not?
MR. VON LEHE: Most unfortunate.
SENATOR HARPOOTLIAN: What was unfortunate about them?
MR. VON LEHE: Well, for one thing, I lived through those years with him, and I worked with him hand in hand and saw people come around to support him during all of these times, and --
SENATOR HARPOOTLIAN: He didn't think so.
MR. VON LEHE: No, he didn't, but I had a different outlook on that.
SENATOR HARPOOTLIAN: Well, but he was the guy that would have been the beneficiary of that, and his attitude was -- I mean, he did -- email he sent to the president of S.C. State pulled no punches whatsoever, horrible place. I don't know why anybody would ever come here. The board of trustees, the students, the faculty were all not supportive of me. I mean, that's what he said in candid conversations with the president of S.C. State, right? You read all that.
MR. VON LEHE: I did not read that. I read probably worse, but I don't happen to agree with that. That's the way -- if that -- I was not aware he felt like that during the time that I spent with him. Let's put it like that.
SENATOR HARPOOTLIAN: You're aware of it now.
MR. VON LEHE: Pardon?
SENATOR HARPOOTLIAN: Are you aware of it now?
MR. VON LEHE: Yes.

SENATOR HARPOOTLIAN: So obviously --
MR. VON LEHE: Well, that's what he said. That's what he said.
SENATOR HARPOOTLIAN: Do you think he was right?
MR. VON LEHE: That's what he believes.
SENATOR HARPOOTLIAN: Well, his belief is based on his experience. His experience, you know, to quote him, it sucked. That was his --
MR. VON LEHE: My --
SENATOR HARPOOTLIAN: -- that's an exact quote.
MR. VON LEHE: But it was a hard road. I certainly will admit that. I was a very hard road, especially at first, especially at first.
SENATOR HARPOOTLIAN: So you'd do exactly what you did back then, knowing only what you knew back then. You'd hire him again --
MR. VON LEHE: Yes, I would.
SENATOR HARPOOTLIAN: -- by a one vote margin? You'd do that?
MR. VON LEHE: Yes, I would.
SENATOR HARPOOTLIAN: Okay. Let me move on to one other area. I'm going to be brief on this. We have talked about the Muschamp buyout.
MR. VON LEHE: Yes.
SENATOR HARPOOTLIAN: What we don't -- were you on the board when you approved that contract to begin with?
MR. VON LEHE: I was.
SENATOR HARPOOTLIAN: And that contract could have entitled him to an 18 million dollar buyout, right, the year before, right?
MR. VON LEHE: I don't recall that. I don't know the answer to that.
SENATOR HARPOOTLIAN: Well --
MR. VON LEHE: It could well be right. It could --
SENATOR HARPOOTLIAN: -- it was significantly more than the 13 you paid?
MR. VON LEHE: Yes.
SENATOR SCOTT: 15.3.
SENATOR HARPOOTLIAN: Okay. 15.3, I'm corrected by Senator SCOTT. So y'all kept him on for another year. Things didn't get any better, and you decided or the -- I'm trying to figure this out - - the athletic director decided time for him to go. It was worth 13 million dollars to pay him not to work; is that correct?
MR. VON LEHE: That's correct.
SENATOR HARPOOTLIAN: And then the university board made ten million dollars available to the athletic department, which facilitated that buyout?

MR. VON LEHE: That's my understanding, yes.
SENATOR HARPOOTLIAN: Okay. And that ten million dollars was appropriated dollars or tuition dollars?
MR. VON LEHE: You know, the thing about it is this. Generally speaking, even though we keep a separate set of books for the athletic department, there are no athletic department funds. Every dime at that university belongs to the University of South Carolina, and that includes the athletic department.
SENATOR HARPOOTLIAN: Well, I thought that one of the things that I've been told over the years in the legislature is that the money you spend on a coach, if it's 15 or the one we just signed at 12.5 or whatever, those funds are money generated by the athletic department through ticket sales, TV, all the sort of outside sources. It's not appropriated funds. Am I wrong about that?
MR. VON LEHE: Well, I'd say the appropriated funds go into all the buckets. In other words, there's one big bucket. They all go in the same bucket, the University of South Carolina, but --
SENATOR HARPOOTLIAN: So we as the legislature can limit you on what you pay a coach? We -- we could have a budget provided for this year?
MR. VON LEHE: Oh, yes, yes.
SENATOR HARPOOTLIAN: Would that be helpful?
MR. VON LEHE: No, I -- no, thank you. I think it's better that we handle it ourselves, even though in this particular case it wasn't handled well.
SENATOR HARPOOTLIAN: Okay. So the Muschamp buyout was not handled well?
MR. VON LEHE: I don't think it was. I think it -- I think that buyout was -- the extension of his contract -- you know, we had a good year. We extended his contract. I think we extended it too far.
SENATOR HARPOOTLIAN: But the board voted to do that.
MR. VON LEHE: Optimistic, yes.
SENATOR HARPOOTLIAN: The board voted, so that was a mistake?
MR. VON LEHE: I think it was. I wouldn't have extended it. If we -- again --
SENATOR HARPOOTLIAN: Did you vote to extend it?
MR. VON LEHE: Yes.
SENATOR HARPOOTLIAN: Okay. That's all I have.
THE CHAIRMAN: PRESIDENT ALEXANDER?
SENATOR ALEXANDER: Good afternoon.
MR. VON LEHE: Good afternoon.

SENATOR ALEXANDER: Good to see you. In listening to the dialogue of the senator from Richland, you mentioned the firm, and you didn't think that you got the value or the results from that firm that y'all had contracted with.
MR. VON LEHE: That's true.
SENATOR ALEXANDER: Did I hear that correctly?
MR. VON LEHE: You did, that's true.
SENATOR ALEXANDER: So did they get paid?
MR. VON LEHE: They did. It was $138,000.00, I think. They were paid.
SENATOR ALEXANDER: So there was no way to preclude that if you were not pleased with the results?
MR. VON LEHE: No. No, it wasn't. It wasn't a contingency that was -- they were paid that.
SENATOR ALEXANDER: Okay. Further, just for the record, in your documentation you've noted here that some of your law partners not only are registered, but that your firm that you're affiliated with, does work at USC --
MR. VON LEHE: Yes.
SENATOR ALEXANDER: -- but that's done by normal bidding processes that you're not involved with, correct?
MR. VON LEHE: That would be correct.
SENATOR ALEXANDER: And you don't do any work for the University of South Carolina yourself, correct?
MR. VON LEHE: That is correct.
SENATOR ALEXANDER: Just for the record. Thank you.
MR. VON LEHE: Thank you.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you, Mr. Chairman. My question, it was strange to me that you could remember Dr. Tate's credentials but could not remember Caslen's. Why is that?
MR. VON LEHE: Well, I do remember Caslen's credentials. I don't remember where he got his MBA. My reason with Dr. Tate is because I am also a graduate of Washington University in St. Louis where -- so I had a particular interest in looking at his resume. And when I saw he was head of the graduate school there, I said, well, that's strong, but I do not remember where President Caslen then General Caslen -- don't remember where he got his MBA.
REPRESENTATIVE KING: Were you present in Atlanta?
MR. VON LEHE: I was not.

REPRESENTATIVE KING: Under your leadership as the chair and as a board member, not what the board has done, but what diversity things have you done to promote diversity on campus yourself as a chair, as a board member?

MR. VON LEHE: Well, I've done some, not a whole lot, but I've done some. The school of social work, which has a large number of African American students, that has been the school that I have been most closely associated with that I've endowed a scholarship there. I specify that it go to an African American student. That is -- that's about -- if you want to single out something, which I would like to be able to single out more, but that's certainly the more specific and prominent thing that I've done.

REPRESENTATIVE KING: My last question. I've heard most of the incumbents today say that they were happy that Caslen was there during the pandemic.

MR. VON LEHE: Yes.

REPRESENTATIVE KING: And that was a bright spot of his presence there. What makes you think that one of the other candidates could have not handled COVID?

MR. VON LEHE: Nothing.

REPRESENTATIVE KING: Thank you.

THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Mr. Von Lehe, we thank you.

MR. VON LEHE: Thank you.

SPEAKER LUCAS: Thank you for your service on the board, and we thank you for being the stand up guy in taking these questions, and when asked about it, taking responsibility for your decisions --

MR. VON LEHE: Thank you.

SPEAKER LUCAS: -- I appreciate that.

MR. VON LEHE: There was no where to hide, but thank you very much.

SPEAKER LUCAS: Yes, sir. It's been very rare today when somebody's not pointing at somebody else for something that happened, and you didn't do that. You stood up there, and you told us why you made a decision, and I appreciate that.

MR. VON LEHE: Thank you.

SPEAKER LUCAS: And that's why I hate to ask some of these questions, but I feel like I have to anyway --

MR. VON LEHE: Sure.

SPEAKER LUCAS: -- so I hope you understand that. And I hope you understand that I do have the utmost respect for you, but you were the

chairman of the board at the time Mr. Caslen was elected president of the university; that is correct?
MR. VON LEHE: That is correct.
SPEAKER LUCAS: Okay. And going through the search process, you could tell at the time it was not going well. I believe there was a text attributed to you that said that we as a board are looking awful; do you remember that?
MR. VON LEHE: I do not remember that.
SPEAKER LUCAS: You don't remember that?
MR. VON LEHE: Also, I do not text.
SPEAKER LUCAS: Okay. Well, it probably didn't come from you then.
MR. VON LEHE: Well, probably not.
SPEAKER LUCAS: Regardless of that fact, would you agree that the search did lack for a good bit of continuity, for lack of a better word?
MR. VON LEHE: I would agree.
SPEAKER LUCAS: Yes, sir. And the board was clearly divided on who to select, some wanting President Caslen, some not wanting President Caslen. As chairman of the board, do you bear any responsibility for that?
MR. VON LEHE: I don't bear responsibility for the fact that it was a narrow election. That's up to each individual trustee to vote what they think is best.
SPEAKER LUCAS: Yes, sir.
MR. VON LEHE: And if 11 of them wanted him, which they did and which is what it takes, a majority of the 20 votes -- if 11 of them wanted him, which included me, then as far as I'm concerned his election was proper.
SPEAKER LUCAS: As chair, did it ever occur to you that this level of division may be bad for the university?
MR. VON LEHE: Yes, it occurred to me, I believe sometimes you just have to make a decision and do something, and that time had come.
SPEAKER LUCAS: Did it occur to you that this level of division may have been bad for President Caslen and his future at the University of South Carolina?
MR. VON LEHE: I knew he had a tough road. I thought he could handle it, which quite frankly he did.
SPEAKER LUCAS: Okay. And so as chairman, why would you press ahead with such obvious and open division on the board and try to seek President Caslen as opposed to going to an alternative candidate?

MR. VON LEHE: Well, again, I think we had a good candidate. Well, I think we had an excellent candidate, and I wanted him as president. And I did not know what the board wanted until the vote, but that was it.

SPEAKER LUCAS: Do you think the board was too large? Do you think it was too --

MR. VON LEHE: I do not. I do not.

SPEAKER LUCAS: Tell me why not.

MR. VON LEHE: Well, because if we were to narrow the size -- first of all, the board's 55,000 students. If it were to be narrowed down to one of the proposals I looked at -- that would give us the smallest board of any institution of higher learning, even though we're like, you know, two or three times bigger than any other. So it just -- proportionately, I think it's a bad idea. I think what would happen is if this board were narrowed down, I think it would decrease diversity. Yes, we only have two African Americans on the board, but, who knows, if -- I mean, of course, they could -- you know, they could lose an election anyhow. I understand that, but the bigger the population group is, the less change you have of having an African American elected in a state which is primarily white.

SPEAKER LUCAS: Yes.

MR. VON LEHE: It's just a fact.

SPEAKER LUCAS: Finally, there were some issues about notification for the meeting that President Caslen was elected on?

MR. VON LEHE: Yes, yes.

SPEAKER LUCAS: Could you tell me about your responsibility with regard to notification of meetings?

MR. VON LEHE: Yes, I can. I called for a meeting of the board. Charles brought a -- Charles Williams brought a lawsuit saying that, look, it's got to be ten days. I turned to our lawyer, Terry Parham. I said, Terry, we've never known anything about ten days notice to have a board meeting. He said, yes, there's a special statute that applies only to the University of South Carolina. He was not aware of it. Here's a guy who's an excellent lawyer. If he were standing here with me, he would say the same thing. He had been the head of our legal department for at least 30 years at that particular time. He'd never heard of this statute, but it exists. Charles found it. He brought a lawsuit, so we postponed the board hearing.

SPEAKER LUCAS: Yes. Thank you, Mr. Von Lehe for your testimony.

MR. VON LEHE: Thank you.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: Thank you so much in your willingness to serve. I want to just concentrate a little bit more on what I've heard, about all the different buyouts. And I've been kind of searching to see what some of the other schools were doing. There's all kinds of contractual relationships that are out there. I kind of -- as I looked further I kind a see that y'all have low salaries, but you have longer contracts, and the percentage of the buyouts in many cases may be higher, such as your new coach, 12 million, five years with a 65 percent buyout of eight million dollars. Have you considered in your contract relationships, since -- depending upon where these coaches go, and they take new jobs just like professional contracts, and you take it but it reduces what your buyout is. What I'm watching you doing that I think is creating the heartburn is that they're getting cash buyouts with 15.3 million left in the Muschamp contract. They negotiated down to 12.9. So I guess that was the remaining years or piece of a year to come to the 12.9, and then he took another job at Georgia, I think, making two million, which brings him back to where he needed to be because he negotiated down. But if you get those contracts, it would reduce your obligation, because instead of Georgia two years, three years making two million, you obligation will continue to come down, like professional contracts. According to the SEC there was no written rules in going and looking at all these contracts across the country. All those contracts were very unique, but it may be something that you may want to consider if you're going to continue that practice in the folk not having long tenure at the university.

MR. VON LEHE: We have considered that, Senator, and we have it in many of the contracts. It is in the new -- in Lamont Paris' contract. If he were -- let's say next year he gets us into the Final Four or something like that. All of a sudden he'll be offered a lot of money --

SENATOR SCOTT: Right.

MR. VON LEHE: -- from people, and they're going to have to pay -- if they do -- if he does take that job, they're going to have to pay us. He does, but they will of course step in to take care of that obligation. I did check on Frank Martin's contract. There is no such clause in there since it was renegotiated last year.

SENATOR SCOTT: All right. When you -- no, I don't want to get into all the things with Frank that - - he took a buyout too, because if not, I think that contract would have went to 2024, which that's the six million dollars if he had stayed a little while longer. I think it went into the extension clause, but I'm more concerned -- and I'm not sure all of these contracts. I'm just giving you what I've kind of read and thought I

understood. I want to also look at the attitudes of members of the board. You've had a chance to serve as chairman of the board.

MR. VON LEHE: Yes.

SENATOR SCOTT: And trying to move an aggressive agenda forward. I happen to like your previous president. I thought he did a very good job in bringing members of the General Assembly together, and he did on more than one occasion, really getting to know him. And he was one of the first presidents who reached out and talked about diversity and how important diversity was to the university and was a leader in the community in talking about diversity. I really hated to see him go, but those things do happen. And I'm also looking for to the new president, which I've not had the chance to meet that new president yet to also take on a more positive role to diversity. And I do know from some of the comments I've gotten since I have been on this committee -- I think some eight years now. It's enough for somebody to be able to rotate a couple of times to come. It was not erased very well with another member of your board. So how is it doing now? And I know they come here and they tell us what they think we want to hear, not thinking we've got enough sense to do homework and talk to other people to really find out their attitude in terms of moving a diverse agenda forward. I know some of them did not like the fact the previous president was talking about wanting a diverse USC and everybody trying to maintain the status quo. When you begin to look at a lot of different members beyond members of the General Assembly, especially in the State Senate who would vote reducing your board, leave it the same or even making other kinds of changes on the board. We all have different issues and ideas in terms of how South Carolina should run their flagship university. We expect more out of you than other universities. And so where is the board now with attitudes and personalities and trying to move an aggressive agenda toward having a more diverse University of South Carolina and trying to attract more minorities, both student and faculties, to the university. And I'm not talking about your Buford Chandlers and your Columbia candidate --

MR. VON LEHE: Understood.

SENATOR SCOTT: -- where your large percentage of minority population is.

MR. VON LEHE: Well, I think everybody would like to see an increase in minority representation. And when I saw minority representation, I'm talking about African American.

SENATOR SCOTT: Correct.

MR. VON LEHE: I mean, I'm not talking about women. I'm not talking about Asians, because I looked at all those numbers also in getting prepared for this, but I think the members of the board would like to see that increased, certainly in the hiring and the things that the president does, but still we certainly involved in to some extent. I think we've done a good job in that recently. A couple of examples, and perhaps they were mentioned earlier, we've got two vice presidents who are African Americans. We've got Larry Thomas, who's head of our communications and Julian Williams, who is head of diversity, because one would assume that he would be a minority, but not necessarily.
SENATOR SCOTT: When did those two come on board?
MR. VON LEHE: Fairly recently. I think Julian Williams got there about two years ago. Larry Thomas was last year. We've also hired --
SENATOR SCOTT: Came under the previous president?
MR. VON LEHE: It came under Harris Pastides.
SENATOR SCOTT: Okay.
MR. VON LEHE: We also have two of our chancellors at two of the comprehensive, meaning four year schools. We've got Al Pernot, who you may know down in Beaufort. You may have met him. And a new chancellor, Bennie Harris. He'll be inducted next month. We'll go up to that, and he's head of Upstate.
SENATOR SCOTT: Would you say that 50 percent of your board, 60 percent of your board, 70 percent of your board is progressive in pushing diversity, or is it less than that?
MR. VON LEHE: I think they all are.
SENATOR SCOTT: Okay. Thank you, sir.
MR. VON LEHE: I certainly hope so.
THE CHAIRMAN: Thank you, Mr. Von Lee. We're done with you. Thank you.
MR. VON LEHE: Thank you. Thank you.
THE CHAIRMAN: All right. Next is Thad H. Westbrook. State your full name for the record.
MR. WESTBROOK: Thad H. Westbrook.
THE CHAIRMAN: If you'll raise your right hand, I'll swear you in.
Thad H. Westbrook, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give us a brief reason why you want to be on the board.
MR. WESTBROOK: Thank you, Mr. Chairman. Thank you to members of the committee, and thank you to the General Assembly for giving me the opportunity to serve on the board of trustees. I'll keep this

brief. I know you've been here all day, but, you know, when I first ran for the USC board, I told this committee that I'm committed to help to make the university successful, and I fully support its mission, which is "to educate the state's diverse citizens through teaching, research and creative activity and service." I remain committed to that purpose and look forward to what the university will continue to do to serve our state. I do have other things I could share, but I know it's been a long day.

THE CHAIRMAN: Yeah, thank you. All right. Staff?

MS. WEBB: Mr. Westbrook, I don't have anything based on review of your file. I will have you do the same as everyone else. Can you please state your home address for the record?

MR. WESTBROOK: 107 Ashworth Drive, Lexington, South Carolina 29072.

MS. WEBB: All right, thank you. And is this your four percent or six percent?

MR. WESTBROOK: Four percent.

MS. WEBB: Thank you.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Westbrook.

MR. WESTBROOK: Yes, sir.

REPRESENTATIVE KING: What year is this for you on the board.

MR. WESTBROOK: I'm in my 12th year.

REPRESENTATIVE KING: I think you have been before the committee since I have been on it.

MR. WESTBROOK: Yes, we've spoken before.

REPRESENTATIVE KING: So you know my line of questions.

MR. WESTBROOK: Sure.

REPRESENTATIVE KING: I would like to know what have you done since the last time we met in reference to diversity, you and not the actual board --

MR. WESTBROOK: Board as a whole? Yeah, I've got a few things I would like to mention. I was chair of the strategic planning committee with our new plan, Priority Four, as our diversity equity inclusion priority is one that I advocated for, and it's one that I've continued to monitor to make sure we're seeing growth in African American enrollment. We've had a three percent growth in our freshman class of African Americans this past year, three percent of Hispanic students enrollment in freshman class this past year. We're also putting an emphasis on hiring additional African American minority faculty members. I think it's important that the student body see a faculty that's

reflective of them, and so that's an area of emphasis there. More specific to me, we each have an appointment to the board of visitors. I appointed an African American female, Ms. Candice Jackson Shiver, Pastor Jackson's daughter. She's a leader in our community, and she's an outstanding board member. I've also had the opportunity to speak to the collaborative on race. They had a seminar a little over a year ago, and I thought it was important I was invited, and along with Ms. Moody, I thought it was important to have board presence to be there to speak the collection of individuals that were there attending that conference supported by the collaborative. I had also, previous to Dr. Williams being hired -- I had advocated with Dr. Pastides to elevate the V.P. for diversity to be a direct report previously to Dr. Williams. It was a report to the provost office, and I think that was something important to raise the profile of that office throughout the entire university. An additional thing, as chair of the governor's committee, which I am vice chairman of the board and because of that I'm also chair of the diversity committee. I did shepherd an effort to make sure we have diversity training for our board. The governance committee is responsible for continuing education of the board, and that is under our new bylaws, and diversity falls within that committee's responsibilities. And one of the things I was helping with was making sure we had diversity training as part of the continuing education. We've had about 12 sessions of continuing education. Diversity training was one of those. We had two different presentations. One was a three hour presentation in January. We had another presentation earlier in 2020 from Julian Williams, and part of my involvement was interviewing and talking to the facilitators who came in and who did that diversity training.

REPRESENTATIVE KING: And if I have anymore questions in reference to diversity and what y'all are doing, what you are doing, I'll get with you later on. Question, were you also or were you not in Atlanta?

MR. WESTBROOK: I was in Atlanta. I was chair of the search committee that led to the hire of Dr. Amiridis.

REPRESENTATIVE KING: Can you tell my your recollection of those events with Ms. Kennedy and the chairman?

MR. WESTBROOK: Yeah. I wouldn't dispute what Ms. Kennedy shared in the paper. It was a difficult exchange. I spoke to the chairman after that and thought he should apologize. He had already decided that he was going to apologize at that point and that it was appropriate that there be an apology. I could understand why she was upset, and so, you know, so Bill and Lou Kennedy are very important parts of the university

community. They have been generous to the university, and so I wouldn't dispute her recollection of the events.

REPRESENTATIVE KING: What is the morale of the board under the present leadership, and we would love to have your honest opinion.

MR. WESTBROOK: Yeah. It is better than it was with the Caslen hire. We got through a search process where we did have strong conversation in the room about candidates, but we had an unanimous vote, and part of my commitment and pledge to the board in leading the search was to make sure we had a search process that was transparent and inclusive of the entire board, that they were kept abreast of developments in the search, which I did. In addition, I would notify the search committee of what we were doing at the board level to make sure they understood where the board was coming from. The board works together better now under our new structure and our new organization. We still have our tense moments, but it's nothing like a few years ago with President Caslen.

REPRESENTATIVE KING: And this is my last question on this. The General Assembly back in 2016 made it very clear -- at least the House did -- we would debate on the floor on the budget, which I think I may hit an amendment that dealt with diversity and ensuring diversity, and I appreciate what you have done in your efforts. Why has it taken so long to realize what needs to happen when it comes to diversity at USC? Is it because we need new board members that can envision a university that reflects South Carolina, that reflects a global economy? Could you have people who are from all over the world that comes to this school? What do we have to do different?

MR. WESTBROOK: I think you have a board that's certainly supports DEI measures, and we're making a greater budget commitment to Priority Four, which is the DEI priority of the strategic plan. I believe you have a board that is supportive. I thought what Senator SCOTT shared earlier about President Caslen was accurate. He was much more vocal about African American enrollment and --

REPRESENTATIVE KING: Well, I want to be very clear.

MR. WESTBROOK: Sure.

REPRESENTATIVE KING: As Senator SCOTT has stated, I was really impressed with Caslen's diversity and what he did over there, but what have y'all done since then, and had he not been there -- like you said, others said had he not been there because of COVID, y'all would have probably not had the results that you had. As an African American in this state, had he not been there would we have had the results that we have in reference to diversity. From my understanding y'all have not

even established a diversity committee on your board. Why are we still -- or why do we not have that?

MR. WESTBROOK: I think that's a fair question. Yeah, we have not done that. We do have DEI with the governance committee. That committee is formed with the members of the board who were committee chairs, and so they are the ones who have the most insight of what's going on throughout the board and the committee work. During --

REPRESENTATIVE KING: And on that committee is Mr. English or --

MR. WESTBROOK: Ms. Moody is --

REPRESENTATIVE KING: -- and Ms. Moody is on there.

MR. WESTBROOK: -- as a committee chair, she is on it.

REPRESENTATIVE KING: She is on it.

MR. WESTBROOK: Ms. Newton is also on it as a committee chair. I would mention, in January our diversity consultants that came and spoke to us did bring the idea of having a separate diversity committee, and that is an issue that is part of the work plan that the governance committee will be looking at. So that is an issue that the governance committee will be looking at in, I would say, later this year.

REPRESENTATIVE KING: Well, I can say this. If this is a continuance of how -- or the questionings that myself and Senator SCOTT has to continue to ask, I can't support people who just can't get it moving forward.

MR. WESTBROOK: Sure.

REPRESENTATIVE KING: So I expect that when y'all come back before us, y'all have a plan that addresses diversity and the numbers have changed from the administrative standpoint as well as the student body.

MR. WESTBROOK: Well, I appreciate that. You know, the work that went into the growth that we had in the African American, Hispanic student enrollment this past year is ongoing. I would expect it to continue as well, and would expect our numbers to continue to go up.

REPRESENTATIVE KING: Thank you.

MR. WESTBROOK: Thank you.

THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Mr. Westbrook, good evening. How are you?

MR. WESTBROOK: I'm good, Mr. Speaker.

SPEAKER LUCAS: Thank you for service on the board. Rather than go through a number of emails and other things, I just want to ask you a few general questions; is that okay, since the evening is growing long?

MR. WESTBROOK: Sure.

SPEAKER LUCAS: I want to turn to the selection of William Caslen as president. Tell me what your role was during the search.
MR. WESTBROOK: I did not have a role during the search. I was not on the search committee.
SPEAKER LUCAS: Okay. Did you have a constituency to develop during the search to try to in any way use you to affect the outcome?
MR. WESTBROOK: I did -- you're probably referring to the emails and text message communications I had with the governor's office. And there was at that time -- I think you heard it earlier -- you know, we considered the governor to be a part of the board. He's under state statute listed as the ex officio chairman. He's listed in all the materials, on the website as a chairman, but, you know, we also had a review with our accreditor, SACSCOC after that search. And, you know, Dr. Bell Wheelan, who leads our accrediting body, told us that, you know, they looked at it, and they've taken a position that if the governor has a designee on the board, that the governor should not be involved in board activities. Now if the governor wants to sit on the board under state statute, then the governor can do that, and that's their view. So a couple of things came from that. One is in our new presidential candidate search committee policy --
SPEAKER LUCAS: You've changed some of those, haven't you?
MR. WESTBROOK: -- we did. The governor's appointees are not allowed to be on the search committee. You have to be a legislative trustee, legislative elected trustee. We also adopted a new policy. Policy 1.13 is a policy to protect the university from external influences. That policy was incorporated as part of the search policy for this most recent search, and it's one that requires -- you know, under our most recent search, it requires you to disclose any efforts to -- outside efforts to influence the search, the independent decision making of the body. And as far as the search committee goes, if you fail to report an effort to influence, then you could be removed either as chair of the committee or as a member of the search committee. The communications with the governor's office is something that I've come to regret. I don't think there should be anything political involved in a search. Having led a search process now, one that did not have any political involvement, you know, there should be none. I actually had the opportunity to address the entire board and express my regret personally for my involvement in that, and particularly the divisiveness that we had as a board. We had a body that went into their separate corners rather than communicating well. And, you know, you see for the most recent search, we did communicate well. We got through that process with a unanimous

decision. We had the one balk with Dr. Chiang that people have mentioned, but as far as the search committee's work and the search itself, it went very well. So, you know, I think it was important that I had addressed the board about my previous conduct, and it was something that I pledged to them in the most recent search would not happen, and it didn't.

SPEAKER LUCAS: Yes, sir. In looking at all the data, I'm not just focusing on yours. They tend to focus more on external factors more than they did the qualifications of the candidates, and, you know, having spent nine years at the University of South Carolina, obviously I would have rather seen texts talking about the candidates and their strengths and weaknesses and those types of things as opposed to other political type things; would you agree with that?

MR. WESTBROOK: I would. You know, that search was a mess, and there are come chippy or flippant messages in there, and it's really not something that we need to have in a search. We didn't this most recent time. We had a very smooth search and I think very frank but professional conversations among the board members as we, you know, came to a result of who would be elected.

SPEAKER LUCAS: Yeah. And you understood at the time of the vote the deep division within the board as the search unfolded?

MR. WESTBROOK: I did, and that's unhealthy.

SPEAKER LUCAS: And as you stated, and I think you stated it well, those divisions have kind of shaped your decisions going forward about how you approach this?

MR. WESTBROOK: It did, and when I was selected as chair of the search committee, I had an opportunity to speak to the faculty Senate, and I acknowledged to them that mistakes were made last time and pledged to them that we would follow our new policy to a T, and we did, and that something we have to own and we have to be very candid about.

SPEAKER LUCAS: I've got legislation pending in the House. Senator HARPOOTLIAN has legislation pending in the Senate which performs the board and makes it smaller given what we've seen in the Caslen search. I'd just like to get your opinion on whether or not you think we need a smaller board at the University of South Carolina and that would help us avoid some of these problems that we've encountered?

MR. WESTBROOK: Well, Mr. Speaker, you're asking me about your piece of legislation, so I'll be very careful, but I --

SPEAKER LUCAS: I'll ask you about Senator HARPOOTLIAN.

MR. WESTBROOK: Well, okay. Well, then we go to Senator HARPOOTLIAN'S. No, Speaker, I don't know that it's the size of the

board. We do a lot of committee work, and so to put all that work on a fewer number of people would be quite a load. It is a large operation, and there is a lot of work to be done. I would echo the comments earlier -- I can't remember who made it -- there may be a question about, you know, those individuals who are on the board, where they come from. Do they come from the urban centers where you have delegations that are able to elect people they know in their area as opposed to the rural area? That's a theory. I don't know. That's just a thought I've had, but, yeah, I think with what we're doing now under our new governance structure, and with the continuing education that we have -- we also adopted and oath and a code of conduct for the board members as well, and, you know, what we're doing now -- and you saw in action those developments and that progress we've made in the last search. And what we're doing now I think will eliminate the kind of concerns that we had last time. We're addressing those ourselves.

SPEAKER LUCAS: It was a perfect search for President Amiridis, who I think is going to be a great president here. We actually -- I thought that we discounted him in the newspaper. Somebody said I may have been wrong to look at another individual who took the job and later --

MR. WESTBROOK: Yes. That gave me a lot of heartburn. Those were a tough couple of days. We were a few days away from announcing Dr. Chiang Has his name not been leaked to the media, he would have simply withdrawn, and we would have moved on, and we would have gone a different direction. Dr. Amiridis was never out of it, and so he was always available and in the picture, but that was a moment that I had a lot of heartburn.

SPEAKER LUCAS: Thank you, Mr. Westbrook.

THE CHAIRMAN: Senator HARPOOTLIAN.

SENATOR HARPOOTLIAN: Mr. Westbrook.

MR. WESTBROOK: Yes, sir.

SENATOR HARPOOTLIAN: You know, I appreciate the fact y'all performed the process. I appreciate the fact that you have redesigned how it's supposed to work, but like Speaker Lucas, I'm a little concerned that this new selection process wasn't exactly error free, but let's talk about -- you know, I'm a guy who spent his life in the judicial system as a prosecutor and a defense attorney, and even when people turn a new leaf or go in a different direction, there should be consequences for conduct prior to that. I mean, I understand y'all have seen the light, or at least you say you've seen the light, but when I read about how this went down for Caslen, I've got to tell you, these emails between you and Trey Walker were purely political, were they not?

MR. WESTBROOK: They're a couple in there that are text messages. They're a couple in there that were political in nature. I don't know that my comments were political --

SENATOR HARPOOTLIAN: You didn't push back.

MR. WESTBROOK: -- but I received -- I didn't push back, no. I had probably a flippant response back on a couple of them.

SENATOR HARPOOTLIAN: Well, I mean -- and again, I understand that Trey Walker and the governor are the Republicans. On July 11 , 2019, Walker tells you that former Democratic presidential candidate Beto O'Rourke has criticized McMaster's involvement in the presidential search. You text back, perfect.

MR. WESTBROOK: Yeah, yeah.

SENATOR HARPOOTLIAN: What was perfect about that?

MR. WESTBROOK: That was a flippant response. I mean --

SENATOR HARPOOTLIAN: Well, I understand it's a reprisal. What was perfect about --

MR. WESTBROOK: There was nothing perfect about that. That's just --

SENATOR HARPOOTLIAN: So -- I mean, at the time you thought it was perfect. Today you don't think it's perfect?

MR. WESTBROOK: Oh, no, no. Looking back on it, yeah, it was just a flippant response, and --

SENATOR HARPOOTLIAN: But you understand your involvement at that level with the governor was encouraging them to get politically involved in this process; don't you realize that?

MR. WESTBROOK: Well, what I was communicating with them about was, at the time I considered the governor a part of the board. I know our accreditors had said differently, and we've handled it differently since then, but we were trying to --

SENATOR HARPOOTLIAN: I'm not talking since then. I'm talking about back then.

MR. WESTBROOK: I know, right. And so we were trying to, you know, gather up votes for President Caslen, who I did support. I did vote for him, and that was an effort within the board to, you know, figure out, you know, who's going to vote for President Caslen.

SENATOR HARPOOTLIAN: But this wasn't -- I mean, this was a -- we're going to use the Beto O'Rourke endorsement or criticism as a way to help galvanize folks, correct?

MR. WESTBROOK: I don't know that --

SENATOR HARPOOTLIAN: That's when you said --

MR. WESTBROOK: -- I don't know if anybody used that. I don't know if anybody communicated that to a board member. I certainly did not.
SENATOR HARPOOTLIAN: In a separate string of messages, Walker said, our friends on the left played their part publicly regarding protests against the 2019 presidential search. In response you said, these legislative and statewide officer endorsements will all help. The opposition did us a favor by moving too early. Who's the opposition here?
MR. WESTBROOK: On the board, the people who opposed President Caslen. That was --
SENATOR HARPOOTLIAN: They're the opposition?
MR. WESTBROOK: Well, and like I said, that was not healthy for the board. We were not healthy at the time. We were in our separate corners, and that was not a -- and that's why I spoke to the entire board and addressed it with them.
SENATOR HARPOOTLIAN: But I mean, you're referring to people on the board that disagreed with you as the opposition?
MR. WESTBROOK: Yeah, that's --
SENATOR HARPOOTLIAN: That was very unhealthy, was it not?
MR. WESTBROOK: That was, I agree. That was an unhealthy time, and that's I addressed it to the board, and I apologized to the board.
SENATOR HARPOOTLIAN: But you created that unhealthy time, did you not, or at least you're participating in it?
MR. WESTBROOK: I was part of the divisive discussion back and forth.
SENATOR HARPOOTLIAN: And that's just a few of them. I don't need to go through all of them, but that process, you would agree, was flawed from a number of different standpoints, correct?
MR. WESTBROOK: I agree, I agree.
SENATOR HARPOOTLIAN: And not only did it ultimately damage the board because of the way that it happened. It damaged the university, did it not?
MR. WESTBROOK: I think it had more -- it did more damage to the board, and it did lead to reforms that were needed, but as far as the university, academically we're very strong. Financially we're very strong. And so as the university fulfilling our mission, we're doing that, and we did throughout that entire time. We continue to fulfill our mission.
SENATOR HARPOOTLIAN: Well, when you went to elect a president, you dropped the ball. You fumbled it, did you not?
MR. WESTBROOK: It was a messy process, I agree.

SENATOR HARPOOTLIAN: Well, not just a messy process. The guy within two years is gone, forcing you to go --
MR. WESTBROOK: Oh, yeah.
SENATOR HARPOOTLIAN: -- and hire for another president, right?
MR. WESTBROOK: That's exactly right. And, you know, what was mentioned earlier about the COVID response, that was very strong. His response to addressing DEI issues was very strong. He did gain support among the faculty, but I don't know that he was ever accepted, because he didn't have the Ph.D., and he didn't have the research background.
SENATOR HARPOOTLIAN: Well, when you read what he said --
MR. WESTBROOK: Oh, my gosh, yeah.
SENATOR HARPOOTLIAN: -- his perception, he says to S.C. State University President James Clark on May 9th, this place sucks so bad. I don't know how anyone can stand it. At some point you have to ask why you put up with this stuff. It is insane. I don't know how you can stand living here.
MR. WESTBROOK: Yeah. I didn't know he felt that way. I know --
SENATOR HARPOOTLIAN: You didn't?
MR. WESTBROOK: I'm sorry.
SENATOR HARPOOTLIAN: You didn't know he felt that way?
MR. WESTBROOK: Oh, I did not know he felt that way.
SENATOR HARPOOTLIAN: Well, maybe you weren't talking to him?
MR. WESTBROOK: I would have talked to him about university business, but I would not have been talking to him asking how he felt. I think May 9 would have probably been after the speech, the commencement speech --
SENATOR HARPOOTLIAN: Yeah.
MR. WESTBROOK: -- and he was getting a bunch of backlash at that time, so I imagine it was a very heated moment as well, but I hate hearing those comments, and I did not know he felt that way.
SENATOR HARPOOTLIAN: He said, there's a degree of respect and professionalism that exists in those communities. He's talking about West Point and other places he's been, but USC was different. That does not exist at the University of South Carolina, because just -- I want to do whatever is necessary to tear you down, and I do that. Now when he's elected by one vote, that's not predictable. The faculty and students are lobbying against him. I mean, COVID happened. I get it. He may have performed well, but when you elect somebody by one vote, isn't that predictable that what's going to happen is that somebody -- he's going to stumble, and somebody's going to tear him down?

MR. WESTBROOK: I am surprised that he felt that way, because he did work on a strategic plan in a collaborative way that involved a lot of faculty input. I heard faculty members say that he was more inclusive of the faculty in decision making than previous administrations. And so that is a surprise to me, that his comments were like that.

SENATOR HARPOOTLIAN: That's not what they said after the plagiarism accusation? That's not what they said after the --

MR. WESTBROOK: The plagiarism -- sorry, Senator.

SENATOR HARPOOTLIAN: But after the University of Southern California comment, they were on him like a pack of dogs, weren't they?

MR. WESTBROOK: I understood he was receiving very aggressive messages.

SENATOR HARPOOTLIAN: Yes. So is -- again, if somebody's elected by acclimation by the board, or somebody that's not viewed as divisive, this sort of stuff, even if he had stumbled, would have been forgiven, but y'all put him in an impossible position, did you not?

MR. WESTBROOK: Well, with this new search -- I'll answer your question -- with this new search, we learned from that lesson, because we saw that he was behind as far as credibility with the faculty when he started, and he was in a tough spot. With this new search, we made sure we were following a process. You know, we actually spent -- we had 29 meetings with stakeholders at the university to get feedback about what they wanted to see in the next president before we actually did a position profile to search for the president. And part of that effort was because of what happened before, but also we made sure we wanted to elect a president that would start on the strongest footing as possible, and that's what we have. I think Dr. Amiridis has been very well received and it's been very positive the response he's gotten from the faculty and the university community so far.

SENATOR HARPOOTLIAN: Well, I mean, I guess what I'm saying to you is, y'all went to school on our dime. There's no question the university was harmed by what happened with Caslen, his reputation, anyway; is that correct?

MR. WESTBROOK: I think the brand did suffer.

SENATOR HARPOOTLIAN: So let's move on to the Muschamp buyout. Were you on the board when they approved the contract?

MR. WESTBROOK: Yeah. So there was a contract, and then there would have been an extension of this contract.

SENATOR HARPOOTLIAN: Did you approve the extension, too?

MR. WESTBROOK: Yeah, the whole board did.

SENATOR HARPOOTLIAN: And how much more did that extension cost us in terms of buyout?
MR. WESTBROOK: I don't know. I think it was a two year extension, but I don't know how much the dollar -- what the dollar figures would be.
SENATOR HARPOOTLIAN: Several million dollars?
MR. WESTBROOK: Sure.
SENATOR HARPOOTLIAN: So we've heard the decision to terminate is Tanner's decision, not the board's?
MR. WESTBROOK: Correct.
SENATOR HARPOOTLIAN: And --
MR. WESTBROOK: In consultation with the president, I assume.
SENATOR HARPOOTLIAN: I'm sorry?
MR. WESTBROOK: I assume in consultation with the president.
SENATOR HARPOOTLIAN: The president, right, but did you ever talk to Ray Tanner about Muschamp, either personally, on the phone or by text message?
MR. WESTBROOK: I would have had a -- there was a conversation where he briefed the president, the board chairman and me about the decision to terminate Coach Muschamp. In that --
SENATOR HARPOOTLIAN: Why you?
MR. WESTBROOK: What's that?
SENATOR HARPOOTLIAN: Why were you included in that?
MR. WESTBROOK: Because I was vice chairman of the board --
SENATOR HARPOOTLIAN: Okay.
MR. WESTBROOK: -- I was invited.
SENATOR HARPOOTLIAN: Okay, to brief y'all.
MR. WESTBROOK: Yeah. And my understanding, there's been discussion about the buyout. My understanding of the contract was that we were obligated to continue to pay him month to month under the contract for the remainder of the contract, and that Coach Tanner had negotiated a lower buyout as a lump sum.
SENATOR HARPOOTLIAN: Lump sum, okay.
MR. WESTBROOK: So this discussion about whether or not the athletic department had money for it, my understanding was cash flow, they had it, because they could pay it monthly, and then they -- and I thought they had about 17 million in reserve, which is the excess of the buyout, and they had the money that they needed. Now later that year, that budget year, with COVID and the buyout, the university did loan money to the athletic department, and it's my expectation the athletic department is paying the university back.

SENATOR HARPOOTLIAN: Again, if there were cash flow issues when they negotiated -- I mean, if they just said, fine, we're going to pay you month to month, it would have cost more for the long term --
MR. WESTBROOK: Right.
SENATOR HARPOOTLIAN: -- but the university wouldn't have needed to loan them ten million dollars.
MR. WESTBROOK: They had -- I thought the athletic department had the cash reserves to pay the lump sum. It was a combination of buyout and COVID as far as the loan to get them through was my understanding.
SENATOR HARPOOTLIAN: The buyout was part of it?
MR. WESTBROOK: That was part of it. That's my understanding of the loan.
SENATOR HARPOOTLIAN: Was that contract extension a mistake? Do you regret voting for it?
MR. WESTBROOK: Oh, with the two years?
SENATOR HARPOOTLIAN: Yeah.
MR. WESTBROOK: Yeah, it was. I mean, you know, I don't like the buyouts. I agree with Charles Williams. I don't like buyouts. The buyout that we have for Coach Paris is the same that Coach Beamer has, the same percentage. We are told -- you know, I'm not an athletic director. I'm not an expert in athletics. We are told by our attorney and by the athletic department and by the president that that's the nature of the beast. If you go to, you know, Clemson, if you go to Georgia Tech, if you go anywhere else in the SEC, ACC, they all have buyouts. They're all a percentage. I think Coach Sweeney's is tens of millions of dollars if he were fired right now. Obviously he won't be, but it is the nature of the beast is what we are told. I would love to be in a position where we're talking about buyouts.
SENATOR HARPOOTLIAN: But you admit that the vote to extend Muschamp's --
MR. WESTBROOK: In retrospect --
SENATOR HARPOOTLIAN: -- was a mistake?
MR. WESTBROOK: -- retrospect, he -- the program fell off.
SENATOR HARPOOTLIAN: Right. Well, I mean, and the process we did with Caslen was a mistake. You admit it was far too contentious, politically charged, right?
MR. WESTBROOK: That's correct. And --
SENATOR HARPOOTLIAN: And so, I guess I'm sitting here hearing you admit that y'all have made mistakes, consequential mistakes, and wondering why we ought to reappoint you.

MR. WESTBROOK: Sure. Well, I think you would look at the -- not only the reforms, but also our actions in carrying out those reforms and how the board is operating right now. So I think you look at those things, and there have been corrections that have been made. And I think, you know, historically there have been cultural things. I mean, I'm still the youngest on the board. I've been there for 12 years, and, you know, culturally there are things that have developed over time that have been changed and have been corrected in this last set of reforms.
SENATOR HARPOOTLIAN: Thank you.
MR. WESTBROOK: Thank you, Senator.
THE CHAIRMAN: Thank you, Mr. Westbrook.
MR. WESTBROOK: Thank you.
THE CHAIRMAN: Next we have C. Edward Floyd. Mr. Floyd, if you would give us your full name, please.
MR. FLOYD: I'm Cecil Edward Floyd.
THE CHAIRMAN: If you'd raise your right hand, I'll swear you in. Cecil Edward Floyd, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give us a brief statement of why you'd like to serve.
MR. FLOYD: You, know, I love the University of South Carolina. My three children went there, seven grandchildren, and I would like to make a statement in contrast to what's been said about our board of trustees, if that's possible.
THE CHAIRMAN: Sure.
MR. FLOYD: You know, years ago I was elected chairman of the board. excuse me, I'm getting a little hoarse. But at that time -- this was over 20 years ago -- the University of South Carolina could not fill a freshman class of 2,000. I was elected chairman. We took a retreat to Pawley's Island. The reason we went to Pawley's Island was we could house all the board of trustees. We didn't want to spend any money much. We sat down at that meeting, and we planned for the next about 20 years, the board of trustees for the next 20 years and what we were going to do. What we were going to do is this. We were not going to spend our money on administrative buildings. We were going to put money in students, housing, things for our students and to beef up everything. And we came back. The first project the administration wanted to do was an administrative building. We blocked that. We went out, and we worked our fanny off to try to make the university something better. We pushed over the years to buy the property where the new law school is. We bought the hotel. One of our trustees had been on the bankruptcy of the property where the old hotel was up here, a full city

block. The trustees negotiated it. We bought that for three and a half million dollars, a full city block with a hotel. The legislature ended up renting two floors a few years later when they redid the Statehouse. We got a lot of money back. Administration wanted to put a welcome center in an old building where the Strom Thurmond Fitness Center is. We blocked that. Under Chairman Hubbard's next leadership they built a Strom Thurmond Fitness. The administration hated fraternities. They didn't want to put the Greek village in. We told them we weren't going to build anymore until we go ahead and build a Greek village. So we advanced all of that. We ended up working to get the new Colonial Life Arena. We built the Colonial Life Arena for -- after everything was said and done, built the Colonial Life Arena with the university putting in 20 million dollars and getting all the property from the City we got. We ended up -- the trustees negotiated over the years -- personally I did a lot of it. When we got the Farmer's Market. We ended up buying the Farmer's Market, and you see what's been done there. You go back, and I want to tell you one of the recent acquisitions that we did. Dr. Smith and myself, the administration was going to buy a property off the old -- where the State Hospital was. They were negotiating to sell our wedge property and get four acres of the property. So anyway, I knew Bob Hughes. I saw Bob Hughes and told him I wanted to negotiate. First I called Dr. Smith, and I said, Dr. Smith, I want to -- I'd like to ask for 20 acres of land for the wedge. He said, you're not going to get that. If we can settle it for 15 acres. So I called back. We negotiated with him, got 20 acres for the wedge. And then he said he didn't -- we talked him out of the wedge. So he just gave us the 20 acres. I mean, the trustees have done a lot for this university. And, you know, we probably made a mistake with Caslen. I made a serious error with it. I was all the way for -- I was all for Caslen, but we had the board meeting, and I saw all the issues. I saw the board fighting with each other, and I had never seen that before in my life. And it upset the hell out of me. And so my recommendation -- well, let's back off this, and why don't we ask William Hubbard to be the interim president. And, you know, the board thought that maybe it would look awful for us to have sitting trustee to be the interim president. And so they settled on our chancellor, and it was a mistake. The votes were there for Caslen to be. If we had gone ahead and voted at that time, it would have saved us a lot of trouble, and I take the blame for that, because I shouldn't have gotten up and done that, but at the present time our university has grown from less than 2,000 freshmen students until we have close to 6,500 in our freshman class. We've got 35,000 students here in Columbia. We've got 52,000

students overall, and we teach a good education. And sure we've made some mistakes, but I do not think our trustees have done that bad. Thank you.

THE CHAIRMAN: Thank you, Dr. Floyd. Staff, any information for us?

MS. WEBB: Dr. Floyd, upon review of your file, I didn't have anything that I saw, but I would ask you to do the same. Can you please confirm your home address for me?

MR. FLOYD: 518 Rosewood Drive.

MS. WEBB: Perfect, thank you. And is this your four percent of six percent?

MR. FLOYD: Four percent.

MS. WEBB: Thank you, sir.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: Thank you, Dr. Floyd for your willingness to serve. How long have you been on the board?

MR. FLOYD: Since 1982.

SENATOR SCOTT: And you are how old now?

MR. FLOYD: Huh?

SENATOR SCOTT: How old are you now?

MR. FLOYD: I am 87 years old.

SENATOR SCOTT: How much real change have you seen in the board, not necessarily brick and mortar, but actually in the aggressive to move toward being more inclusive of all the South Carolina children that go to the school?

MR. FLOYD: I certainly do. And, you know, I think one thing that goes back in things that happened since I've been there that I think changed a lot -- after I followed -- after you listened to what I said about the chronology, our board was all together. And then after about 15, 16, 17 years, we got real successful, and we started bringing in more and more students. We had a disagreement on the board, and at that time we always came back together. It didn't show like it did with Caslen, but we had three board members, Darla Moore, Mack Whittle, William Hubbard, who wanted to limit the student body. Mr. Wright, myself and a few others wanted to grow our enrollment, thinking full well -- thinking full well that the purpose of the university was for the people of the State of South Carolina. We need to educate the people of the State of South Carolina. We wanted to increase the enrollment, and I think that was a big factor, because if we cut the student body down, it probably -- it'd be probably harder to get more minority students, but as it turned out -- and we got in financial trouble with the -- the country and all got in financial

trouble, and our budget got cut. This is the thing that saved the university from really having to cut everything out.

SENATOR SCOTT: You've been on that campus since 1952, graduated in '56.

MR. FLOYD: Right.

SENATOR SCOTT: So you've had a chance to see a lot of different things change on that campus. How much would you say during that tenured time and coming back in '82 -- I think I came over here in '90. I do remember moving across the street in a hotel because we were renovating the Statehouse at the time.

MR. FLOYD: Uh-huh.

SENATOR SCOTT: And you'll remember attitudes and changes and a whole lot of things than my 32 years over here. How much have you really embraced for actually making changes? You've got students who have a really open door policy for all those students to be able to come, along with faculty and staff. Listen, we are recruiting verified 1,000 manufacturing corporates here, coming from every walk of life and from all over the world. We've got to be able to make sure we're a very diverse population, we can meet those needs, not like it was 40 years ago.

MR. FLOYD: I agree.

SENATOR SCOTT: You know, obviously a lot -- you're a bit older than I am, but I been traveling the state since 1975, and I've seen in a lot of cases very little change, change has stalled on these colleges and universities. How much of it would actually say has really changed, and you've been supportive of pushing those changes, because you understand the importance of those changes, not what your beliefs are, but where we are as South Carolina.

MR. FLOYD: You know -- as you know, I'm from Florence, and, you know, I've always -- I've always had a very strong relation with the minority, my minority community in Florence. And I've told you this before. When I came to Florence, we had three hospitals in Florence. My uncles were there, and I was there. In our hospital, we were the only hospital that would give privileges to the only black doctor in Florence, Dr. Beck. He was my friend. He came up here to campaign for me, and we put a statue in front of the medical building in Florence. I'm chairman of the Dr. Bruce and Lee Foundation, and we gave seven and a half million dollars, and one of the requests was they put the statue of Dr. Beck in front of that building. It's still there to this day. And Jim Clyburn -- he was one of Jim Clyburn's mentors. He kind of controlled the Sixth Congressional District. He named the post office after Dr.

Beck, and Jim Clyburn sent me the proclamation of naming the post office to me, and it's my office at this time. And I've been on board to make all the changes that I can, and I will pledge to you that I will do even more.

SENATOR SCOTT: And those new changes that --

MR. FLOYD: But I'll have to say, when you're 87 years old, changes are hard --

SENATOR SCOTT: I understand.

MR. FLOYD: -- I mean, I don't text, and I don't email. So, anyway --

SENATOR SCOTT: That's why I asked this. You know, sometime we want things to change and not quite sure how it needs to change, and --

MR. FLOYD: And it's hard -- it's hard sometime.

SENATOR SCOTT: I know it. A more aggressive approach to getting it changed -- you know, sometime you may be standing in the way of change, because you won't change with the times to make those changes.

MR. FLOYD: Well, one thing I want done, and I'm going to push this -- I'm going to push this as hard as I can -- I want a building named on our campus for Jim Clyburn.

SENATOR SCOTT: Y'all can do that. You know, this is something --

MR. FLOYD: No, I'm saying, I hope the Civil Rights building will be named for Jim Clyburn, and I will contribute. I will do whatever's necessary to get it done.

SENATOR SCOTT: You've got other members, though -- and I commend you for that -- you've got other members of the USC family who have been movers and shakers to make things happen. I heard about Dr. Jim Solomon, which was a neighbor of mine --

MR. FLOYD: Right.

SENATOR SCOTT: -- I think y'all are probably close in age. He might be a year or two older than you are and some others. What do you think has taken so long to embrace identifying the Monteiths, which is also part of my district along with Jim Solomon, which is also part, and the other name that was mentioned -- what do you think took so long to embrace those changes at the university?

MR. FLOYD: You know, it's awful, but change --

SENATOR SCOTT: It's the world.

MR. FLOYD: -- and getting things through most bodies takes too long.

SENATOR SCOTT: You know, lots of times when you're changing things, people don't like change, and you don't get to be the one that everybody rally around, but you know what's good for the future generation, and you have to embrace those changes. And I get for the people to like you. You're here to get things done and to move

forward. And so I'm just looking for a more progressive board. I know when the previous president was there he talked more about diversity than any president I ever heard coming out of the university, and I saw more things happen. Where were you in those conversations supportive of where you wanted to go, and how did you respond to it? Caslen talked about diversity.

MR. FLOYD: I was supportive of what he did. I thought, you know, we -- we say we got a black guy. I mean, we had a problem when he was elected, and I'll take credit for part of the problem, because we should -- when it came up to the vote to start with, we should have voted it to start with, and it wouldn't have been a problem. And part of that was my problem, but I supported him. I thought he did -- we were lucky, because, I mean, they brought people from Washington to see how we handled the pandemic. I mean, it was a model for how it was managed under him. He also was putting together a cyber security network. Now I don't know if it's going to work without him. South Carolina will get millions of dollars for this. He put it together because that was part of what he was doing. He was working with the government and the Army and so forth for a great cyber security network for that State of South Carolina. Clemson would have been involved, South Carolina State.

SENATOR SCOTT: That's that 115 million dollars y'all needed --

MR. FLOYD: Yeah.

SENATOR SCOTT: Thank you. I'm looking for more and more work --

MR. FLOYD: Thank you.

SENATOR SCOTT: You're there. You're the leadership of that group. They listen to you. If you're progressive, they're going to be progressive.

MR. FLOYD: Thank you, thank you.

THE CHAIRMAN: Senator HARPOOTLIAN.

SENATOR HARPOOTLIAN: Dr. Floyd, good to see you again.

MR. FLOYD: Yes, sir.

SENATOR HARPOOTLIAN: So it is an impressive array of construction projects that you've listed that have defined the physical plan of USC. I'm concerned, not with your construction projects, but with the decisions being made by the board, and I think you're admitted the hiring of Caslen was a mistake; is that correct?

MR. FLOYD: No, I didn't say that. I said the way we handled it was a mistake.

SENATOR HARPOOTLIAN: Before you hired him or after you hired him?

MR. FLOYD: No. My point is this. The first time we had the board meeting, we went around, and we were going to vote -- we were going to vote for the next president. Caslen had the votes, more votes than the one vote that you say were lacking -- we won by. I got up in the meeting, and I had never seen the board act like it did at that time, and it upset the hell out of me.
SENATOR HARPOOTLIAN: Contentious?
MR. FLOYD: Huh?
SENATOR HARPOOTLIAN: Divided, contentious in the body?
MR. FLOYD: It was contentious. Good word. And I think we should have voted right at that time for him as president. We did him a disservice to go through what we did.
SENATOR HARPOOTLIAN: Did you fly to Florida on that plane?
MR. FLOYD: Yes.
SENATOR HARPOOTLIAN: And you met with them down there?
MR. FLOYD: Yes.
SENATOR HARPOOTLIAN: But you didn't meet with any other candidate like that, did you?
MR. FLOYD: No, I didn't. I was -- I've never been -- I've always avoided being on the search committee of any president.
SENATOR HARPOOTLIAN: So why did you go to Florida?
MR. FLOYD: They asked me to go.
SENATOR HARPOOTLIAN: Who's they?
MR. FLOYD: The chairman of the search committee asked me to go, and I didn't question.
SENATOR HARPOOTLIAN: But you weren't on the search committee?
MR. FLOYD: I was not on the search committee.
SENATOR HARPOOTLIAN: Had you met Caslen before? MR. FLOYD: No.
SENATOR HARPOOTLIAN: Had the governor called you about Caslen?
MR. FLOYD: Not at that time.
SENATOR HARPOOTLIAN: But he did?
MR. FLOYD: He did.
SENATOR HARPOOTLIAN: And why did he think Caslen would be a good president?
MR. FLOYD: Well, he thought he'd be a good president, but, you know, I was for him. I mean, it wasn't -- I mean, he didn't convince me.

SENATOR HARPOOTLIAN: And so you ultimately asked that the matter be put off and you hire the interim guy from Upstate? That was your --
MR. FLOYD: Well, I mean, now that was not my recommendation.
SENATOR HARPOOTLIAN: What was your recommendation?
MR. FLOYD: My recommendation was when I did that was -- my recommendation was that we appoint or elect William Hubbard, Dean Hubbard now, as the interim president.
SENATOR HARPOOTLIAN: And that didn't happen?
MR. FLOYD: That did not happen.
SENATOR HARPOOTLIAN: But they did put the selection process off?
MR. FLOYD: It was put to -- the selection process, and then we asked our chancellor of Upstate -- we asked our chancellor of the Upstate to --
SENATOR HARPOOTLIAN: Okay. And so as a result of what you did it was put off another 30 days?
MR. FLOYD: Right. Yes.
SENATOR HARPOOTLIAN: Okay. And then there was a vote held -- well, first of all, the chairman scheduled a meeting. Charles Williams sued him because he didn't meet the legal requirements to have the meeting, and then --
MR. FLOYD: Well, I was not privy to all of that.
SENATOR HARPOOTLIAN: You were not involved in all that?
MR. FLOYD: Yeah.
SENATOR HARPOOTLIAN: Okay. When you voted, and I mean, all I'm seeing is a one vote margin in the newspaper reports -- maybe it was two votes, but it was a very divided board; was it not?
MR. FLOYD: Yes.
SENATOR HARPOOTLIAN: Did you ever see a board in your 40 years on the board that divided?
MR. FLOYD: No, but you say he won by one vote. You have a sitting president on a major university right now sitting there with one vote, and he's very popular.
SENATOR HARPOOTLIAN: Who is that?
MR. FLOYD: Huh?
SENATOR HARPOOTLIAN: Who are you talking about?
MR. FLOYD: Your president of the Medical University was elected by their board by one vote.
SENATOR HARPOOTLIAN: Really?
MR. FLOYD: Really.
SENATOR HARPOOTLIAN: I was not aware of that. He's still there?

MR. FLOYD: He's still there.
SENATOR HARPOOTLIAN: Not like Caslen.
MR. FLOYD: Huh?
SENATOR HARPOOTLIAN: Caslen's gone.
MR. FLOYD: I didn't say he was -- I know he's gone. I'm just saying -
SENATOR HARPOOTLIAN: He's gone because it was divided --
MR. FLOYD: -- the president --
SENATOR HARPOOTLIAN: -- but you would concede there was a divided campus, the students, the faculty, even the board was divided about him. And as he said -- let me quote him, "this place sucks." That's your presidential pick, right?
MR. FLOYD: That was my presidential pick.
SENATOR HARPOOTLIAN: Okay. Mistake?
MR. FLOYD: Mistake.
SENATOR HARPOOTLIAN: Okay. Let me move on to something else then.
MR. FLOYD: But I admit -- you know, I was a problem. I mean, I did -
SENATOR HARPOOTLIAN: What?
MR. FLOYD: No. I said, I will admit that I made a mistake. I should have let the vote go through at that time and not --
SENATOR HARPOOTLIAN: Picking him was not a mistake?
MR. FLOYD: In retrospect, yes.
SENATOR HARPOOTLIAN: Okay. So let's move on to something else.
MR. FLOYD: Okay.
SENATOR HARPOOTLIAN: I'm fascinated by this process where -- the athletic director negotiates an extension for a contract for a coach. And I guess when you're voting on something like that, and y'all did that for Muschamp, are you relying totally on the athletic director's opinion that, you know, we give this guy an extension, you know, it's going to be a great thing for the university? I mean, who -- I mean, I know that when I drive by the stadium I see you and your wife's name on a big facility down there, so I imagine with the kind of money you put into it, you keep up with athletics?
MR. FLOYD: Yeah, sure I do.
SENATOR HARPOOTLIAN: You're probably an expert on coaches?
MR. FLOYD: No, I'm not an expert.
SENATOR HARPOOTLIAN: But what do you look at other than Ray Tanner's recommendation?
MR. FLOYD: Well, you know, you've got a coach's record. You've got all that. Now there's a little misconception. I want to tell you my --

they tell us in small groups about the thing. You have a chance to -- they get a feel for the board's feelings about a contract or anything. I mean, Ray Tanner makes the thing, but I mean, he knows where the board kind of stands. He's not going to put up a contract that most of the board would --

SENATOR HARPOOTLIAN: Well, does he meet with the board in small groups before he negotiates a contract?

MR. FLOYD: Yeah, yes. Not before. I mean, after they've worked the thing out. I mean, he's not going to bring something that's totally outrageous to the board.

SENATOR HARPOOTLIAN: Well, how does he know what's outrageous?

MR. FLOYD: Well, what he proposes I may think is outrageous.

SENATOR HARPOOTLIAN: I'm trying to understand the process. He brings his Muschamp's negotiated extension --

MR. FLOYD: Right.

SENATOR HARPOOTLIAN: -- that costs several million dollars --

MR. FLOYD: Right.

SENATOR HARPOOTLIAN: -- and ultimately we had to pay that, because he was terminated, but I guess I'm trying to figure out who other than Ray Tanner evaluates -- does the president evaluate that? Does the president recommend the extension? How does --

MR. FLOYD: Now he would have to get the president's approval, probably -- he would, yes, I would think.

SENATOR HARPOOTLIAN: And he meets with trustee members?

MR. FLOYD: He would call and let you know what's coming up, and he would get a sense of what the board feels about it.

SENATOR HARPOOTLIAN: By talking to them individually?

MR. FLOYD: Yeah.

SENATOR HARPOOTLIAN: I mean, you talk to Ray Tanner from time to time?

MR. FLOYD: Yes.

SENATOR HARPOOTLIAN: Do you call him or he calls you?

MR. FLOYD: Half and half probably.

SENATOR HARPOOTLIAN: Now he is a department head, right.

MR. FLOYD: Right.

SENATOR HARPOOTLIAN: Do you call the head of the chemistry department?

MR. FLOYD: I would if I thought it was necessary.

SENATOR HARPOOTLIAN: Well, what would make calling the head of the chemistry department necessary?

MR. FLOYD: Well, okay, let me give you a good example.
SENATOR HARPOOTLIAN: I want one.
MR. FLOYD: We've got a really good lawyer in Florence, and his daddy was a KA with me at the university. He called me and said, my son has been turned down in law school. This has been years ago. And this guy is a guy smart as hell. He had been president of Boy's Nation, all kind of credentials. And I called the dean of the law school.
SENATOR HARPOOTLIAN: William Hubbard? MR. FLOYD: No.
SENATOR HARPOOTLIAN: Prior to William?
MR. FLOYD: Much prior to William.
SENATOR HARPOOTLIAN: Okay.
MR. FLOYD: And I got a call back from the dean in about two weeks, and he said, Dr. Floyd, I really made a big mistake.
SENATOR HARPOOTLIAN: He let him in?
MR. FLOYD: He let him in.
SENATOR HARPOOTLIAN: And this was a personal friend of yours?
MR. FLOYD: Yes.
SENATOR HARPOOTLIAN: And you called the dean of the law school to help his son out. Do you do that a lot?
MR. FLOYD: To find out. Well, I feel like if you elect me to the board of trustees, I'm a representative with the University of South Carolina for the Sixteenth Judicial Circuit, and I feel like if anybody has a complaint or want me to help their kids any way, I feel like it's my responsibility to help them the best I can.
SENATOR HARPOOTLIAN: Even if they objectively couldn't get in, you use your influence to get them in?
MR. FLOYD: I would if I thought they were qualified to do.
SENATOR HARPOOTLIAN: Even though their SAT scores and rankings in their high school class didn't qualify them? If you felt that they should get in, they should get in, correct?
MR. FLOYD: Well, I find out -- first thing -- first thing is you've got to check to find out what they tell you is the truth --
SENATOR HARPOOTLIAN: Well, assume that they --
MR. FLOYD: -- and if their parents call you, the majority of time it's not exactly what the facts are, but I've got a secretary that I hire full time that does university things.
SENATOR HARPOOTLIAN: That does what, now? University what?
MR. FLOYD: Things. I mean, you know --
SENATOR HARPOOTLIAN: Oh, yeah, okay. I guess what I'm saying is, you get a call from somebody, you know the family, good family,

comes from a good background, the kid got turned down by USC law school or undergraduate school, you do what you can to get them in.
MR. FLOYD: I do what -- yes.
SENATOR HARPOOTLIAN: Yes, okay. That's all. Thank you.
THE CHAIRMAN: Thank you, Dr. Floyd. Appreciate you hanging around for quite a while.
MR. FLOYD: Thank you.
THE CHAIRMAN: Next up is D. Hollis Felkel. If you would just state your full name, please.
MR. FELKEL: Yes, sir. Dal Hollis Felkel II.
THE CHAIRMAN: Just raise your right hand, and I'll swear you in. Dal Hollis Felkel, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Just give us a brief statement on why you're running.
MR. FELKEL: Yes, sir. Thank you. I know it's late in the afternoon, but I have a few comments. First of all, thanks for the opportunity to be with you today. My name's Hollis Felkel, but for those of you have known me for years, it's Chip. You now know that my real name is Hollis, and you know what people who usually call the house to sell me something know, because that's usually the only people that refer to me that way. I'm a 1986 graduate of USC and a son of a 1950 graduate, who's ring I proudly wear. I'm the father of a current student, graduating in May who has been accepted to law school here in the fall and of a daughter who most likely will be attending here in the fall of 2023. So you can imagine that the issue of tuition would be near and dear to my heart as well. I'm an active member and supporter of both the Gamecock Club and Alumni Association, and I've served as both a member and chairman of the board of visitors. I'm seeking to serve from the Thirteenth Judicial Circuit where I have lived for almost three decades, but I am originally a native of Kingstree in Williamsburg County. And I understand the importance of making the opportunity of higher ed available and affordable to all South Carolinians. I'm the owner of two company, a public affairs consultancy founded in 1998. It focuses on communications and messaging, and a software company that focuses in the same arena. My decision to seek this position comes from a genuine concern and a lifelong love, loyalty and appreciation for the university that has shaped me into who I am today. I offer a unique and much needed perspective in the area of communications, messaging, governmental and public affairs as well as crisis management areas where the board and university have struggled. It's my hope that if given

the opportunity to serve, I'll be able to offer my 35 years of experience in national politics and working with Fortune 100s and national organizations in dealing with high stakes, high profile issues and decisions that come before this university. I'm glad to be here today, and I look forward to your questions.

THE CHAIRMAN: Staff, any information for us.

MS. WEBB: Mr. Felkel, I don't have anything for you other than can you please state your home address for the record?

MR. FELKEL: 109 Land Grant Drive in Simpsonville, and that is four percent, as that's the only house I've got.

MS. WEBB: Perfect, thank you.

THE CHAIRMAN: Any questions?

SENATOR HARPOOTLIAN: One brief. One brief question.

THE CHAIRMAN: Yes, sir, go ahead.

SENATOR HARPOOTLIAN: Have you been listening today?

MR. FELKEL: All day, sir.

SENATOR HARPOOTLIAN: Thank you.

THE CHAIRMAN: Thank you, Mr. Felkel. I don't think they've got -- I don't think there's anybody left much to give you a question.

MR. FELKEL: Thank you very much.

THE CHAIRMAN: All right. Next is -- Mr. Carl Brodie Glenn was supposed to be next, but he had leave, so we're going to work him in tomorrow morning. So next we'll go to Reed Thomas Sherard; is that correct?

MR. SHERARD: Close enough. It's Sherard.

THE CHAIRMAN: All right, Sherard, okay. My fault. If you would just for the record state your name, full name.

MR. SHERARD: I am Reed Thomas Sherard.

THE CHAIRMAN: Raise your right hand. Reed Thomas Sherard, having been first duly sworn, was examined and testified as follows:

THE CHAIRMAN: A brief statement, please.

MR. SHERARD: Good afternoon, Chairman Whitmire, Speaker Lucas. Senator VERDIN, Senator HARPOOTLIAN. Thank y'all for allowing me the privilege to be here. My name is Reed Sherard, and I'm running because I'm the best candidate to help the university fulfill its potential. I'm an experienced lawyer and a dedicated community servant. In addition to leading a team of lawyers and staff at work, I've led the boards in multiple organizations. I know the value of strategic decision making, anticipating the best case, worst case and likely case scenarios, how to allocate limited resources to solve complex problems and how to handle sensitive matters and competing concerns. I focus on

solutions to meet priorities, and I build consensus. I am energized by the possibility of serving in this important role. I can bring a fresh perspective to the critical issues facing the university, such as providing an attainable education to South Carolina residents, ensuring a strong financial position in the face of increasing expenses and potentially decrease enrollment in the years to come, increasing diversity and rejecting complacency. I have a diligent work ethic, and I lead by example. If I am fortunate to be elected at 44, I will be the youngest person of a 21 person board. I will be the only board member to have a degree in a year that starts with a two. I finished the honors college in the year 2000 and law school in 2004. I'll be one of only two board members to have a child of elementary school age or younger, and I have two of those. Saving for college and the future of the university is a real thing in the Sherard household. I've been preparing for the opportunity for more than 25 years through my involvement as an undergrad and at law school and as alumni in my service as the head of the Greenville area Alumni Club as well as on the university's board of visitors. It's a privilege to be here today, and I look forward to your questions.

THE CHAIRMAN: Staff, any information for us?

MS. WEBB: No, Mr. Chair, based off review of the package he submitted I don't have anything other than can you please state your home address for the record?

MR. SHERARD: It's Number 19 Southland Avenue in Greenville, and I do receive the four percent residence tax rate at that residence, because like Mr. Felkel said, it's my only residence.

MS. WEBB: Perfect, thank you.

THE CHAIRMAN: Questions?

SENATOR HARPOOTLIAN: One brief one. Have you been listening today?

MR. SHERARD: I've been here since 10:00 a.m., yes, sir.

SENATOR HARPOOTLIAN: Thank you.

THE CHAIRMAN: Thank you, sir.

MR. SHERARD: Thank y'all.

THE CHAIRMAN: Good luck to you. That's it for the University of South Carolina today. We've got two members we'll hear from tomorrow morning. So we will -- our apologies to the Citadel folks. You have been around for a long time, so we'll get you guys now. So first up is Benjamin -- I think I'm pronouncing this -- Dottara (ph) Dixon. For the record, give us your name.

MR. DIXON: Benjamin Dixon.

THE CHAIRMAN: If you raise your right hand, sir, I'll swear you in.
Benjamin Dottara Dixon, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: All right, give us a brief statement.
MR. DIXON: Good afternoon and thank you for your time and attention today. I consider it an honor to have an opportunity to be a part of this system as a Board member for the Citadel. While I do appreciate the rich history of the Citadel, I feel that one of the most important missions of the Board of Visitors is to adopt regulations for the organization and good government of the college. I feel this is paramount to the continued success of the Citadel as an educational institution as well as an environment for our next generation to thrive, whether they plan to serve in the military or in the business world. After graduation from the Citadel and prior to my entrance on active duty in 1990, I had the opportunity to work at the Citadel development office on the Mark Clark capital campaign fund. During the three months of active campaigning, the cadet callers that I worked with 4 nights a week raised over 25 million dollars in donations and pledges because of the connection they made with the alumni each night on the phone. I feel this gives me a unique insight into the possibilities available for fund-raising at the Citadel should the need arise. After leaving active duty, I served in the Army Reserve for over 20 years, which I feel gives me a personal understanding of the rigors that accompany the balance of military life with civilian requirements just as cadets must balance their academic and military requirements every day at the Citadel. I feel this is important because whatever decisions we make as leaders of the Citadel must take both of these requirements into account because cadets are never just students nor are they ever just military cadets. They are both all the time.
THE CHAIRMAN: Staff, any information for us?
MS. WEBB: I actually do. So, Mr. Dixon, through your home address you listed originally when you submitted this application as 1688 Lonnie Taylor Lane. However, you also indicated that you pay six percent property tax there. In an addendum to your application, though you state you're in the process of building a home at this address but you're currently residing at 8032 Russell Creek Road in Edisto Island. You did not state exactly what percentage of the property tax was there so can you just clarify for the Commission where you currently are residing, in fact, and what percentage is being paid there?
MR. DIXON: Yes, and my apologies for that. I was over thinking the process. We sold the house on John's Island last year. We are renting

on Edisto right now. I bought a piece of property on Wadmalaw that I'm paying six percent and that's where we're going to be building a house.
MS. WEBB: So what is your current address that you reside at?
MR. DIXON: The 8032 Russell Creek Road, Edisto Island.
MS. WEBB: And what percentage do you pay there?
MR. DIXON: We're renting.
MS. WEBB: You're renting?
MR. DIXON: Yes.
THE CHAIRMAN: So you will be -- you will be paying four percent once you build your house?
MR. DIXON: Yes, sir, but currently I'm paying six percent on that right now because that's just --
THE CHAIRMAN: Okay. Questions? He's not here let's go ahead. All right.
SENATOR SCOTT: Thank you.
THE CHAIRMAN: All right, thank you, Mr. Dixon.
MR. DIXON: Yes, sir.
THE CHAIRMAN: Good luck to you. Next is Dylan Ward Goff, I believe.
MR. GOFF: Yes, sir, that's me.
THE CHAIRMAN:: Okay. If you'll just give us your full name for the record.
MR. GOFF: Good afternoon, sir. I'm Dylan Ward Goff.
THE CHAIRMAN: Okay. Raise your right hand. Dylan Ward Goff, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Okay. Give us a brief statement why you'd like to continue serving.
MR. GOFF: Thank you, sir, and I will be brief. I'm in my twelfth year here on the Citadel Board. I'm the current chairman. And it's a time of renewal and energy at the Citadel. We're building -- just finished building our new school of -- of business and we're building our largest academic building. We're rebuilding Capers Hall. So it's the first time we've had any building going on our campus in a very long time. It's a exciting time. And, Chairman Whitmire, I'm sure you'll appreciate we're going through our SACS reaccreditation. I know you know a little bit about that process. We just celebrated our 179th anniversary this past weekend. For the tenth year, we've been chosen as a top public college in the south. We're the number one college for veterans. We have the 16th engineering program in the country. Top 20 engineering program at a school of our size that's absolutely amazing. We have students from all 50 states, from 23 countries. We have an employment rate of 80

percent before graduation. So before they graduate, 80 percent of our cadets have jobs. Ninety percent of them are employed within 6 months of graduation. And these are -- these are high -- high paying jobs. And I know all of y'all hear the Citadel talk all the time about our four year graduation rate. We have the best graduation -- four year graduation rate in the state. So this is an exciting time to be at the Citadel and it's certainly been an honor and a privilege to serve these last -- these last 12 years. As a personal note for my class, the class of 2002, we were seniors when we watched the twin towers come down on September 11th and, of course, I served in the Army and the Army Reserves and the South Carolina National Guard. And we watched -- all watched Afghanistan come to a conclusion this past year. The young man -- I say he's a young man, he's 42-43 like me, Lieutenant Colonel Eric Cutt who flew the last mission out of Afghanistan evacuating Afghans was my classmate, a Citadel man. Unfortunately, the first person killed in Iraq was also my classmate, First Lieutenant Shane Childers. So I couldn't be more proud to be involved with the Citadel. It certainly is a privilege of a lifetime to serve on this Board and certainly to have my fellow Board members elect me as chairman is incredibly humbling and it's a great opportunity. I really would appreciate the opportunity to serve for another 6 years. I'd like to finish out my time as chairman and I won't be up here running for another 6 years after that. That's 18 years. God bless these people who, I've heard, serve 30, 40 years on these boards. But I believe it's time for someone else to take a -- take a chance. Take a turn. I want to finish out my time as chairman.

THE CHAIRMAN: Staff, any --

MS. WEBB: Mr. Goff, based off your application, I don't have any questions for you. But just same as everyone else, can you please state your home address for me?

MR. GOFF: Yes, ma'am. It's 203 South Wacamaw Columbia, South Carolina 29205. It's four percent. It's the only property I own.

MS. WEBB: Perfect. Thank you.

THE CHAIRMAN: Mr. Goff, from one old Army man to a much younger Army man, thank you for your service to our country.

MR. GOFF: Thank you, sir, and same to you.

THE CHAIRMAN: We're very fortunate and to a lot of your other Citadel guys too.

MR. GOFF: Yes, sir.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: One quick question. As chairman, what are you -- what -- what's going on? The chairman getting that much opposition? What's going on?
MR. GOFF: Yeah, I'll let my opponents speak to that. I think it's just my lot in life, Senator SCOTT. I've run -- this is my third time running. The first time I had 14 running against me.
SENATOR SCOTT: Right.
MR. GOFF: Second time I had one or two. And this time I drew some opponents as well. But, you know, it's a free country and certainly we don't anything for granted.
SENATOR SCOTT: Something you said or you tried to take the Citadel in another direction?
MR. GOFF: No, sir, I don't --
SENATOR SCOTT: The last chairman we had, last time they got rid of that chairman. So is it every time you become chairman, you know, --
MR. GOFF: I hope not.
SENATOR SCOTT: -- they want to chop you up or something?
MR. GOFF: I hope not. I'll certainly let them answer that but I don't think it's that, no, sir.
SENATOR SCOTT: Thank you.
MR. GOFF: Yes, sir. Thank you.
THE CHAIRMAN: Speaker Lucas.
SPEAKER LUCAS: Mr. Goff, it may be the fact that VMI is starting to beat y'all in football regularly. You think that might be it?
MR. GOFF: It may very well be that. It may very well be that. I had chance with our head coach this weekend and I think we're going to fix that.
THE CHAIRMAN: Senator VERDIN, did you have a question?
SENATOR VERDIN: No.
THE CHAIRMAN: All right, thank you, sir.
MR. GOFF: Thank y'all. I appreciate it.
THE CHAIRMAN: All right. We've got one more for the Citadel. That is Kara Irvin. Welcome and if you'll just give your full name for the record.
MS. IRVIN: Kara Michelle Irvin.
THE CHAIRMAN: Okay, raise your right hand. Kara Michelle Irvin, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Why don't you give us a brief statement on why you'd like to be at Citadel.
MS. IRVIN: Sure. Thank you so much for this opportunity. I am 38 years old. I've lived most of my life in Charleston. I'm the proud

daughter of a Vietnam Vet. I graduated from the Citadel in 2005 with a major in English and when I graduated, I always knew I wanted to give back. I didn't know how that would be. I knew, I wanted to, you know, do some monetary giving back but something else. So when I saw this seat open up in November, it kind of called my name. Looking into, you know, a little bit more, there is no female alumni from the Corps on the Board of Visitors, which to me, I think is very important to have a female on the Board that went through it, the whole system. You know, I think that that would be a big diversity and push towards, you know, giving more diversity to the school.

THE CHAIRMAN: Staff, any information on Ms. Irvin?

MS. WEBB: I have just one question for you. So upon reviewing your application, part of the credit report check that we did, there was a debt collection for a medical treatment and it stated that you disputed that and the balance owed was 200. Otherwise, your credit report was good. Do you know if that has been clarified since or if that is --

MS. IRVIN: It has not yet. It's still up for debate.

MS. WEBB: It's still in dispute?

MS. IRVIN: Yeah.

MS. WEBB: Okay. That's all I have. And the only other thing is if you could please state your address for the record.

MS. IRVIN: Yep. 3272 Starlit Avenue, North Charleston 29420.

MS. WEBB: Perfect. And do you pay your four percent at this?

MS. IRVIN: I do.

MS. WEBB: Thank you.

THE CHAIRMAN: Questions for Ms. Irvin? Senator SCOTT.

SENATOR SCOTT: Just one quick question. Why did you decide to run? I know about the female part and run against the seated chairman? What's that all about?

MS. IRVIN: You know, I wanted -- I think that I can - - I think I have a lot to give to this school. I think that, you know, -- pretty much when I graduated from the Citadel, I went into the civilian workforce and have worked at the same law firm for 17 years. I think my life experiences along with the Citadel and everything that's come from that can pretty much prepare me to handle anything.

SENATOR SCOTT: Thank you.

SENATOR VERDIN: Mr. Chairman.

THE CHAIRMAN: Senator VERDIN?

SENATOR VERDIN: would you entertain a motion for favorable report on all three candidacies?

THE CHAIRMAN: I certainly would. There's with motion to for favorable report for all three.
SENATOR SCOTT: Second.
THE CHAIRMAN: There's a second. Did you have a question?
SENATOR SCOTT: Second.
THE CHAIRMAN: Second, okay. All those in favor, signify by raising your right hand. Okay. All of you heard, favorable. Okay, tomorrow morning 10:00, we've got one Lander, two USC.
MS. WEBB: One Lander, two USC.
THE CHAIRMAN: And Will Lou Gray which shouldn't be any problem at all. Then we may have to talk about some issues.
SENATOR HARPOOTLIAN: So we're going to start at 10:00?
THE CHAIRMAN: Yeah. You think that's enough time? We can come earlier.
SENATOR HARPOOTLIAN: No. I mean we've got -- we've got caucus at 11:00 but --
THE CHAIRMAN: Let's start at 9:30. Is that all right?
SENATOR SCOTT: Ten's fine.
SENATOR HARPOOTLIAN: You going to drive back?
SENATOR VERDIN: I've got a 7:30 appointment in Laurens.
SENATOR HARPOOTLIAN: Ten's fine.
THE CHAIRMAN: 10:00? That okay? Thank you, guys.
SENATOR HARPOOTLIAN: Thank you. (There being no further questions, the deposition concluded at 6:00 p.m.)

COLLEGE AND UNIVERSITY TRUSTEE SCREENING COMMISSION

SCREENING HEARINGS

TRANSCRIPT OF PUBLIC HEARINGS

Date: Tuesday, March 29, 2022
Time: 10:09 A.M.
Location: 110 Blatt Building
1105 Pendleton Street
Columbia, South Carolina 29201

TUESDAY, APRIL 19, 2022

APPEARANCES:
Chairman: William R. Whitmire
Senate Members:
Richard A. Harpootlian
Daniel B. Verdin
John L. Scott
Thomas C. Alexander
House Members:
John King
James H. Lucas
Kirkman Finlay

Committee Staff:
Macey Webb, Esquire

THE CHAIRMAN: Welcome to the College and Trustee Screening Committee's meeting this morning. We've had several people who could not be here yesterday and we had to carry some over some others. So we'll try to get to these as quickly as possible. The first person up is from Lander University, Marcia T. Hydrick. If you'll come up on to the well please. And when you get there, just give us your -- for the record, your full name.
MS. HYDRICK: My name is Marcia Thrift Hydrick.
THE CHAIRMAN: All right, if you would raise your right hand. Let me swear you in. Marcia Thrift Hydrick, having been first duly sworn, was examined and testified as follows;
THE CHAIRMAN: If you'll give us a brief statement on why you'd like to continue serving on the Lander Board.
MS. HYDRICK: Okay. Well, first of all, I'd like to thank you for being here another day.
THE CHAIRMAN: Could you get up little closer there?
MS. HYDRICK: Yes. Is that good?
COURT REPORTER: Yes, ma'am.
MS. HYDRICK: Thank you for being here another day. I apologize for not being able to attend yesterday due to my schedule. Like I say, I'm from Oconee County. I live in Seneca, South Carolina. It's been a privilege for me to serve on the Board of Trustees for almost eight years now. I am a Lander alumni. I graduated in 1981 and kept in touch with many of my friends. And it's just an honor for me to give back the educational part of things to the university. As far as being in private business, I feel like I've been able to bring about the area of -- in the

private business area of what it takes to run a college and I feel like that is like running a business. It takes hard work ethics, accountability and those are things I really admire in the president that we have at Lander. He's really grown our university since 2015 and almost like drinking out of a fire hose, it's happened so -- so quickly. But a blessing for many students that have crossed over for graduation and so forth. So thank you for allowing me to be here and to serve.

THE CHAIRMAN: Staff, do you have any information about Ms. Hydrick?

MS. WEBB: Good morning, Ms. Hydrick. Upon review of your file, I don't have any questions for you but as we did yesterday, I'm going to ask for the record, can you please confirm what your home address is?

MS. HYDRICK: Yes, ma'am. It's 114 Sunnyview Drive, Seneca, South Carolina.

MS. WEBB: Perfect. Thank you. And do you pay your four percent or six percent property tax at this address?

MS. HYDRICK: Four percent.

MS. WEBB: Thank you, ma'am.

MS. HYDRICK: Thank you.

THE CHAIRMAN: Any questions by our committee members? Senator SCOTT.

SENATOR SCOTT: Thank you so much for your willingness to serve. I'm impressed with the president of Thrift Brothers. Tell me a little bit about that company. Are you the founder of that company or your spouse?

MS. HYDRICK: Well, I'll give you the cliff notes version.

SENATOR SCOTT: Okay.

MS. HYDRICK: My father and his twin brother started this company 60 plus years ago and I had the privilege of working beside them for 38 years.

SENATOR SCOTT: Okay. Thank you. Tell me what -- what y'all --

MS. HYDRICK: We are general contractors. Thrift Brothers, Incorporated, does commercial and we were road builders until 2003. We did federal and state highway work. And I worked alongside with my father in the bidding process and building of those roads in -- in the upstate.

SENATOR SCOTT: We appreciate your willingness to serve. Your college is doing very well. Business people like yourself brings that -- that wealth of knowledge and experience that makes a college grow. Thank you so much.

MS. HYDRICK: Thank you, Senator SCOTT.

THE CHAIRMAN: Senator SCOTT, let me echo something about Thrift Brothers. They have been an outstanding company, not only in Oconee County, but throughout the upstate -- actually, the state. And just a side note, I'm a member of St. Luke Methodist Church in Walhalla. About 12 years ago, our church burned to the ground and it was a real mess, I mean. And her dad came up there at very reasonably, just at his cost, cleared the whole thing for us. Thrift Brothers did that for a lot of different people up there. So I have nothing but the highest regard for the company.

MS. HYDRICK: Those are very large shoes that -- that we could never fill. We miss them greatly. They both have since passed.

THE CHAIRMAN: I remember I had a meeting at a restaurant in Seneca and it was -- it was a coffee club and I got there about 6:30 in the morning. Which was early, I thought. And I saw your dad and his brother sitting there. They'd already been there an hour and they said yep, we're used to getting up about 4:00 in the morning or something. So they -- they were go- getters and very successful.

MS. HYDRICK: Well, thank you.

THE CHAIRMAN: Any other questions?

REPRESENTATIVE KING: I have one, yes.

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman. Just a quick question. I noticed that you all have done a pretty good job in reference to diversity --

MS. HYDRICK: Yes, sir.

REPRESENTATIVE KING: -- of your campus and your students. What do you think you need to do further to build upon that as a board member in your capacity?

MS. HYDRICK: You know, we do have a diversity advisory committee that is made up of students, faculty, staff, board members, and some people from the local community. I feel like that communication is huge. Education is huge. I think it's a wide spectrum of components that need to be continuously addressed. And shared not only out of that group of that committee but to bring back to the administration the pros and the cons that exists and where we need to go for the future.

REPRESENTATIVE KING: Thank you.

MS. HYDRICK: Thank you.

THE CHAIRMAN: Any other questions. Senator SCOTT.

SENATOR SCOTT: Motion.

THE CHAIRMAN: Oh, motion. Senator SCOTT for makes a motion for approval. Is there a second?

SENATOR HARPOOTLIAN: Second.
THE CHAIRMAN: All those in favor, please raise your right hand. Okay, and I have proxy for PRESIDENT ALEXANDER. He made me make sure that he said aye also.
MS. HYDRICK: Okay. Thank you all so much. I do appreciate your time.
THE CHAIRMAN: Thank you for your service.
MS. HYDRICK: Thank you. It's an honor.
THE CHAIRMAN: All right, next up is from the University of South Carolina. J. Patrick Anderson. And if you would, for the record, give us your full name.
MR. ANDERSON: Yes, sir. Joseph Patrick Anderson.
THE CHAIRMAN: If you would raise your right hand, I'll swear you in. J. Patrick Anderson, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give us a brief statement why you'd like to serve on the USC board.
MR. ANDERSON: Yes, sir. First, Mr. Chairman and members of the committee, I want to thank you folks for accommodating me. I had a court hearing yesterday and I know it's like herding cats to probably get everyone here today but I'm appreciative of that. In the pack that I submitted, I used the word formative to describe my experience at the University of South Carolina. I meant that in the broadest sense. I met my wife at Columbia, or USC rather. She's a graduate, as well, just like me. And the education that I obtained at the university has literally served as the springboard by which I'm able to go to work everyday, go to my law practice everyday, provide for my family, my wife and my two young boys. And in the simplest terms I am thankful for that education. So, you know, my simple thought on the matter is if I can help in any way, shape, or form I'm willing to do it and that's why I'm here.
THE CHAIRMAN: Staff, any information on Mr. Anderson?
MS. WEBB: Good morning, Mr. Anderson. Upon reviewing your file, I don't have any specific questions for you. But just as with everyone else, can you please confirm your home address for the record?
MR. ANDERSON: Absolutely. It's 98 Pennell Drive Spartanburg, South Carolina.
MS. WEBB: Okay. And do you pay your four percent or six percent property taxes at this address?
MR. ANDERSON: Four percent.
MS. WEBB: Thank you.

MR. ANDERSON: You’re welcome.
THE CHAIRMAN: Any questions? Senator HARPOOTLIAN.
SENATOR HARPOOTLIAN: Sir, tell me why you're running for the Board of USC. What -- what prompted you to do this? Have you ever run before?
MR. ANDERSON: I have not. I have not.
SENATOR HARPOOTLIAN: So why -- why now?
MR. ANDERSON: It's funny how these things can start. You, you know, go have a drink with some friends or just in conversation or wherever you may be and something like this comes up. People start talking about vacancies and who might run and who might not run. And then it seems that someone -- well, at least in my instance, suggested my name. I'd never given it a passing though. You know, I've grown up around the university my entire life going back to when I was a little kid going to games and just being involved, you know, for a very long time. So someone said to me you should consider running. I thought about it. I hemmed and hawed for quite a while and at the end of the day, I said why not? If I can help, I'm there.
SENATOR HARPOOTLIAN: Did you watch any of the -- or were you here yesterday for any of the testimony by the incumbent members of the voice?
MR. ANDERSON: No, sir, I was in my office but I was listening to the audio.
SENATOR HARPOOTLIAN: Do you have any opinions about what we heard yesterday?
MR. ANDERSON: It was enlightening. I'll say that much.
SENATOR HARPOOTLIAN: Enlightening?
MR. ANDERSON: Yes, sir.
SENATOR HARPOOTLIAN: Okay. In a good way or a bad way?
MR. ANDERSON: Well, I would say in a good way. I mean, one thought I've had throughout this process is, you know, whether I'm successful or whether I go down in flames, it's going to be a learning experience. And I think anyone who comes into this position or seeking this position has to have an open mind and understand that you're going to learn and you're going to have to learn, and you're going to have to always keep an open mind. So that certainly holds true for me yesterday when listening to all of this.
SENATOR HARPOOTLIAN: Thank you.
MR. ANDERSON: You're welcome.
THE CHAIRMAN: Speaker Lucas.

SPEAKER LUCAS: Mr. Anderson, thank you for being here today. Thank you for willingness to serve on the Board of Trustees. Tell me, if you would, what your belief is for a proper role of a trustee at on the University of South Carolina Board?

MR. ANDERSON: Yes, sir. And, you know, the packet asked a similar question, I believe. And, a lawyer -- I would say an honest lawyer admits if he doesn't know the answer to something, he looks it up. So it's essentially to implement policy - - implement, if I can say that word. I don't believe it extends to be involved in or interfere in the day-to-day operation of the university. That's up to the president, and the staff, and the other employees but, essentially, to implement policy to guide as needed and to further the mission of the university. Continue with the growth and all the positive -- positive changes that we have seen.

SPEAKER LUCAS: Thank you.

REPRESENTATIVE KING: I have a question.

MR. ANDERSON: Yes, sir

THE CHAIRMAN: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman. My line of questioning has been the same in reference to diversity.

MR. ANDERSON: Yes, sir.

REPRESENTATIVE KING: What would you as a board member do to promote diversity, not only in the student body, but in the senior administratives at the campus -- at the college.

MR. ANDERSON: Yes, sir. I would say first the diversity is essential and the way I've thought about it always is that if I was only raised and around folks who look like me, talk like me, sounded like me, from similar backgrounds, I would not be the person I am today. Which is to say, I would be pretty ignorant. Maybe I am pretty ignorant. I don't know. But you have to take that into consideration and implement policies that promote inclusiveness and continue that mission forward. You know, I don't think it's ever a done job. You have to always continue pushing forward and improve on where you already have gotten. And just move forward in the best way you can.

REPRESENTATIVE KING: Thank you.

MR. ANDERSON: Yes, sir.

THE CHAIRMAN: Representative Finlay.

REPRESENTATIVE FINLAY: You know, I heard your -- your answer to the question the Board's role and I want to make sure that you understand the history that Representative King and I have been discussing. The University of South Carolina currently on campus has, roughly, the same number of African American students that it did 20,

30 years. But please understand that what you said is nice but it was decision by the Board to grow the school and to specifically grow the school with out-of-state students. It has increased the size of the school while, in essence, capping in- state African-American attendees. So what I think the struggle that the Board is getting ready to engage is how do you increase African- American participation when you've, in essence, become hooked on a revenue stream from out-of- state students. Only half of them are paying full boat. So while those are all good words, it is going to be policy from the Board that is going to require -- that is going to be required to make those changes. And understand that that policy is also going to involve controlling costs because the whole point of bringing in out-of- state students paying full fare was to drive revenue. Well, 75 to 80 percent of your cost is HR. Payroll. Benefits. So the question very quickly is going to become are you willing to control those costs because without that, you never can balance your budget. Now what we've seen is a university that has not been willing to do that. I'd love to hear your thoughts on that. I mean, it's -- it's pretty simple.

MR. ANDERSON: And I would agree. I mean, everyone has to balance their checkbook, right. You know, we run a small shop. I have a law partner and we have a couple of staff members but within the last two weeks -- I know this is a small example but the logic still applies -- we had to get a roof. And we have to look at numbers on a continuing, regular basis. Senator HARPOOTLIAN asked if I was here yesterday and, of course, I said I listened but I was a bit shocked not being in the know about the numbers and the math involved about well, the Muschamp buyout, as a very over-the-top example. I don't see how any organization can expect to progress if they're not willing to look at the basic numbers and the math.

THE CHAIRMAN: Any others?

REPRESENTATIVE FINLAY: One more if you don't mind.

THE CHAIRMAN: Oh, you have another question?

REPRESENTATIVE FINLAY: I think it was reference made yesterday to buy-outs of president's staff. There was -- there was coaching but I also think maybe there was reference made to the staff in the president's office.

SENATOR HARPOOTLIAN: Unclear.

REPRESENTATIVE FINLAY: Unclear. If you're a Board member, would that be something that you would condone? In other words, creating a system where top administrators have buy-outs in their contracts?

MR. ANDERSON: I look at it from my perspective as an attorney and, of course, you have to kind of rewind the clock to think about how those contracts were approved in the first place. And if I'm advocating for and looking after the best interest of the university, I would not have been a fan of those, no.
REPRESENTATIVE FINLAY: So that's no?
MR. ANDERSON: Correct.
REPRESENTATIVE FINLAY: Thank you.
THE CHAIRMAN: Senator SCOTT.
SENATOR SCOTT: Thank you so much for your willingness to serve.
MR. ANDERSON: Yes, sir.
SENATOR SCOTT: I see for a while you were in the Seventh Circuit Solicitor's Office.
MR. ANDERSON: I was.
SENATOR SCOTT: From 2008 to 2011.
MR. ANDERSON: Yes, sir.
SENATOR SCOTT: How diverse was that -- was that group in the Solicitor's office?
MR. ANDERSON: I would say it was --
SENATOR SCOTT: That's Spartanburg, right?
MR. ANDERSON: Yes, sir. Yes, sir. And I would say it was very diverse. Solicitor Gowdy, as I still call him, --
SENATOR SCOTT: Trey, I know Trey.
MR. ANDERSON: Yes, sir. Yes, sir. I think he did a great job and honestly, loved the job. I considered staying longer but with a young family and student loans, and this is not Trey's fault, but, --
SENATOR SCOTT: Right.
MR. ANDERSON: -- you know, we didn't quite have the budget to get me where I needed to get.
SENATOR SCOTT: Did you learn anything in terms of working within the group of a diverse population that transferred to your knowledge base especially looking at an operation that's over a billion dollar operation at USC. Something you carried, for example, -- you said -- you mentioned earlier you work for a -- your firm is a very small firm.
MR. ANDERSON: Yes, sir.
SENATOR SCOTT: So I don't know if it's diverse or not but you've had a chance to work in a very diverse population. Is there any transferable knowledge you learned from that office you think that will -- will assist you in doing -- if you're elected to the Board?
MR. ANDERSON: Absolutely.
SENATOR SCOTT: Share it with us, please.

MR. ANDERSON: Yes, sir. The entire experience was, obviously, a learning experience, and I was a very young attorney almost freshly out of law school. I clerked for Judge Mark Hayes prior to that but I have absolutely no regrets starting out as a young solicitor because of, you know, the fact that you're going to hit the ground running. And Trey told me that -- he came down and actually interviewed me. It was kind of funny. I called him, I said just following up. I'd love to work for you. He said I'll come to you and then three minutes later, he was in my office in Judge Hayes' chambers. But he said if you don't want to be in a courtroom, if you don't want to learn, if you don't want to be around a bunch of folks who are willing to help you, it's essentially a family, then this is not the job for you. But you're going to hit the ground running 100 miles an hour. You're going to be in a courtroom. You're going to try cases. You're going to learn things. I think I used the word growth earlier but during my tenure there, I very much grew in all respects.
SENATOR SCOTT: Did y'all have any African American lawyers in --
MR. ANDERSON: We did, yeah.
SENATOR SCOTT: Okay. And your relationship with them?
MR. ANDERSON: It was great. I still see some of them. A lot of folks have moved on. You know, you have sort of career prosecutors or lifers and then some folks there are for a couple of years, maybe five or six. Almost everyone has moved on but I still see those folks around the courthouse. Good relationships. I mean, I can honestly say that there was not a negative relationship that I had while working there.
SENATOR SCOTT: Thanks.
SENATOR HARPOOTLIAN: Mr. Chairman.
THE CHAIRMAN: Senator HARPOOTLIAN.
SENATOR HARPOOTLIAN: I just have to ask this because it's apparently a theme of our guests today. Did you play high school athletics?
MR. ANDERSON: I did.
SENATOR HARPOOTLIAN: What did you play?
MR. ANDERSON: I played baseball and football.
SENATOR HARPOOTLIAN: And football?
MR. ANDERSON: Yes, sir.
SENATOR HARPOOTLIAN: College did you play either one of those?
MR. ANDERSON: No, sir.
SENATOR HARPOOTLIAN: So your experience with football, baseball is based on your high school experience?
MR. ANDERSON: That's correct.

SENATOR HARPOOTLIAN: Do you feel you're qualified to advise the athletic director on who a good coach would be for any of those sports?
MR. ANDERSON: The honest answer is no.
SENATOR HARPOOTLIAN: Do you have any plans to -- to educate yourself so to become an expert in the hiring or firing of football or baseball coaches?
MR. ANDERSON: I believe that would be very specialized and I do not foresee that in my future, no.
SENATOR HARPOOTLIAN: So would you defer to the athletic director?
MR. ANDERSON: Yes, sir.
SENATOR HARPOOTLIAN: If he called you and said what do you think about Coach so and so -- and we've heard testimony yesterday. What's your response to that?
MR. ANDERSON: I suppose I would give him my thoughts on --
SENATOR HARPOOTLIAN: Well, how would you know?
MR. ANDERSON: Probably just -- just based on what I've read.
SENATOR HARPOOTLIAN: Read in the newspaper?
MR. ANDERSON: Yes, sir.
SENATOR HARPOOTLIAN: Or maybe you would restrain and just say it's your call, Mr. Tanner.
MR. ANDERSON: That's possible too, yeah.
SENATOR HARPOOTLIAN: Wouldn't that be the best thing to do?
MR. ANDERSON: To defer to his expertise, yes, sir.
SENATOR HARPOOTLIAN: Right. Okay, thank you.
MR. ANDERSON: You're welcome.
THE CHAIRMAN: What's the desire of the committee?
SENATOR SCOTT: Favorable.
THE CHAIRMAN: Approval. Is there a second?
SENATOR HARPOOTLIAN: Second.
THE CHAIRMAN: All those in favor, please signify by raising your --
SENATOR HARPOOTLIAN: Hold, hold, hold --
THE CHAIRMAN: We've got -- You've got another one?
SENATOR SCOTT: USC had a motion to hold on it.
THE CHAIRMAN: That's right.
SENATOR SCOTT: Thank you.
THE CHAIRMAN: I erred there. Let me hold off on USC.
SENATOR HARPOOTLIAN: Right. Thank you.
THE CHAIRMAN: Thank you, sir.
MR. ANDERSON: Thank y'all.

THE CHAIRMAN: We'll take you up at a later date. All right, the next one is C. Brody Glenn. If you'll give your first -- full name for the record, please, sir.
MR. GLENN: All right. Yes, sir, I'm Carl Brody Glenn.
THE CHAIRMAN: If you'll raise your right hand, I'll swear you in. Carl Brody Glenn having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Give a brief statement why you'd like to serve on the Board.
MR. GLENN: First of all, I'd like to thank y'all for accommodating my schedule. I was here yesterday but had a commitment with my daughter in Greenville at 7:00 so I had to leave early. As far as serving on the Board for the University of South Carolina, I had the opportunity to be Chairman of the City of Greenville Planning Commission for -- for many years. It was something that was very beneficial to me but also, I was able to see how I could help and bring my knowledge as a real estate developer and try to approve my hometown. I served on the board for over ten years. I was Chairman of the Planning Commission for over ten years. And I feel like that was something that now looking back my guidance helped Greenville to what it is. Certainly, it was a whole team effort but it was something that I had to play some role in. I'd like to do the same for the University of South Carolina that gave me so much.
THE CHAIRMAN: Thank you, sir. Staff, any information?
MS. WEBB: Good morning, Mr. Glenn. Upon review of your file, I don't have any specific questions for you but, just as everyone else, can you please state your home address for the record?
MR. GLENN: Of course. 12 Woodland Way Circle Greenville, South Carolina. And I pay four percent.
MS. WEBB: Perfect. Thank you.
MR. GLENN: You got it.
THE CHAIRMAN: Questions? Representative Finlay.
REPRESENTATIVE FINLAY: I hear you say that you're a developer. Is that correct?
MR. GLENN: Yes, sir.
REPRESENTATIVE FINLAY: Do you think the university has a role in development or should that be left more to private developers and things like capital leases be involved versus attempting to put state's credit?
MR. GLENN: So I think there's a way to do things that does not put the -- I think that's one of the things that I can really help is you don't have to put the state's credit involved as far as finding a way to make a real

estate development as risk adverse as possible. And if the university is involved, the university is -- is bringing the students, they're bringing the income, they're bringing all that. And therefore, they're risk tolerance should be different than a developer. The developer is the one that should -- the private sector should take that risk and it's all how you structure that deal. So how do you find a way to structure the deal so that the state, the university's credit is not involved? And at times it may be using the Foundation or using some other element that the university still has that income through an endowment or the Foundation. But it's all how you structure the deal and all how you finance it.

REPRESENTATIVE FINLAY: Did I hear -- I heard you mention you wanted to make -- you'd watched Greenville develop. Do you think Greenville would have developed as well if it had as much property off property tax roles because of the Foundation's and university's avaricious gobbling of the property and immediately taking it off the tax roles? Because it seems to me as I hear you discuss putting stuff into the Foundation, that immediately in many regards becomes non taxed. So you have a city attempting to provide services for the university, and I'm not denying that the university does a lot for USC but it immediately destroys another huge part of the tax base.

MR. GLENN: Right. So when I say using the Foundation, I'm talking about using the credit -- making sure the university's credit's not involved. And so in Greenville what we did -- I was the developer for the baseball stadium. I was also the developer for Camp -- the new Camper down right across from the Peace Center. We developed many of the buildings up there. We did a lot of public private partnerships and the goal was not to take stuff off the tax role. The goal was to create income for the tax role. And if we hadn't created income for the tax role, then we wouldn't have had money to put back into downtown to have -- to help downtown prosper.

REPRESENTATIVE FINLAY: So what I've noticed -- I served on the city council here and I've lived here my whole life is that --

MR. GLENN: For the city of Columbia?

REPRESENTATIVE FINLAY: Yes, sir.

MR. GLENN: Great.

REPRESENTATIVE FINLAY: Unfortunately, what we discuss as public private, quite frequently is that the private makes the profit.

MR. GLENN: Right.

REPRESENTATIVE FINLAY: And the public takes the hit.

MR. GLENN: Right. And it should not be that way. I mean, it should be -- the university is a great driver of income -- should be a great driver

of income for Columbia and it's how do you structure those deals. In Greenville what we did is we took all the buildings and made all the buildings private. Therefore, we created income for the city. And we took all the parking garages and most of the parking garages are public. And that's how we'd structure a lot of the public private stuff. Most of my development is out of the state of South Carolina. We've got 30 projects going throughout the country all the way Arizona, Nevada and dealing with every jurisdiction is different and trying to figure out what each jurisdiction's goals are is different.

THE CHAIRMAN: Senator SCOTT.

SENATOR SCOTT: It sounds like you run a pretty large organization in terms of what you're doing. I've been in -- I've been in Greenville and y'all are just growing so rapidly. How diverse is your company?

MR. GLENN: So our -- you know, surprisingly, people think that we have a large company. So we only have nine employees.

SENATOR SCOTT: You're subcontracting all your work out?

MR. GLENN: We subcontract a lot of work out. Of course, we do not build it but we hire consultants from architects, engineers. So our group --

SENATOR SCOTT: And in that process are you using diverse and contract relationships with minority participation. Since you're doing that volume of work, how diverse has that been in terms of your policy?

MR. GLENN: So as far as our consultants, our consultants we take on -- on the road with us when we go outside of Greenville. We do not have the diversity -- really, the consultants we've been working with, I've been working with for 20 years or so and it's up to those guys who they hire. From a diversity standpoint, in our business I'd like to see more diversity.

SENATOR SCOTT: So necessary, there's no diversity blueprint in terms of your policy because you're the president and I guess president see over the operations. In terms of you writing contracts, you can make indication in contract what -- what you're actually looking for. Because I'm looking for some diverse experience because you'll be operating a billion some odd dollar industry --

MR. GLENN: All right --

SENATOR SCOTT: -- where diversity's very important. Having some knowledge and footprint and having some kind of feel of how important that is, you know, to continue to grow.

MR. GLENN: Absolutely. So I'll tell you something. My -- my partner. We're doing a big self-storage platform throughout the country. My partner is an African-American and somebody that I deal

with and talk with everyday. He is a leader in diversity. He's creating different programs throughout. He's a guy out of Atlanta. Very successful business guy. And I lean on him lots of times with that. Like I said, we don't have a diversity program in place. Diversity is something that is extremely important and it starts at the foundation, especially in education. How do you -- you know, from listening to the conversations yesterday, if I remember correctly 10.5 percent of our students are African-American, 5.5 percent of our faculty --

SENATOR SCOTT: That's if you look at all of the schools that you have. But look at the Columbia campus, which has been the main focus, I think five percent or six percent.

MR. GLENN: Right. Which -- so, you know, the private sector we set goals. So this is a goal that's clear. We need to try to educate and make sure we educate more African-Americans. And so in my opinion -- I'm friends with a lot of people on different university boards throughout the country, and it's going looking at what's succeeded. How have you succeeded in doing this and trying to take different examples of what's worked. I mean, it might be going all the way into grade school and high school to try to help build the foundation to have more people come. And the faculty is pretty simple. You know, it's the hiring and firing of policies and how we're going to deal with that. But really and truly, like we had in the City of Greenville, you have to have a long view. And so the long view is this is what our goal is and this is what we're going to do in the short term. But this is how we're going to try to help in the long term. And like I said, it's the Foundation. It's going back to make sure we're getting the right students, we're recruiting --

SENATOR SCOTT: Mr. Glenn, if you look at Clemson, they're noted for engineering, ICAD, UCat. USC's Darla Moore School of Business, Business and Development. And these are some of the best and brightest minds you're up here trying to attract into a business school and looking at business people going on that Board what impact will they have in terms of decision making, the best way the grow the Donald School of Business? Is it to be just a local School of Business? A national School of Business? An international School of Business? I think you're looking more global, international. The behavior of the direction that the School of Business is going into is very important and somebody's got to set the tone in terms of are we going to meet the needs of the industry, especially with all these corporations coming and looking for us to develop the players that go to it, we've got to make sure that our emphasis are where they need to be it. It's not. Other schools -- University of Georgia, North Carolina they're going to take those people and they're

going to put them -- become your competitor to come back to the same jobs you're going out of state to try to get.
MR. GLENN: Right. And I went to University of Georgia and got my MBA. But yeah, I mean, the - - there's a lot -- education is important. Also who we surround students with is important because students learn from each other and having the purpose of having a diverse background is not just for the African-American student. It's also -- that benefits everybody else because that's who you're going to deal with in society.
SENATOR SCOTT: Thank you, sir.
THE CHAIRMAN: Anyone else? What's the desire of the committee for approval?
SENATOR SCOTT: No. No. Thank you.
MR. GLENN: Thank y'all.
THE CHAIRMAN: Thank you. So used to saying that. All right, Will Lou Gray Opportunity School. First is J. Blake Lindsey. You can come on up. For the record, give your name -- full name, please, sir.
MR. LINDSEY: My name is Jeffery Blake Lindsey.
THE CHAIRMAN: If you'll raise your right hand. Jeffrey Blake Lindsey, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: All right. If you'll give a brief statement why you'd like to serve on the Will Lou Gray.
MR. LINDSEY: Well, my pleasure to be here this morning, first of all and I thank you for the opportunity to do so. This is my first time to ever apply for a Board position and you could probably understand my little bit of apprehension in standing before you gentlemen. My experience from Will Lou Gray, basically, what I would call in the trenches. I worked at -- not worked but I was a volunteer at Will Lou Gray for three and a half years and I became very involved in the lives of the young people that were part of that school situation. And it became incumbent on me as my thoughts toward this increased and increased. That I would love to be involved in helping this nitch school because that's what it is. It fills a nitch. And to me, my -- the opportunity for me as I continue to work with these young people, specifically, is that I would hope to have that opportunity and I explored that opportunity, and as a result, found out about the opening and applied accordingly. And that is my hope that it be the pleasure of the Board to allow me to serve with this group.
THE CHAIRMAN: Questions? Senator SCOTT.

SENATOR SCOTT: I'm looking at your -- your resume or your information you sent us. Risk Consultant, Inc. Tell me a little bit about that operation.
MR. LINDSEY: Which one is it now?
SENATOR SCOTT: Past employment history. Risk Consultants, Inc.
MR. LINDSEY: Yes, sir. I --
SENATOR SCOTT: Ten years.
MR. LINDSEY: Yes, sir. I was a safety and risk consultant. They were based out of Atlanta. I worked remotely and I traveled the country doing safety and risk control audits for various and sundry types of businesses from manufacturing to construction to schools. My specific involvement with schools was both property and general liability coverage exposures. So that's what -- principally what my involvement was there.
SENATOR SCOTT: Tell me about Midlands Technical College. You seem to be very bright and pretty sharp and especially to get your insurance license. I know how difficult that was even back when you took the exam. I mean, what happened you decided that Midlands -- Midlands Technical College criminal just was the degree -- you decided it was too slow for you? Something else a little more aggressive?
MR. LINDSEY: Well, at the time, I was married and had some small children and my career in the area of law enforcement, I started there but because of just demands of the family --
SENATOR SCOTT: Right.
MR. LINDSEY: -- it preempted that and so I was not able to complete that. I wish I would have but time did not afford me that accordingly.
SENATOR SCOTT: Thank you. Thank you, Mr. Chairman, thank you.
MR. LINDSEY: Thank you, sir.
THE CHAIRMAN: Anybody else. Well, I finally get to say it. What's the desire of the committee?
REPRESENTATIVE KING: Motion to approve.
THE CHAIRMAN: Thank you.
REPRESENTATIVE FINLAY: Second.
THE CHAIRMAN: All those in favor, signify by aye. Congratulations. Let me tell you, don't ask for any commitments from any legislator until you hear from Macey.
MR. LINDSEY: Very good, sir.
THE CHAIRMAN: Thank you.
MR. LINDSEY: Thank you.
THE CHAIRMAN: And our last person for Will Lou Gray is Marilyn E. Taylor. Good morning, and for the record, if you'd give your full name, please.

MS. TAYLOR: Good morning. Marilyn Edwards Taylor.
THE CHAIRMAN: If you'll raise your right hand, I'll swear you in. Marilyn Edwards Taylor, having been first duly sworn, was examined and testified as follows:
THE CHAIRMAN: Brief statement on why you'd like to serve for Will Lou Gray.
MS. TAYLOR: Well, I have been on the Board for a number of years and my motivation to continue has not changed and it's strictly because of the mission of the school and Dr. Gray. It's a very simple mission but it has been very impactful to a lot -- a lot of students. Her goal was to help at risk kids. Kids who have made mistakes, who have had some obstacles and really encourage these kids that, you know, you can make mistakes. You can have obstacles. But if you can move past it, there's some other -- other opportunities on the other side that often times can allow you to be successful. And for over 100 years, she has been able to, you know, leave her mark and allow the school to perform in that kind of excellence and who wouldn't want to be a part of that and continue to be a part of that? So that is my main reason for pursuing the Board.
THE CHAIRMAN: Questions? Senator SCOTT.
SENATOR SCOTT: Thank you so much for your willingness to serve. I also noticed that you not only have an undergraduate degree but a Master's degree. In talking with young people and trying to get them to pursue other degrees or even technical schools, four year, how successful has that been for those at-risk kids that have turned their lives around? Even going into the military when you have those conversations?
MS. TAYLOR: I'm sorry. Could you repeat that for me again?
SENATOR SCOTT: Youngsters -- young people who come through -- mostly trying to get a GED get out and when we get the statutory language for tech schools, they can go to tech school. How successful have you been in getting them to go through that process, to the technical school and then talking about the four year institutions and other types of degrees and certificates to move to the job market.
MS. TAYLOR: Okay.
SENATOR SCOTT: How successful have you been with -- doing that?
MS. TAYLOR: Well, I think --
SENATOR SCOTT: How successful have you been doing that during your tenure on the board.
MS. TAYLOR: I think the -- the school has been extremely successful in allowing that to happen. In fact, it was sort of funny and it's actually on the website currently and it looks at a lot of the -- the folks who have

been a part of the Will Lou Gray program and it's amazing to see a lot of the success that has actually been in place with a lot of graduates. You know, you have graduates who have attended Will Lou Gray who are doctors. You have graduates who are in high profile positions in the military. And they have wide array of success so that, basically, sort of shows you how Will Lou Gray has been so impactful in allowing, not only for you to complete your GED, but also pursue further education.
SENATOR SCOTT: Thank you.
THE CHAIRMAN: Representative King.
REPRESENTATIVE KING: Thank you. I just want to first just thank you for your service to our state. I noticed that you are a member of Delta Sigma Theta sorority.
MS. TAYLOR: Yes, I am.
REPRESENTATIVE KING: My mother and all my sisters and my dear friend was visiting with me today from Georgia former representative Dee Dawkins-Haigler is a Delta as well. I just want to make sure that you all met.
MS. TAYLOR: How are you, Sir?
REPRESENTATIVE KING: Thank you for your service.
MS. TAYLOR: Thank you.
THE CHAIRMAN: Ms. Taylor, let me say thank you for having such a wonderful school. I chair the subcommittee that funds Will Lou Gray on the House side. I've listened to the presentations for the six years I chaired and every year, it's a success story.
MS. TAYLOR: Absolutely.
THE CHAIRMAN: So I just thank you for your service and I thank Will Lou Gray for giving some young people a chance that probably would have fallen through the cracks if you hadn't been there.
MS. TAYLOR: Absolutely. Thank you.
THE CHAIRMAN: Do I have a motion?
SENATOR SCOTT: Motion to approve.
THE CHAIRMAN: There's motion for approval.
REPRESENTATIVE FINLAY: Second.
THE CHAIRMAN: I have a second. All those in favor, signify by saying your right -– raising your right hand. Than you, ma'am.
MS. TAYLOR: Thank you.
THE CHAIRMAN: Please do not ask for any commitments, although you don't need them but before -- before Macey lets you know.
MS. TAYLOR: Okay. Thank you. I appreciate it.
THE CHAIRMAN: Thank you. All right, at this time we're going to revisit the -- we carried over quite a number of folks yesterday so, at this

time, I'll recognize Representative Finlay. I'll call out first, I'm sorry. First one is Charles H. Williams of Orangeburg. Now, Representative Finlay.

REPRESENTATIVE FINLAY: Move to carry Charles H. Williams over.

THE CHAIRMAN: There's motion to carry over Charles H. Williams. All those in favor, signify by saying Aye. ALL: Aye.

THE CHAIRMAN: Opposed. Mr. Williams is carried over. Next is C. Dorn Smith the Third.

REPRESENTATIVE FINLAY: Mr. Chairman, I move that we - - I move that we carry him over.

THE CHAIRMAN: There's a motion --

SENATOR SCOTT: Second.

THE CHAIRMAN: -- that we carry over C. Dorn Smith the Third. All those in favor --

SENATOR SCOTT: Second.

THE CHAIRMAN: Second. All those in favor, signify by saying aye. ALL: Aye.

THE CHAIRMAN: No? All right. Next Alexander English.

REPRESENTATIVE KING: Move for approval.

SENATOR SCOTT: Second.

THE CHAIRMAN: There's a move for approval and a second for Alexander English. All those in favor, please signify by raising your right hand. Alexander English is approved and I hope you can get in touch with him and tell him that he doesn't ask for any commitments since he's not here this morning. Next is D. Benjamin Graves of Spartanburg. Speaker Lucas.

SPEAKER LUCAS: Move to approve.

THE CHAIRMAN: Motion to approve.

SENATOR SCOTT: Second.

THE CHAIRMAN: There's a second. All those in favor, please signify by raising your right hand. Opposed? No. D. Benjamin Graves is approved. Henry L. Jolly Junior of Gaffney.

SENATOR SCOTT: Move to approve.

REPRESENTATIVE KING: Second.

THE CHAIRMAN: Move to approve and a second. All those in favor signify by raising your right hand. Approval is there. Next we have John C. Von Lehe. Representative Finlay.

REPRESENTATIVE FINLAY: Move to carry over.

SENATOR SCOTT: Second.

THE CHAIRMAN: There's a motion to carry over Von Lehe. All those in favor, signify by saying aye. ALL: Aye.
THE CHAIRMAN: The ayes have it. We will carry over Mr. Von Lehe. Next is Thad H. Westbrook. Representative Finlay.
REPRESENTATIVE FINLAY: Move to carry over.
REPRESENTATIVE KING: Second.
THE CHAIRMAN: There's a motion to carry over Mr. Westbrook. All those in favor signify by saying aye. ALL: Aye.
THE CHAIRMAN: The ayes have it. Next we have C. Edward Floyd.
SENATOR SCOTT: Move to -- move to carry over.
THE CHAIRMAN: Move to carry over by Representative - - I mean, excuse me, Senator SCOTT.
REPRESENTATIVE KING: Second.
THE CHAIRMAN: All those in favor -- I put you back in the House.
SENATOR SCOTT: You see I looked at you. Please don't.
THE CHAIRMAN: Please don't.
SENATOR SCOTT: Please don't.
THE CHAIRMAN: They're recording this. We got to be good now. All those in favor, signify by saying aye. ALL: Aye.
THE CHAIRMAN: The ayes have it. All right, C. Edward Floyd is carried over. Next we have D. Hollis Felkel, the Second. Is there a motion?
REPRESENTATIVE KING: Motion to approve.
THE CHAIRMAN: Motion to approve.
REPRESENTATIVE FINLAY: Second.
THE CHAIRMAN: Second. All those in favor, please signify by raising your right hand. D. Hollis Felkel is approved. Next C. Brody Glenn.
REPRESENTATIVE KING: Move to approve.
SENATOR SCOTT: Second.
THE CHAIRMAN: And a second. All those in favor, signify by raising your right hand. C. Brody Glenn is approved. Reed T. Sherard. I think I got that right.
REPRESENTATIVE KING: Move to approve.
THE CHAIRMAN: For approval. Is there a second?
SENATOR SCOTT: Second.
THE CHAIRMAN: All those in favor, signify by raising your right hand. He is -- Mr. Sherard is approved. We have two more. J. Patrick Anderson this morning. Is there a motion?
SENATOR HARPOOTLIAN: Move to approve.
MULTIPLE: Second.

THE CHAIRMAN: All those in favor, signify by raising your right hand. Mr. Anderson is approved. And last C. Brody Glenn. Is there a motion?
SENATOR SCOTT: Approved.
REPRESENTATIVE FINLAY: Second.
THE CHAIRMAN: All those in favor, signify by raising your right hand.
REPRESENTATIVE FINLAY: Move to adjourn, Mr. Chairman.
THE CHAIRMAN: And there's a move to adjourn and I assume -- before we adjourn, is there any comments or questions from the committee?
REPRESENTATIVE KING: Mr. Chair?
THE CHAIRMAN: Yes, sir.
REPRESENTATIVE KING: Just -- just for -- do you know if we're going to be having any more meetings or are we done?
THE CHAIRMAN: Well, we've got these five carry overs.
REPRESENTATIVE KING: Okay.
THE CHAIRMAN: So I'm sure some time in the future, we will make a decision whether to approve them or not.
REPRESENTATIVE KING: Has a date been set --
THE CHAIRMAN: No.
REPRESENTATIVE KING: -- for the election of Board members?
THE CHAIRMAN: What date is that? May --
MS. WEBB: Tentatively we have May 5th.
REPRESENTATIVE KING: Okay. Thank you.
THE CHAIRMAN: Any other? Thank you. Committee, thanks for your hard work yesterday. It was a long day but I think we got a lot of answers we needed to hear. (There being no further questions, the deposition concluded at 10:56 a.m.)

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Ethel M. Richburg of Manning, S.C. Ethel lived a long and full one hundred nine years and was loved and cherished by everyone who knew her. Ethel was a faithful member of her community who will be dearly missed.

TUESDAY, APRIL 19, 2022

ADJOURNMENT

At 1:09 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 20, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M. the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 11:29

Our Lord says to us:“ ‘Take my yoke upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls.’ ”

Bow in prayer with me, if you will: Holy God, how significant is education -- gaining knowledge, understanding worthwhile things, mastering realms we otherwise would likely never comprehend. New discoveries enrich our lives and often make the world better. So today, Lord, we applaud every individual in our State who is involved in education -- teachers, professors, administrators, support personnel and caring parents. What incredibly grand contributions do all of these women and men make in creating a better and more successful life for our citizens. So, gracious Lord, lead each of these Senators and their staff members as they also do all they can to support the very best education opportunities for every South Carolinian. And as always, O loving Lord, to You be the glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Martin
Massey	McElveen	Peeler
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2020, and to expire April 1, 2025

At-Large:

Robert W. Bagley, 3110 Moffitt Creek Road, Blackstock, SC 29014-8606 *VICE* Jerry Michael Griffin (resigned)

Referred to the Committee on Education.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2021, and to expire May 3, 2024

At-Large, Governor:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29646-6246

Referred to the Committee on Education.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

3rd Congressional District:

George E. Jones, Jr., P. O. Box 2205, Greenwood, SC 29646-0205 *VICE* Daniel R. Bracken, Jr.

Referred to the Committee on Family and Veterans' Services.

WEDNESDAY, APRIL 20, 2022

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5060
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Contested Case Hearing
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 20, 2022

Document No. 5061
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Denial of Certification for Misconduct
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 20, 2022

Document No. 5062
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Final Decision by Law Enforcement Training Council
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 20, 2022

Document No. 5064
Agency: South Carolina Criminal Justice Academy
Chapter: 37
Statutory Authority: 1976 Code Sections 23-23-10 et seq.
SUBJECT: Withdrawal of Certification of Law Enforcement Officers
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Judiciary
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 20, 2022

Leave of Absence

On motion of Senator SABB, at 4:45 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:45 P.M., Senator MATTHEWS was granted a leave of absence until 6:15 P.M.

Leave of Absence

On motion of Senator SABB, at 6:49 P.M., Senator MALLOY was granted a leave of absence until 7:30 P.M.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks by Senator MASSEY

This morning I received an email from Clemson University informing me that it is "Give Day". The message reminded me of all the benefits I've received as a Clemson graduate. It went on to encourage me to make a financial contribution as a result of those benefits. I admit I am blessed and have certainly benefitted to be a graduate of Clemson University. However, I'm not sure they could have picked a worse time to send that solicitation to me. Clemson recently recognized "Pride Week", which included a number of events on campus -- one of which was a drag show. I have a number of thoughts about some of these things, including the use of student fees to host a drag show on campus in which a vice president received a lap dance. But, that's not why I'm up here. I want to talk about what happened after that. The day after the drag show, the university's College Republicans group issued a rebuke that contained strong language condemning the normalization of behavior the group criticized as being morally degrading. It was a strongly worded rebuke, condemning not just the drag show but Clemson's apparent endorsement and support. Over the long course of human history -- until the last 20 years or so -- the rebuke would have been received as the expression of self-evident truths. But that rebuke was not accepted as such in 2022. I want to be clear that the statement from the university's College Republicans criticizing the behavior the group disagreed with, and expressing their disappointment in the university's apparent endorsement

of that behavior, did not call for students to be expelled from the university. The statement did not use an epithet. It did not call people names. The statement did not call for physical violence. The statement incited no such objectionable activity. It condemned the event and expressed disappointment in the university.

Now, when you engage in such a rebuke and offer that type of criticism, there's going to be a response. Indeed, there was a response. The university's College Republicans had to expect they were going to subject themselves to criticism. They were attacked for hate speech. Only terrible conduct should be punishable as that crime. There have been calls to investigate the College Republicans for violations of the student code of conduct which, by media reports, the university actually entertained before apparently declining to pursue. Then, of course, a Clemson provost issued a response from Clemson University on behalf of the provost and deans of Clemson University. The provost characterized the drag show where the vice president received a lap dance as merely a celebration of diversity and expressed the university's deep sadness over the hurtful comments contained in the criticism. Then the provost and deans -- in their official capacities -- proclaim they stand as advocates for the LGBTQ community. Y'all, there is a whole lot about this official response and the events surrounding it that I'm not happy about. My most immediate concern is that Clemson's administration has apparently adopted the Left's position that conservatives must not only tolerate, but accept as normal -- without criticism -- conduct with which we disagree. That is to say, failure to unconditionally accept conduct is hateful, bigoted, or almost always racist. The mere fact that we disagree makes us hateful, bigoted, and racist. That any type of public discourse in opposition to the world promoted by the Left should be shut down. For all the Left's talk of equality and inclusion, the only equality they want is for them to be included. The only thing they want to be included is their own conduct that others might disagree with. They want this political speech to be cancelled.

A few years ago, as you might recall, Clemson made national news because of a professor who repeatedly called all Republicans racist. He went so far as to say we "racist Republicans" should be punched. The professor actually called for physical violence. Yet, the university did not terminate him for those comments. Nary a peep from the Left that persistently demands equality and inclusion. Frankly, no matter how much I disagreed with his comments, I didn't think the guy should be fired. I thought any attempt by that guy to punch anybody was going to be an interesting sight.

Clemson has gained a great amount of positive national attention in recent years. I'm proud of that, not only as a graduate, but also as a South Carolinian. I'm proud that students across the country want to come to Clemson University. But I don't want Clemson to be the Berkeley of South Carolina. Clemson cannot on the one hand, promote and endorse activity and then, on the other hand, shut down criticism of the promotion and endorsement of that activity. Clemson, nor any university or college in South Carolina, should not be engaged in shutting down what is purely political speech. Again, there was no hateful name calling. There were no epithets. There were no calls for physical violence. The students were calling out behavior they disagreed with. They condemned it. Clemson's response was to shut them down. I have expressed my dissatisfaction, to put it lightly, to members of the board and to President Clements.

Members of the Senate, I think either this type of activity by Clemson University has to change or the board members and the those who allow it to happen have to change. Mr. President, board members, this cannot happen again. It is unacceptable.

On motion of Senator VERDIN, with unanimous consent, the remarks of Senator MASSEY were ordered printed in the Journal.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 302 Sen. Reichenbach

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1268 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimpson, Loftis, Malloy, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PASTOR ANTHONY AU DWIN DICKS, SR., AND TO CONGRATULATE HIM, UPON THE OCCASION OF HIS FORTIETH ANNIVERSARY AS PASTOR OF FRIENDSHIP

BAPTIST CHURCH IN COLUMBIA, AND TO SALUTE HIM FOR HIS EXTENSIVE AND MEANINGFUL MINISTRY IN HIS CITY AND COMMUNITY.
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The Senate Resolution was adopted.

S. 1269 -- Senators Alexander, Goldfinch, Turner, Shealy, Setzler and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-250 SO AS TO CREATE THE "PALMETTO AUTISM TRUST FUND", TO DESIGNATE AN ADMINISTERING BOARD, TO PROVIDE FOR THE PURPOSE OF THE TRUST FUND, AND TO PROVIDE FOR DUTIES AND RESPONSIBILITIES OF THE BOARD.
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Read the first time and referred to the Committee on Finance.

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1271 -- Senator Peeler: A BILL TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1272 -- Senator Kimpson: A SENATE RESOLUTION TO RECOGNIZE APRIL 28, 2022, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1273 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO ARCHITECTURAL EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5082, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1274 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO LICENSE RENEWAL; RETAIL DEALER SALES TRANSACTIONS; INSTALLERS; REPAIRERS; AND CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5089, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1275 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO ENGINEERS AND LAND SURVEYORS, DESIGNATED AS REGULATION

DOCUMENT NUMBER 5076, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1276 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5100, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1277 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBER EXAMINERS; MOBILE BARBERS; AND SANITARY RULES GOVERNING BARBERS, BARBERSHOPS AND BARBER COLLEGES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5073, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1278 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIONS CLUBS FOR THEIR MANY CONTRIBUTIONS TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1279 -- Senator Climer: A BILL TO AMEND ARTICLE 5, CHAPTER 39, TITLE 15 OF THE 1976 CODE BY ADDING SECTION 15-39-625, TO PROVIDE FOR THE SALE OF PROPERTY BY A PRIVATE SELLING OFFICER; AND TO AMEND SECTIONS

15-39-630, 15-39-640, 15-39-650, 15-39-660, 15-39-680, 15-39-700, 15-39-710, 15-39-770, AND 15-39-850 TO MAKE CONFORMING CHANGES.
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Read the first time and referred to the Committee on Judiciary.

S. 1280 -- Senators Martin and Talley: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE NORTH TYGER RIVER BRIDGE ON HWY 296, ALSO KNOWN AS REIDVILLE ROAD, BETWEEN SHENANDOAH DRIVE AND NICHOLS DRIVE IN SPARTANBURG COUNTY "KEEGAN ISAIAH JOHNSON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1281 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MARCH 2022 AS "THEATRE IN OUR SCHOOLS MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was introduced and referred to the Committee on Education.

S. 1282 -- Senators Grooms, Verdin, Massey, Campsen, Kimbrell, Alexander, Adams, Garrett, Rice, Corbin, Turner, Hembree, Bennett, Talley, Loftis, Senn, Gustafson, Goldfinch, Gambrell, Shealy, Cromer, M. Johnson, Climer, Reichenbach, Peeler, Cash, Martin, Davis and Rankin: A SENATE RESOLUTION TO EXPRESS THE SENSE OF THE SENATE THAT CLEMSON UNIVERSITY AND OTHER PUBLIC COLLEGES AND UNIVERSITIES MUST MAINTAIN A COMMITMENT TO FREE SPEECH AND OPEN INQUIRY.
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The Senate Resolution was introduced and referred to the Committee on Education.

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN LAURENS COUNTY "BILL RAMEY WAY" AND ERECT

APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4755 -- Reps. B. Newton, McGarry and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 9 BYPASS AND GILLSBROOK ROAD IN THE CITY OF LANCASTER IN LANCASTER COUNTY "C.D. 'BUBBER' GREGORY, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5046 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT AN APPROPRIATE SIGN AT THE EASTBOUND EXIT RAMP ONTO SOUTH CAROLINA HIGHWAY 341 FROM INTERSTATE HIGHWAY 20 IN LEE COUNTY CONTAINING THE WORDS "IN MEMORY OF SERGEANT MIKKOS L. NEWMAN".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5047 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE AN APPROPRIATE SIGN AT THE WESTBOUND ENTRANCE RAMP TO INTERSTATE HIGHWAY 20 IN LEE COUNTY AT EXIT 120 CONTAINING THE WORDS "IN MEMORY OF THE HONORABLE DAVID ADDISON".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5048 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 154 IN LEE COUNTY FROM ITS INTERSECTION WITH LOWER LEE SCHOOL ROAD TO ITS INTERSECTION WITH MANVILLE - ST. CHARLES ROAD "TONEY AND THELMA SLATER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5052 -- Rep. S. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF WASHINGTON LANE AND MARTIN AVENUE IN THE TOWN OF ESTILL IN HAMPTON COUNTY "LOUISE G. HOPKINS INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS

OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5250 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2022 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

RECALLED

H. 5017 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3788 -- Reps. G.M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3939 -- Reps. Pope, Hyde, McCravy, McGarry, Bryant, Wheeler, Wooten, Hixon, B. Newton, Blackwell and Weeks: A BILL TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN

LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4601 -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2024

At-Large:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Melody L. James, 152 Golden Pond Drive, Lexington, SC 29073

Received as information.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Cynthia C. Dooley, 1522 Counts Ferry Road, Lexington, SC 29072-8376 *VICE* Susan S. Barden

Received as information.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

James G. Fleshman II, 516 Windsong Point, Columbia, SC 29212 *VICE* Mr. Kenneth F. Ormand, Jr.

Received as information.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2021, and to expire August 15, 2025

At-Large:

Karl A. Haslinger, 330 Woods Point Road, Gilbert, SC 29054-9471 *VICE* Mary L. Siek

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY,

ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

S. 203--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING,

PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.
Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 20, 2022
Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Very respectfully,
Speaker of the House

Received as information.

S. 1090--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

On motion of Senator MASSEY, the Senate insisted upon its amendments to S. 1090 and asked for a Committee of Conference.

Whereupon, Senators MASSEY, BENNETT and K. JOHNSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3126 -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR THIS STATE OR ANY POLITICAL SUBDIVISION THEREOF

TO ACCEPT ANY FEDERAL FUNDS TO ENFORCE AN UNLAWFUL FEDERAL MASK MANDATE OR UNLAWFUL FEDERAL VACCINE MANDATE.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3773 -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS

UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4319 -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 20, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5159 -- Reps. G.R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: A BILL TO REAPPORTION THE SPECIFIC ELECTION

DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1231 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE FOR ITS ANNUAL STATE HOUSE MEETING ON FRIDAY, JUNE 17, 2022, FROM 11:30 A.M. TO 1:00 P.M. HOWEVER, THE CHAMBERS MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

S. 1264 -- Senator Hutto: A BILL TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

S. 1267 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, AS AMENDED, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

HOUSE BILLS RETURNED

The following Bill and Resolution were read the third time and ordered returned to the House with amendments:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS

SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3606R003.KMM.TD), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 19 - 20 and inserting:

/ from building permit application requirements and an owner of residential property who makes these improvements is not required to have a residential /

Amend the bill, as and if amended, on page 4, by striking lines 8 - 14 and inserting:

/ (l)painters~~/~~ <u>and</u> wall paperers;

(m) solar panel installers.

Plumbers, electricians, and heating and air conditioning installers and repairers must be issued specialty contractor licenses after passing the required examination, if the other requirements of this article are met. Vinyl and aluminum siding installers, masons, dry wall installers,

carpenters, stucco installers, painters and wall paperers, and solar panel installers must be issued specialty contractor registrations, if the other requirements of this article are met. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

WEDNESDAY, APRIL 20, 2022

AMENDED, READ THE SECOND TIME

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (3037R002.KMM.TC), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 21 - 24 and inserting:

/ (9) include a statement that certain driver's license and driver's record information may be released, upon request, to law enforcement, emergency services personnel, or hospital personnel pursuant to subsection (B)." /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator Davis proposed the following amendment (PH\ 4831C001.JN.PH22), which was carried over:

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by, or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time; provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, with unanimous consent, the amendment was carried over.

Senator MARTIN proposed the following amendment (4831R003.KMM.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately new numbered SECTION to read:

/SECTION _. The provisions of this act are repealed on June 30, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Resolution was carried over.

AMENDED, READ THE SECOND TIME

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

The Senate proceeded to a consideration of the Bill.

Senators SETZLER and PEELER proposed the following amendment (5075R001.SP.NS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting the following:

/SECTION 1. A. Section 12-6-3795 of the 1976 Code, as added by Act 137 of 2020, is amended to read:

"Section 12-6-3795. (A) As used in this section:

(1) 'Eligibility statement' means a statement authorized and issued by the South Carolina <u>State</u> Housing and Finance Development Authority certifying that a given project qualifies for the South Carolina housing tax credit<u>, including any preliminary determination thereof</u>.

(2) 'Federal housing tax credit' means the federal tax credit as provided in Section 42 of the Internal Revenue Code of 1986, as amended.

(3) 'Median income' means those incomes that are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size.

(4) 'Project' means a housing project that has restricted rents that do not exceed thirty percent of income for at least forty percent of its units occupied by persons or families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income.

(5) 'Qualified project' means a qualified low-income building as that term is defined in Section 42 of the Internal Revenue Code of 1986, as amended, that is located in South Carolina and receives approval for tax credits from the South Carolina Housing and Finance Development Authority provided pursuant to this section.

(6) 'Taxpayer' means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes pursuant to Section 12-6-510, Section 12-6-530, Chapter 11, Title 12, or Chapter 7, Title 38.

(7) 'Federal 9 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(i) of the Internal Revenue Code.

(8) 'Federal 4 percent tax credit' means the federal housing tax credit described in Section 42(b)(1)(B)(ii) of the Internal Revenue Code.

(9) 'Credit period' has the meaning defined in Section 42(f)(1) of the Internal Revenue Code.

(10) 'State housing authority' means the South Carolina State Housing Finance and Development Authority.

(11) 'Department of Revenue' means the South Carolina Department of Revenue.

(B)(1) A state tax credit pursuant to this section may be claimed against income taxes imposed by Section 12-6-510 or 12-6-530, bank taxes imposed pursuant to Chapter 11, Title 12, corporate license fees imposed pursuant to Chapter 20, Title 12, and insurance premium and retaliatory taxes imposed pursuant to Chapter 7, Title 38, to be termed the South Carolina housing tax credit, and is allowed with respect to each qualified project placed in service after January 1, 2020, and before December 31, 2030, in an amount ~~equal~~ not to exceed the federal housing tax credit allowed with respect to such qualified project, subject to the limitations of item (5). In computing a tax payable by a taxpayer pursuant to Section 38-7-90, the credit allowed pursuant to this section must be treated as a premium tax paid pursuant to Section 38-7-20.

(2)(a) If under Section 42 of the Internal Revenue Code of 1986, as amended, a portion of any federal housing tax credit taken on a project is required to be recaptured, the taxpayer claiming any ~~state~~ South Carolina housing tax credit with respect to such project also is required to recapture a portion of any ~~state~~ South Carolina housing tax credit authorized by this section. The state recapture amount is equal to the proportion of the ~~state~~ South Carolina housing tax credit claimed by the taxpayer that equals the proportion the federal recapture amount bears to the original federal housing tax credit amount subject to recapture.

(b) In the event that recapture of any South Carolina housing tax credit is required, any ~~amended~~ return submitted to the Department of Revenue, as provided in this section, shall include the proportion of the ~~state~~ South Carolina housing tax credit required to be recaptured, the identity of each taxpayer subject to the recapture, and the amount of South Carolina housing tax credit previously allocated to such taxpayer. Any recapture of the South Carolina housing tax credit is reported in the same manner as any recapture of the federal housing tax credit.

(3) The total amount of the South Carolina housing tax credit allowed by this section for a taxable year may not exceed the taxpayer's income tax liability. Any unused South Carolina housing tax credit may be carried forward to apply to the taxpayer's next five succeeding years' tax liability. The taxpayer may not apply the credit against any prior tax years' tax liability.

(4) The South Carolina housing tax credit ~~allowed by this section,~~ and any recaptured tax credit, must be allocated among some or all of the partners, members, or shareholders of the entity owning the project in any manner agreed to by such persons, regardless of whether such persons are allocated or allowed any portion of the federal housing tax credit with respect to the project.

(5)(a) The South Carolina housing tax credit allowed for any project must supplement but not supplant the federal housing tax credit and must be limited to an amount necessary only to achieve financial feasibility of the project.

(b) The total amount of all South Carolina housing tax credits that may be allocated in any calendar year must not exceed twenty million dollars, plus the total of all unallocated tax credits, if any, for any preceding years, and the total amount of any previously allocated tax credits that have been recaptured, revoked, canceled, or otherwise recovered but not otherwise reallocated.

(c) Of the dollar limitation prescribed in subitem (b), the total amount of South Carolina housing tax credits allocated to qualified

projects utilizing the federal 9 percent tax credit must not exceed forty percent of the dollar limitation prescribed in subitem (b). Of the South Carolina housing tax credits allocated to qualified projects utilizing the federal 9 percent tax credit, not less than fifty percent of the South Carolina housing tax credits must be allocated to qualified projects located in an eligible rural area as designated by the United States Department of Agriculture, with the remainder allocated to (i) qualified projects serving older persons or persons with special needs, irrespective of rural eligibility criteria; (ii) qualified projects supporting workforce development as certified by the South Carolina Department of Commerce, irrespective of rural eligibility criteria; and (iii) other qualified projects, irrespective of rural eligibility criteria.

(d) Compliance with the dollar limitations of subitems (b) and (c) must be determined by the total amount of South Carolina housing tax credits allocated for one full year of the credit period applicable to each qualified project, and not the total amount of South Carolina housing tax credits allocated for the entire credit period applicable to each qualified project. Compliance with the dollar limitations of subitems (b) and (c) must be determined within each calendar year at the time the state housing authority makes a preliminary determination of any qualified project's eligibility for the South Carolina housing tax credit.

(e) In addition to the dollar limitation of subitem (b), allocation of any South Carolina housing tax credit to any qualified project utilizing the federal 4 percent tax credit is conditioned on among other things availability and allocation to the extent necessary for the qualified project of any state ceiling made pursuant to Article 3, Chapter 11, Title 1.

(C)(1) The state housing authority shall promulgate rules establishing criteria upon which the eligibility statements are issued which must include consideration of evidence of local support for the project. The eligibility statement must specify the amount of the South Carolina housing tax credit allowed, and must include: (i) the annual amount of South Carolina housing tax credit allocated to the qualified project for each year of credit period; and (ii) the total amount of South Carolina housing tax credit allocated to the qualified project for the entire credit period.

(2) The state housing authority may not issue an eligibility statement until the taxpayer provides a report to the state housing authority detailing how the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ will benefit the tenants of the project, once

placed in service, ~~including, but not limited to,~~ including without limitation reduced rent, ~~or~~ and why the ~~state~~ South Carolina housing tax credit ~~authorized by this section~~ is ~~necessary to undertake~~ essential to the financial feasibility of the project.

(3) The state housing authority must establish uniform criteria for allocating the South Carolina housing tax credit to eligible projects pursuant to a competitive process that promotes highest value and greatest public benefit. The state housing authority must establish the criteria required by this section as part of any qualified allocation plan adopted to administer the federal housing tax credit, which must include without limitation an opportunity for public comment at a public hearing conducted by the state housing authority. The criteria established pursuant to this section, and any qualified allocation plan are subject to the prior review and comment of the Joint Bond Review Committee.

(4) The state housing authority must furnish no later than January thirty-first of each year an annual report of South Carolina housing tax credits allocated pursuant to this section, which must include for the preceding calendar year the total amount of South Carolina housing tax credits allocated, and for each project, the project name and location, the amount of the South Carolina housing tax credits allocated to the project, project ownership, total number of units assisted, and the public benefit achieved by the project. The annual report must be furnished to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority.

(D) The Department of Revenue, in consultation with the ~~South Carolina State Housing Finance and Development Authority~~ state housing authority, may adopt rules and policies necessary to implement and administer the provisions of this section; provided, however, that the state housing authority has the responsibility for: (i) allocation and administration of the South Carolina housing tax credit; and (ii) ensuring that the limits prescribed by subsections (B)(5)(b) and (B)(5)(c) are not exceeded.

(E) Notwithstanding any other provision of law, the provisions of this section and administration thereof are subject to the oversight, and review and comment as appropriate, of the Joint Bond Review Committee."

B.1. Notwithstanding the limitations prescribed by Section 12-6-3795(B)(5)(b), (c), and (d) in SECTION 1.A., the General Assembly hereby provides a one-time authorization of South Carolina

housing tax credits in an amount necessary but not exceeding one hundred million dollars for qualified projects approved before December 31, 2021, by the State Fiscal Accountability Authority or the South Carolina State Housing and Finance Development Authority, as applicable. Any allocations of South Carolina housing tax credits made pursuant to this provision are subject to the review and comment of the Joint Bond Review Committee. Not later than thirty days following enactment hereof, the South Carolina State Housing and Finance Development Authority must identify and report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Ways and Means Committee, the Joint Bond Review Committee, and the State Fiscal Accountability Authority all qualified projects to which this one-time authorization of South Carolina housing tax credits is proposed to apply. The report must be made in such form and substance as may be directed by the Joint Bond Review Committee. Nothing in this provision grants any rights to, or in the processes used in the determination of, allocation of this one-time authorization of South Carolina housing tax credits. Decisions made pursuant to this provision are final and are not subject to judicial or administrative review.

2. This subsection B takes effect upon approval by the Governor.

C. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2021.

SECTION 2. Article 3, Chapter 11, Title 1 of the 1976 Code is amended to read:

"Article 3

Allocation of State Ceiling on Issuance of Private Activity Bonds

Section 1-11-500. The state ceiling on the issuance of private activity bonds as defined in Section 146 of the Internal Revenue Code of 1986 ~~(the Code)~~ established in the act must be certified annually by the Secretary of the State Fiscal Accountability Authority ~~secretary~~ (the state authority) based upon the provisions of the act. The ~~board~~ secretary of the state authority shall make this certification as soon as practicable after the estimates of the population of the State of South Carolina to be used in the calculation are published by the United States Bureau of the Census but in no event later than February first of each calendar year.

Section 1-11-510. (A) The private activity bond limit for all issuing authorities must be allocated by the ~~board~~ state authority in response to authorized requests as described in Section 1-11-530 by the issuing authorities, or as otherwise provided in Section 1-11-520(G).

(B) The aggregate private activity bond limit amount for all South Carolina issuing authorities is allocated initially to the State for further allocation within the limits prescribed herein.

(C) ~~Except as is provided in Section 1-11-540, all allocations must be made by the board on a first-come, first-served basis, to be determined by the date and time sequence in which complete authorized requests are received by the board secretary~~ Nothing in this article or the State Ceiling Allocation Plan adopted pursuant to this article grants any rights to, or in the processes used in the allocation or disposition of, state ceiling. Decisions made pursuant to this article are final and are not subject to judicial or administrative review.

Section 1-11-520. (A) ~~The private activity bond limit for all state government issuing authorities now or hereafter authorized to issue private activity bonds as defined in the act, to be known as the "state government pool", is forty percent of the state ceiling less any amount shifted to the local pool as described in subsection (B) of this section or plus any amount shifted from that pool~~ No later than September thirtieth of the year preceding the calendar year to which the state ceiling applies, and subject to review and comment by the Joint Bond Review Committee, the state authority must publish a State Ceiling Allocation Plan that assigns percentages of the state ceiling to categories of any of the permitted purposes prescribed by the Internal Revenue Code. Without limitation, categories of permitted purposes may include industrial and economic development bonds; single family housing bonds; multifamily housing bonds; student loan bonds; and any other bonds eligible for tax exemption as a private activity bond pursuant to the Internal Revenue Code. No initial assignment to any single category may exceed forty percent of the state ceiling, and no minimum assignment is required for any category.

(B) ~~The private activity bond limit for all issuing authorities other than state government agencies, to be known as the "local pool", is sixty percent of the state ceiling plus any amount shifted from the state government pool or less any amount shifted to that pool~~ Further, the allocation plan must provide for a process of periodic allocations of the state ceiling within each category, which for any period generally may not exceed an amount of the state ceiling allocated to that category equally divided among the number of periods in the year during which allocations are to be made; provided, however, that the state authority may, upon findings of exceptional and compelling circumstances, amend the annual allocation plan following review and comment by the committee.

(C) ~~The board, with review and comment by the Joint Bond Review Committee, may shift unallocated amounts from one pool to the other at any time~~ Notwithstanding the assigned percentages set forth in the allocation plan, the state authority may but need not reassign any state ceiling unused in prior periods as a supplement to and means to address demand for ceiling allocation in a subsequent period. Such re-assignment may be made for any allocation category, notwithstanding its original assignment.

(D) Unless otherwise approved in writing by the state authority following justification and substantial findings of significance, no authorized request may receive an allocation of state ceiling applicable to that calendar year exceeding ten percent of the total state ceiling in the case of an industrial or economic development project, or five percent of the total state ceiling for any other allocation category.

(E) The allocation plan must establish competitive criteria for allocation of state ceiling to authorized requests. Competitive criteria may be unique to each category but must be uniform within each category and established to achieve highest value and greatest public benefit. Discussions of matters related to the periodic evaluation of authorized requests may be conducted in executive session. The state authority may utilize the services of the South Carolina Department of Commerce, the South Carolina State Housing Finance and Development Authority, any other state agency, and any other public or private resources to inform and provide services for the development of the allocation plan, including the evaluation and competitive criteria; and the periodic evaluation of authorized requests. The Department of Commerce and the State Housing Finance and Development Authority are directed to provide to the state authority such assistance as may be requested or required to accomplish the purposes of this article.

(F) Allocations of state ceiling to authorized requests must be made in accordance with the provisions of the allocation plan and policies and procedures adopted by the state authority.

(G) The state authority must determine the disposition of any remaining, unused state ceiling during the final period of the calendar year pursuant to a petition submitted in accordance with Section 1-11-530(D).

Section 1-11-530. (A) For private activity bonds proposed for issue by other than state government issuing authorities, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a copy of

the Inducement Contract, Inducement Resolution, or other comparable preliminary approval entered into or adopted by the issuing authority, if any, relating to the bonds~~. The board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(B) For private activity bonds proposed for issue by any state government issuing authority, an authorized request is a request included in a petition to the ~~board~~ state authority that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by: (i) a bond resolution or comparable action by the issuing authority authorizing the issuance of the bonds~~. The board shall forward promptly to the committee a copy of each petition received~~, and (ii) such other supporting documentation as the state authority may by policy prescribe.

(C) Each authorized request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

(D) An issuing authority seeking an allocation of any remaining unused state ceiling for carry-forward designation must submit to the state authority a petition identifying the types of tax-exempt bonds to which the carry-forward designation will apply. The petition must be accompanied by such other supporting documentation as the state authority may by policy prescribe. Such allocations are not subjected to the provisions of Section 1-11-520(D), (E), and (F).

(E) Notwithstanding any other provision of this article, the state authority may disapprove, reduce, or defer any authorized request or petition for carryforward.

(F) The state authority must periodically furnish to the Joint Bond Review Committee a report of petitions received, along with their dispositions.

Section 1-11-540. ~~(A) The board, with review and comment by the committee, may disapprove, reduce, or defer any authorized request. If it becomes necessary to exercise this authority, the board and the committee shall take into account the public interest in promoting economic growth and job creation.~~

~~(B) Authorized requests for state ceiling allocations of more than ten million dollars for a single project are deferred until after July first unless the board, after review and comment by the committee, determines in any particular instance that the positive impact upon the State of approving an allocation of an amount greater than ten million dollars is~~

~~of such significance that approval of the allocation is warranted~~ Reserved.

Section 1-11-550. (A) An allocation of the state ceiling approved by the ~~board~~ state authority is made formal initially by a certificate which allocates tentatively a specific amount of the state ceiling to the bonds for which the allocation is requested. This tentative allocation certificate must specify the state ceiling amount allocated, the issuing authority and the project involved, and the time period during which the tentative allocation is valid. This certificate must remind the issuing authority that the tentative allocation is made final after the issuing authority chairman or other duly authorized official or agent of the issuing authority, before the issue is made, certifies the issue amount and the projected date of issue, as is required by subsection (B) of this section. It also may include other information considered relevant by the ~~board~~ secretary of the state authority.

(B) The chairman or other authorized official or agent of an issuing authority issuing any private activity bond for which a portion of the state ceiling has been allocated tentatively shall execute and deliver to the ~~board~~ secretary of the state authority an issue amount certificate setting forth the exact amount of bonds to be issued and the projected bond issue date which date must not be more than ten business days after the date of the issue amount certificate and it must be before the state ceiling allocation involved expires. The issue amount certificate may be an executed copy of the appropriate completed ~~Internal Revenue Service~~ form to be submitted to the Internal Revenue Service on the issue or it may be in the form of a letter which certifies the exact amount of bonds to be issued and the projected date of the issue.

(C) In response to the issuing authority's issue amount certificate required by subsection (B) of this section, the ~~board~~ secretary of the state authority is authorized to issue and, as may be necessary, to revise a certificate making final the ceiling allocation ~~approved~~ previously approved by the ~~board~~ state authority on a tentative basis, if the secretary of the state authority determines that:

(1) the issuing authority's issue amount certificate specifies an amount not in excess of the approved tentative ceiling allocation amount;

(2) the issue amount certificate was received prior to the issue date projected and that the certificate is dated not more than ten days prior to the issue date projected; provided, however, that if an issue amount certificate is dated more than ten days prior to the date of issue of the bonds, such certificate shall be void, and a new request must be provided to the secretary of the state authority prior to issuance of the bonds;

(3) the issue date projected is within the time period approved previously for the tentative ceiling allocation; and

(4) the bonds when issued and combined with the total amount of bonds requiring a ceiling allocation included in issue amount certificates ~~submitted~~ previously submitted to the ~~board~~ state authority by issuing authorities do not exceed the state ceiling for the calendar year. Except under extraordinary circumstances, the ~~board~~ secretary of the state authority shall issue this certificate within two business days following the date the issue amount certificate is received.

(D) In accordance with Section 149(e)(2)(F) of the Internal Revenue Code, the secretary of the ~~State Fiscal Accountability Authority~~ state authority is designated as the state official responsible for certifying, if applicable, that certain bonds meet the requirements of Section 146 of the Internal Revenue Code relating to the volume cap on private activity bonds.

(E) Any tentative or final state ceiling allocation granted by the ~~board~~ state authority before the effective date of this act remains valid as an allocation of a portion of the volume cap for South Carolina provided under Section 146 of the Internal Revenue Code. The allocations expire in accordance with the ~~regulations~~ law under which they were granted or extended and their validity may be extended or reinstated in accordance with the provisions of Sections 1-11-500 through 1-11-570.

Section 1-11-560. (A) Any state ceiling allocation approved by the ~~board~~ state authority is valid only for the calendar year in which it is approved, unless eligible and approved for carry-forward election or unless specified differently in the ~~board~~ certificates required by Section 1-11-550.

(B) Unless eligible and approved for carry-forward election or unless specified differently in ~~board~~ certificates required by Section 1-11-550, each state ceiling allocation expires automatically if the bonds for which the allocation is made are not issued within ninety consecutive calendar days from the date the allocation is approved by the ~~board~~ state authority.

(C) In response to a written request by the chairman or other duly authorized official or agent of an issuing authority, the ~~board~~ state authority, acting during the period an approved allocation is valid, may but need not extend the period in which an allocation is valid in a single calendar year by thirty-one consecutive calendar days to a total of not more than one hundred twenty-one consecutive calendar days.

(D) In response to a written request by the chairman or other authorized official or agent of an issuing authority, the ~~board~~ state authority may but need not reinstate for a period of not more than

thirty-one consecutive calendar days in any one calendar year part or all of an allocation approved but not extended previously in accordance with subsection (C) of this section in that same calendar year which has expired. The reinstatement request must certify that the authorized request ~~submitted~~ previously submitted is still true and correct or a new authorized request must be submitted.

(E) A tentative ceiling allocation is canceled automatically if the chairman or other authorized official or agent of the issuing authority ~~involved~~ fails to deliver the issue amount certificate required by Section 1-11-550 to the ~~board~~ secretary of the state authority before the bonds for which the allocation is made are issued.

(F) The chairman or other authorized official or agent of an issuing authority shall advise the ~~board~~ secretary of the state authority in writing as soon as is practicable after a decision is made not to issue bonds for which a portion of the state ceiling has been allocated. All notices of relinquishment of ceiling allocations must be entered promptly in the ~~board's~~ state authority's records by the ~~board~~ secretary of the state authority.

(G) Ceiling allocations which are eligible and approved for carry-forward election are not subject to the validity limits of this section. The ~~board~~ state authority shall join with the issuing authorities involved in carry-forward election statements to meet the requirements of the Internal Revenue Service.

Section 1-11-570. The ~~State Fiscal Accountability Authority, after review and comment by the committee,~~ state authority may adopt ~~the~~ policies and procedures ~~it considers~~ necessary ~~for the equitable~~ to implement and administer the provisions of this article. All such policies and ~~effective administration of Sections 1-11-500 through 1-11-570~~ procedures, and any changes thereto, are subject to review and comment by the Joint Bond Review Committee.

Section 1-11-580. The State Fiscal Accountability Authority shall make quarterly payments on insurance contracts where the annual premium exceeds fifty thousand dollars. The board shall undertake necessary negotiations to implement this requirement. Where fees may be incurred for quarterly rather than annual payments, the State Fiscal Accountability Authority shall determine whether the investment income opportunity is greater or less than proposed fees and shall make the decision which best benefits South Carolina."

SECTION 3. Section 1-11-370 of the 1976 Code is repealed.

SECTION 4. The provisions of Article 3, Chapter 11, Title 1 of the 1976 Code relating to the allocation of state ceiling on issuance of private

activity bonds, as amended in this act, shall control if there is any conflict with any other provision of law or regulation, specifically including Regulation 19-103.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. The provisions of this act are effective for allocations of state ceiling beginning January 1, 2022, and thereafter. For the first year of implementation, the state authority may adopt such special procedures as may be necessary to effect the requirements of this act.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

ADOPTED

H. 5101 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2022, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

WEDNESDAY, APRIL 20, 2022

MOTION ADOPTED

At 2:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J.E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V.S. Moss, Murphy, Nutt, Sandifer, G.R. Smith, M.M. Smith, G.M. Smith, West, White, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND

SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1

Senators CAMPSEN, HUTTO, MASSEY, SABB and SCOTT proposed the following amendment (JUD4919.011), which was adopted:

Amend the bill, as and if amended, strike all after the enacting language and inserting:

/ SECTION 1. A. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

"Section 7-13-25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of voter registration and elections must establish at least one early voting center and may establish up to seven early voting centers. Each early voting center must be supervised by employees of the county board of voter registration and elections or the State Election Commission.

(E) The early voting period shall be from Monday through Saturday for the two-week period immediately preceding an election.

(F) The county board of voter registration and elections shall provide the hours of operation for the early voting center or centers in accordance with the following:

(1) for statewide general elections, the early voting centers must be open for the Saturdays within the early voting period and the early voting centers must be open at least from 8:30 a.m. until 6:00 p.m. on each date of the early voting period. However, the county board of voter registration and elections may choose to extend hours from 7:00 a.m. until 7:00 p.m. for any of those dates;

(2) for any election that is not a general election, the early voting centers must be open from at least 8:30 a.m. until 5:00 p.m., but the county board of voter registration and elections shall determine whether to open the early voting centers on Saturday during the early voting period;

(3) for a primary run-off for which timing would not permit an early voting period as prescribed in subsection (E), the Executive Director of the State Election Commission may establish a period of time for an early voting period; and

(4) for any election, the early voting centers must not be open on Sundays.

(G)(1) Each county board of voter registration and elections must determine locations for its early voting centers. In selecting locations for early voting centers, the county board of voter registration and elections must consider geography, population, and ADA compliant accessibility. The county board of voter registration and elections must distribute the locations throughout the county to maximize accessibility for all voters in the county to the greatest extent possible.

(2) Each county board of voter registration and elections must identify locations it intends to utilize as early voting centers for a statewide primary and a statewide general election by March 10 before that primary election.

(3) The Executive Director of the State Election Commission must approve the addition or relocation of early voting centers after March 10,

and may, at his discretion, direct the move of early voting centers to ensure proper distribution throughout each county.

(H) The county board of voter registration and elections must publish the location and hours of each early voting center at least fourteen days before the early voting period begins. Publication of the schedule must be made, at a minimum, to a website or webpage managed by, or on behalf of, each respective county board of voter registration and elections.

(I) Each early voting center must have available every ballot style in use in the particular county for that election.

(J) Upon the daily closure of each early voting center, all ballots must be transported to the county board of voter registration and elections and stored in a secure location.

(K) A sign must be posted prominently in each early voting center and shall have printed on it: 'VOTING MORE THAN ONCE IS A FELONY AND, UPON CONVICTION, A PERSON MUST BE FINED NOT LESS THAN ONE THOUSAND DOLLARS NOR MORE THAN FIVE THOUSAND DOLLARS AND IMPRISONED NOT MORE THAN FIVE YEARS'.

(L) The provisions of this section do not apply to presidential preference primaries held pursuant to Section 7-11-20."

SECTION 2. A. Section 7-11-10 of the 1976 Code is amended to read:

"Section 7-11-10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; however, a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ must not have his name placed on the ballot for the ensuing general or special election, except that this section does not prevent a defeated candidate from later becoming his party's nominee for that office in that election if the candidate first selected as the party's nominee dies, resigns, is disqualified, or otherwise ceases to become the party's nominee for that office before the election is held.

(B) A candidate must not file more than one statement of intention of candidacy for a single office for the same election.

(C) A candidate must not be nominated by more than one political party for a single office for the same election."

B. Section 7-13-320(D) of the 1976 Code is amended to read:

"(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A

candidate's name must not appear on the ballot more than once for any single office for the same election."

SECTION 3. A. Section 7-15-220(A) of the 1976 Code is amended to read:

"(A) The oath, a copy of which is required by Section 7-15-200(2) to be sent each absentee ballot applicant and which is required by Section 7-15-230 to be returned with the absentee ballot applicant's ballot, shall be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The oath shall be in the following form:

'I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.'

_____
Signature of Voter
Dated on this _____ day of _____ 20 __

_____ _____
Signature of Witness Printed Name of Witness

_____
Address of Witness"

SECTION 4. Section 7-15-320 of the 1976 Code is amended to read:

Section 7-15-320. (A) Qualified electors in ~~any of~~ the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in ~~all elections~~ an election ~~when they are absent from their county of residence on election day during the hours the polls are open , to an extent that it prevents them from voting in person~~:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections ~~students, their spouses, and dependents residing with them~~;

(2) persons who will be attending sick or physically disabled persons ~~serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them~~;

(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial ~~governmental employees, their spouses, and dependents residing with them~~; or

(4) persons who are going to be absent from their county of residence ~~on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(5) overseas citizens~~.

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open ~~all elections, whether or not they are absent from their county of residence~~ on election day:

(1) physically disabled persons;

(2) persons sixty-five years of age or older ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections~~;

(3) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them ~~certified poll watchers, poll managers, county board of voter registration and elections members and staff, county and state election commission members and staff working on election day~~; or

(4) ~~attending sick or physically disabled persons~~;

~~(5)~~ persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election, as provided in Section 7-15-330~~;~~

~~(6) persons with a death or funeral in the family within a three-day period before the election~~;

~~(7) persons who will be serving as jurors in a state or federal court on election day~~;

~~(8) persons sixty-five years of age or older;~~

~~(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or~~

~~(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them~~.

SECTION 5. Section 7-15-330 of the 1976 Code, as last amended by Act 133 of 2020, reads:

"Section 7-15-330. To vote by absentee ballot, a qualified elector or a member of his immediate family must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the board of voter registration and elections as established by the county governing

body, for the county of the voter's residence. A person requesting an application for a qualified elector as the qualified elector's authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of a representative. This signed oath must be kept on file with the board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate or a member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family. A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held. However, completed applications must be returned to the county board of voter registration and elections in person or by mail before 5:00 p.m. on the fourth day before the day of the election. Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320. A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of an election or within a four-day period before the election may obtain an application from the board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the board of voter registration and elections. The board of voter registration and elections shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election. A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170."

SECTION 6. Section 7-15-340 of the 1976 Code is amended to read:

"Section 7-15-340. (A) The application required in Section 7-15-330 to be submitted to these election officials must be in a form prescribed and distributed by the State Election Commission; except that persons listed in Section 7-15-320(2), (3), (6), and (10) may use Standard Form 76, or any subsequent form replacing it, provided by the federal government as a simultaneous request for registration and an absentee ballot or a request for an absentee ballot if already registered.

(B)(1) The application must contain the following information: name, registration certificate number, address, absentee address, election of ballot request, election date, runoff preference, party preference, reason for request, oath of voter, and voter's signature.

(2) The application also must contain the last four digits of the voter's social security number.

(C) The oath must be as follows: 'I do swear or affirm that I am a qualified elector, that I am entitled to vote in this election, and that I will not vote again during this election. The information above is true in all respects, and I hereby apply for an absentee ballot for the reason indicated above.' Any person who fraudulently applies for an absentee ballot in violation of this section, upon conviction, must be punished in accordance with Section 7-25-20."

SECTION 7. Section 7-15-380(A) of the 1976 Code is amended to read:

"(A) The oath, which is required by Section 7-15-370 to be imprinted on the return-addressed envelope, furnished each absentee ballot applicant, must be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The address, printed name, and signature of the witness shall appear on the oath. In the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The oath must be in the following form:

'I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot and that I have received no assistance in

voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.'

_____
Signature of Voter
Dated on this _____ day of _____ 20 ___

_____ _____
Signature of Witness Printed Name of Witness

_____
Address of Witness"

SECTION 8. Section 7-15-385 of the 1976 Code is amended to read:

"Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked 'Ballot Herein' which in turn must be placed in the return-addressed envelope. The applicant must then return the return-addressed envelope to the board of voter registration and elections by mail, by personal delivery, or by authorizing another person to return the envelope for him. The authorization must be given in writing on a form prescribed by the State Election Commission and must be turned in to the board of voter registration and elections at the time the envelope is returned. The voter must sign the form, or in the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The authorization form prescribed by the State Election Commission must include a designated space in which the appropriate elections official or employee shall record the specific form of government-issued photo identification presented by the authorized returnee. The authorization must be preserved as part of the record of the election, and the board of voter registration and elections must note the authorization, and the name of the authorized returnee, and the authorized returnee's form of government-issued photo identification in the record book required by Section 7-15-330. A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.

The board must securely store the envelopes in a locked box within the office of the board of voter registration and elections.

(B)(1) When an authorized returnee presents himself to the board of voter registration and elections to deliver a return-addressed envelope in person pursuant to subsection (A), he shall produce a valid and current:

(a) South Carolina driver's license;

(b) other form of identification containing a photograph issued by the Department of Motor Vehicles;

(c) passport;

(d) military identification containing a photograph issued by the federal government; or

(e) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-675.

(2) The appropriate elections official or employee who receives a return-addressed envelope from an authorized returnee shall:

(a) compare the photograph contained on the required identification with the person presenting himself as an authorized returnee; and

(b) verify that the photograph is that of the person personally delivering the return-addressed envelope."

SECTION 9. Section 7-15-420 of the 1976 Code, as last amended by Act 133 of 2020, reads:

"Section 7-15-420. The county board of voter registration and elections, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the tabulation and reporting of absentee ballots. At 9:00 a.m. on election day, the managers appointed pursuant to Section 7-5-10, and in the presence of any watchers who have been appointed pursuant to Section 7-13-860, may begin the process of examining the return-addressed envelopes that have been received by the county board of voter registration and elections making certain that each oath has been properly signed and witnessed and includes the address of the witness. All return-addressed envelopes received by the county board of voter registration and elections before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed and witnessed nor may any ballot be counted which is received by the county board of voter registration and elections after time for closing of the polls. The printed instructions required by Section 7-15-370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return-addressed envelope must be opened by

the managers, and the enclosed envelope marked 'Ballot Herein' removed, and placed in a locked box or boxes. After all return-addressed envelopes have been emptied in this manner, the managers shall remove the ballots contained in the envelopes marked 'Ballot Herein', placing each one in the ballot box provided for the applicable contest. Beginning at 9:00 a.m. on election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot. Results of the tabulation must not be publicly reported until after the polls are closed."

SECTION 10. Section 7-15-430 of the 1976 Code is amended to read:

(A) Prior to the distribution of voter registration lists to the various precincts, the county board of voter registration and elections shall note, opposite the name of each registered voter, who is provided an absentee ballot ~~has voted by absentee ballot the fact of such voting or that an absentee ballot has been issued to a voter, as the case may be~~.

(B) No voter whose name is so marked on the registration list as having returned his absentee ballot ~~voted~~ shall be permitted to vote in person in his resident precinct or at an early voting center in his county. ~~and no~~ A voter who has not returned his ~~been issued an~~ absentee ballot may cast a provisional ballot at his resident precinct or at an early voting center in his county that must only be counted if the absentee ballot is not received by the time for the closing of the polls on election day ~~vote whether such ballot has been cast or not, unless he shall furnish to the officials of his resident precinct a certificate from the county board of voter registration and elections that his absentee ballot has been returned to the board unmarked~~.

(C) Should any voter be issued an absentee ballot after the board has released the registration books to be used in the election to the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll managers, the board of voter registration and elections shall immediately notify in writing the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll manager, as the case may be, of the name, address, and certificate number of each voter who has since been issued an absentee ballot and the registration books must be appropriately marked that the voter has been issued an absentee ballot.

SECTION 11. Section 7-15-470 of the 1976 Code is repealed.

SECTION 12. Section 7-5-170 of the 1976 Code is amended to read:

"Section 7-5-170. (1) Written application required.—A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185, which shall become a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

(2) Form of application. — The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in any public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must take the following oath: 'I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence, ~~and~~ that I claim no other place as my legal residence, and that, to my knowledge, I am neither registered nor intend to register to vote in another state or county.' Any applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(3) Date stamp voter registration applications. — The county board of voter registration and elections shall date stamp all voter registration applications delivered in person, electronically, or by mail as of the date received.

~~(3)~~(4) Administration of oaths. — Any member of the county board of voter registration and elections, deputy registrar, or any registration clerk must be qualified to administer oaths in connection with the application.

~~(4)~~(5) Decisions on applications. — Any member of the county board of voter registration and elections, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member

of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application."

SECTION 13. A.Section 7-5-186 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) The State Election Commission shall ensure that voter registration information, the voting system, and electronic poll books are protected by security measures that meet or exceed current best practices for protecting data integrity. To do so, the State Election Commission shall consider security standards and best practices issued by federal security and intelligence services, including, but not limited to, the Department of Homeland Security and the Election Assistance Commission. The State Election Commission shall certify on an annual basis to the Governor, the President of the Senate, and the Speaker of the House of Representatives that the agency has substantially complied with the requirements of this subsection."

SECTION 14. Section 7-13-320(A) of the 1976 Code is amended to read:

"(A) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall be of such size and color as directed by the State Election Commission. If more than one ballot is to be used in any election, each such ballot shall be printed upon different colored paper;"

SECTION 15. Section 7-13-610(C) of the 1976 Code is amended to read:

"(C) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot must be printed on paper of a thickness so that the printing cannot be distinguished from the back and must be of a size and color as directed by the State Election Commission. If more than one ballot is to be used in a primary, each ballot must be printed on different colored paper. The ballot must contain a voting square opposite the name of each candidate, and the voter shall

vote by putting a mark in the voting square opposite the name of the candidate of his choice. The State Election Commission may establish, under Chapter 23 of Title 1, such rules and regulations as are necessary for the proper administration of this section."

SECTION 16. Section 7-13-1330 of the 1976 Code is amended to read:

"Section 7-13-1330. (A) Before a decision is made to procure a statewide voting system, the State Election Commission must provide a public comment period of not less than thirty days. The input must be considered in the procurement of a statewide voting system.

(B) Before any kind of optical scan voting system is used at any election, it must be approved by the State Election Commission, which shall examine the optical scan voting system and make and file in the commission's office a report, attested by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of optical scan voting system examined may be accurately and efficiently used by electors at elections, as provided by law. An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards.

~~(B)~~(C) No kind of vote recorder not approved pursuant to this section shall be used at any election and if, upon the reexamination of any type vote recorder previously approved, it appears that the vote recorder so reexamined can no longer be accurately and efficiently used by electors at elections as provided by law, the approval of the vote recorder must immediately be revoked by the State Election Commission, and no such type vote recorder shall thereafter be purchased for use or used in this State.

~~(C)~~(D) If a vote recorder, including an optical scan voting system, which was approved for use before July 1, 1999, is improved or otherwise changed in a way since its approval that does not impair its accuracy, efficiency, or capacity, the vote recorder may be used in

elections. However, if the software, hardware, or firmware of the system is improved or otherwise changed, the system must comply with the requirements of subsection ~~(A)~~ (B).

~~(D)~~(E) Any person or company who requests an examination of any type of vote recorder or optical scan voting system shall pay a nonrefundable examination fee of one thousand dollars for a new voting system and a nonrefundable examination fee of five hundred dollars for an upgrade to any existing system to the State Election Commission. The State Election Commission may at any time, in its discretion, reexamine any vote recorder or optical scan voting system when evidence is presented to the commission that the accuracy or the ability of the system to be used satisfactorily in the conduct of elections is in question.

~~(E)~~(F) Any person or company who seeks approval for any vote recorder or optical scan voting system in this State must file with the State Election Commission a list of all states or jurisdictions in which the system has been approved for use. This list must state how long the system has been used in the state; contain the name, address, and telephone number of that state or jurisdiction's chief election official; and must disclose any reports compiled by state or local government concerning the performance of the system. The vendor is responsible for filing this information on an ongoing basis.

~~(F)~~(G) Any person or company who seeks approval for any vote recorder or optical scan voting system must file with the State Election Commission copies of all contracts and maintenance agreements used in connection with the sale of the voting system. All changes to standard contracts and maintenance agreements must be filed with the State Election Commission.

~~(G)~~(H) Any person or company who seeks approval for any vote recorder or optical scan voting system must conduct, under the supervision of the State Election Commission and any county board of voter registration and elections, a field test for any new voting system, as part of the certification process. The field test shall involve South Carolina voters and election officials and must be conducted as part of a scheduled primary, general, or special election. This test must be held in two or more precincts, and all costs relating to the voting system must be borne by the vendor. The test must be designed to gauge voter reaction to the system, problems that voters have with the system, and the number of voting units required for the efficient operation of an election. The test must also demonstrate the accuracy of votes cast and reported on the system.

~~(H)~~(I) Before an optical scan voting system may be used in elections in the State, all source codes for the system must be placed in escrow by the manufacturer, at the manufacturer's expense, with the authority approved by the Federal Election Assistance Commission. These source codes must be available to the State Election Commission in case the company goes out of business, pursuant to court order, or if the State Election Commission determines that an examination of these source codes is necessary. The manufacturer shall place all updates of these source codes in escrow, and notify the State Election Commission that this requirement has been met.

~~(I)~~(J) After a vote recorder or optical scan voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section; however, this requirement does not apply to the technical capability of a general purpose computer ~~or reader to electronically count and record votes~~ or ~~to a~~ printer to accurately reproduce vote totals.

~~(J)~~(K) If the State Election Commission determines that a vote recorder or optical scan voting system that was approved no longer meets the requirements set forth in subsections ~~(A)~~ (B) and ~~(C)~~ (D) or Section 7-13-1340, the commission may decertify that system. A decertified system shall not be used in elections unless the system is reapproved by the commission under subsections ~~(A)~~ (B) and ~~(C)~~ (D).

~~(K)~~(L) Neither a member of the State Election Commission, any county board of voter registration and elections or custodian, nor a member of a county governing body shall have any pecuniary interest in any vote recorder, or in the manufacture or sale of the vote recorder.

(M) An optical scan voting system must maintain an image of each ballot that is cast in a manner that protects the integrity of the data and the anonymity of each voter.

(N) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election."

SECTION 17. Section 7-13-1340(k) of the 1976 Code is amended to read:

"(k) ~~if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1330 (C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and timeframe specified by the commission~~ disables, at all times while utilized in a current election, the following:

(1) a connection to the Internet or an external network;

(2) the capability to establish a wireless connection to an external network;

(3) the establishment of a connection to an external network through a cable, a wireless modem or any other mechanism or process; and

(4) automatic resolution functionality for ballots flagged for further review."

SECTION 18. Sections 7-13-1620(A) and (G) of the 1976 Code are amended to read:

"(A) Before any kind of voting system, including an electronic voting system, is used at an election, it must be approved by the State Election Commission, which shall examine the voting system and make and file in the commission's office a report, attested to by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of voting system examined may be accurately and efficiently used by electors at elections, as provided by law. A voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards."

"(G) After a voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section. This requirement does not apply to the technical capability of a general purpose computer, reader, or printer used for election preparation or ballot ~~tallying~~ tally reporting."

SECTION 19. Section 7-13-1640(C) of the 1976 Code is amended to read:

"(C) If approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1620(B), the voting system must be able to electronically transmit vote totals for all elections from the county board of voter registration and elections to the State Election Commission in a format and time frame specified by the commission.

(D) Anytime a voter is eligible to cast a ballot the voting machine and any counting device must have disabled:

(1) a connection to the Internet or an external network;

(2) the capability of establishing a wireless connection;

(3) the establishment of a connection to an external network through a cable, a wireless modem, or any other mechanism or process; and

(4) automatic resolution functionality for ballots flagged for further review."

(E) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election."

SECTION 20. Section 7-13-440 of the 1976 Code is repealed.

SECTION 21. Section 7-3-40 of the 1976 Code is amended to read:

"Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State and all individuals eighteen years of age or older who have died out-of-state since making the previous report. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. The bureau must provide this information at no charge."

SECTION 22. Section 7-5-186 of the 1976 Code is amended to read:

"Section 7-5-186. (A)~~(1)~~ The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct a general registration list maintenance program every year to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter registration system. The program must be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002.

~~(2)(a)~~(B) State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission

shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

~~(b)~~(C) ~~Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both~~ The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. The executive director is authorized to cause, at his discretion, the official list of electors to be compared to the National Change of Address information supplied by the United States Postal Service through its licensees periodically for the purpose of identifying those electors whose addresses have changed. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the State providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

~~(c)~~(D) A county board of voter registration and elections shall ~~contact~~ send a notice to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection ~~(A)(2)(a)~~ (B) and (C) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency. The notice as described in Section 7-5-330(F)(2) must be sent within seven days after identification of a discrepancy.

~~(3) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide~~

~~such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.~~"

SECTION 23. Section 7-5-330 of the Code is amended to read:

"Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of this item is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file <u>within seven days after receipt of the report from the county board of voter registration and elections</u> and ~~may~~ <u>shall</u> remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the

qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct an official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

SECTION 24. Section 7-5-340 of the Code is amended to read:

Section 7-5-340. The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

~~(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

~~(a)~~ the death of the qualified elector; or

~~(b)~~(d) a change in the residence ~~of the qualified elector~~ to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;

~~(3)~~(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

(a) voter eligibility requirements; and

(b) penalties provided by law for submission of a false voter registration application;

~~(4)~~(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official lists of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:

(a) the removal of names from official lists of voters on a basis described in ~~items~~ item (1) ~~and (2)~~; or

(b) correction of registration records pursuant to this article."

SECTION 25. Chapter 25, Title 7 of the 1976 Code is amended by adding:

"Section 7-25-30. The State Law Enforcement Division shall establish a public reporting hotline telephone number and email address for receiving reports of possible election fraud or other violations of the election laws of this State. It shall promptly review all reported violations and take action as it determines appropriate."

SECTION 26. Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-350. The State Election Commission shall report to the General Assembly annually regarding the commission's actions taken to maintain the accuracy of the statewide voter registration database and voter registration list maintenance. This report shall include, but is not limited to, the number of: (1) voters removed from the voter registration list and the reason for the removal; (2) voters placed on inactive status; (3) voters placed on archive status; (4) new voter registrations; and (5) voter registration updates, including elector address changes. This annual report must be delivered to the President of the Senate and the Speaker of the House of Representatives by January fifteenth of each year."

SECTION 27. Chapter 1, Title 7 of the 1976 Code is amended by adding:

"Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene

on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) A request to intervene or the participation of the President of the Senate, on behalf of the Senate, or the Speaker of the House of Representatives, on behalf of the House of Representatives, as a party or otherwise, in an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted does not constitute a waiver of:

(1) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(2) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(E) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(F) In an action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(G) The Senate and the House of Representatives may employ attorneys other than the Attorney General to defend any action that

challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

SECTION 28. Section 7-3-20(C) of the 1976 Code is amended by adding appropriately numbered items to read:

"( ) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. Once completed, audit reports must be published on the commission's website;"

SECTION 29. A. Section 7-25-20 of the 1976 Code is amended to read:

"Section 7-25-20. It is unlawful for a person to fraudulently:

(1) procure the registration of a name on the books of registration;

(2) offer or attempt to vote that name;

(3) offer or attempt to vote in violation of this title or under any false pretense as to circumstances affecting his qualifications to vote; or

(4) aid, counsel, or abet another in fraudulent registration or fraudulent offer or attempt to vote.

A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not less than one ~~hundred~~ thousand dollars nor more than five ~~hundred~~ thousand dollars ~~or~~ and imprisoned not more than ~~one year, or both~~ five years."

B. Section 7-25-110 of the 1976 Code is amended to read:

"Section 7-25-110. It is unlawful for a person qualified to vote at any general, special, or primary election for an office whether local, state, or federal to vote more than once at such election, for the same office. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined ~~in the discretion of the court or~~ not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than ~~three~~ five years."

C. Section 7-25-120 of the 1976 Code is amended to read:

"Section 7-25-120. It is unlawful for a person to impersonate or attempt to impersonate another person for the purpose of voting in a general, special, or primary election, whether municipal or State. A person who violates the provisions of this section is guilty of a

~~misdemeanor~~ felony and, upon conviction, must be imprisoned not more than ~~three~~ five years ~~or~~ and fined not less than ~~three hundred~~ one thousand dollars nor more than ~~twelve hundred~~ five thousand dollars~~, or both~~. When a person who violates the provisions of this section is placed under bond, the bond may not be less than six hundred dollars nor more than twelve hundred dollars."

D. Section 7-25-160 of the 1976 Code is amended to read:

"Section 7-25-160. A manager at any general, special, or primary election in this State who wilfully violates any of the duties devolved by law upon such position is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years. A manager who commits fraud or corruption in the management of such election is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years~~, or both~~."

E. Section 7-25-170 of the 1976 Code is amended to read:

"Section 7-25-170. An officer, other than a manager at any election, on whom a duty is imposed by this title, except under Section 7-13-1170, Articles 1 and 3 of Chapter 17 and Chapters 19 and 23 of this title, who wilfully neglects such duty or engages in corrupt conduct in executing it is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years."

SECTION 30. A. Section 7-3-10 of the 1976 Code is amended to read:

"Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, to be appointed by the Governor, upon the advice and consent of the Senate, at least one of whom shall be a member of the majority political party represented in the General Assembly, and at least one of whom shall be a member of the largest minority political party represented in the General Assembly~~, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years~~. In considering appointments to the commission, race, gender, and other geographic and demographic factors must be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State.

(B)(1) The terms of the members of the State Election Commission shall be for four years and until their successors are appointed and qualify, provided, however, that a member may not serve in holdover status for more than one year.

(2) If a member who has been reappointed and who is serving in holdover status is not confirmed by the Senate on or before the sine die adjournment of the General Assembly following the expiration of the member's term, then the member's seat is vacated, and he is ineligible to serve on the State Election Commission as a recess or interim appointee.

(3) If a person appointed to serve as a commissioner is rejected by a vote of the Senate, then, if the appointment was an initial appointment, the person cannot take office and is ineligible to serve as an interim appointee to the State Election Commission and, if the appointment was a reappointment, the person may serve the remainder of his term in office, if any, his seat is vacated upon the expiration of his term, and the person is ineligible to serve as a recess or interim appointee to the State Election Commission.

(4) Any vacancy on the ~~Commission~~ commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

~~(b)~~(C) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The ~~Commission~~ commission shall select such other officers from among its members as it may deem necessary.

~~(c)~~(D) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.

~~(d)~~(E) The ~~Commission~~ commission shall have the powers and duties as enumerated in this title.

~~(e)~~(F) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.

(G) The commission shall promulgate regulations to establish standardized processes for the administration of elections and voter registration, which must be followed by county boards of voter registration and elections, as established pursuant to Article 1, Chapter

5, Title 7. The standards established by the commission must comply with federal and state statutory, regulatory, and constitutional standards. The commission is prohibited from promulgating emergency regulations pursuant to Section 1-23-130. The standardized processes promulgated pursuant to this subsection must take into account unique circumstances around the State, including, but not limited to, population and geographic disparities among the various counties.

(H) The commission shall provide for the supervision of the conduct of county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, Title 7, which administer elections and voter registration in the State. The commission is ultimately responsible for ensuring those boards' compliance with the requirements of applicable state or federal law and State Election Commission policies, procedures, and standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process."

B. On January 10, 2023, the terms of the members of the State Election Commission are expired, and a new State Election Commission must be established pursuant to Section 7-3-10(A), as amended by this act. In order to stagger the terms of the members of the State Election Commission, the initial terms are as follows, regardless of when a member is appointed and qualifies:

(1) the initial appointment of one member of the majority political party represented in the General Assembly and the initial appointment of one member of the largest minority political party represented in the General Assembly are for terms expiring on July 1, 2025; and

(2) the initial appointments of three members are for terms expiring on July 1, 2027.

C. A member whose term expires on January 10, 2023 may continue to serve in the seat in holdover status until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 9, 2023, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2023, whichever is later, then the member's seat is vacated on the later of the two dates and is ineligible to serve as an interim appointment to the State Election Commission. If a member who is serving in holdover status is rejected by a vote of the Senate, then the member's seat is vacated on the date the member is rejected by a vote of the Senate and the member is ineligible to serve as an interim appointment to the State Election Commission.

SECTION 31. A. Section 7-3-20 of the 1976 Code is amended to read:

"Section 7-3-20. (A) The State Election Commission shall ~~elect~~ appoint an executive director, upon the advice and consent of the Senate, who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission. In the event of a vacancy in the position of executive director, an interim director must be appointed by the State Election Commission, and an appointment for a permanent executive director must be submitted to the Senate as soon as practicable. If a person is appointed by the State Election Commission to be executive director and is not confirmed by the Senate by the date for the sine die adjournment of the General Assembly following the appointment, then the person must not serve as an interim or permanent executive director.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C) The executive director shall:

(1) direct and supervise the implementation of the standardized processes established by the commission pursuant to Section 7-3-10(G);

(2) supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(2)~~(3) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(3)~~(4) maintain a complete master file of all qualified electors by county and by precincts;

~~(4)~~(5) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(5)~~(6) enter names on the master file as they are reported by the county boards of voter registration and elections;

~~(6)~~(7) furnish each county board of voter registration and elections with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(7)~~(8) maintain all information furnished to his office relating to the inclusion or deletion of names from the master file for four years;

~~(8)~~(9) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(9)~~(10) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(10)~~(11) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(11)~~(12) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(12)~~(13) furnish at reasonable price any precinct lists to a qualified elector requesting them;

~~(13)~~(14) serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the National Voter Registration Act of 1993;

~~(14)~~(15) serve as the chief state election official responsible for implementing and enforcing the state's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.; ~~and~~

~~(15)~~(16) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law~~.~~;

(17) promulgate regulations for voter registrations performed by private entities; and

(18) enter into the master file a separate designation for each voter casting an absentee ballot or an early ballot in an election."

(D) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election."

B. The commission must provide an appointment for executive director to the Senate for advice and consent no later than January 10, 2023. This appointment must be made even if there is not a vacancy in the position at that time and the commission desires that the executive director continue to serve as the agency's executive director.

SECTION 32. Section 7-3-25 of the 1976 Code is amended to read:

"Section 7-3-25. (A) In the event that the State Election Commission, acting through its executive director, determines that a county board of elections and voter registration has failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of the election or voter registration process, the State Election Commission, acting through its executive director or other designee, must supervise, pursuant to Section 7-3-20(C)(1) and (2), the county board to the extent necessary to:

(1) identify the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes;

(2) establish a plan to correct the failure; and

(3) implement the plan to correct the failure. The officials and employees of the State Election Commission and the county board must work together, in good faith, to remedy the failure of the county board to adhere to state or federal law or State Election Commission policies, procedures, or standardized processes. In the event of a difference of policy or opinion between a county election official or employee and the State Election Commission or its designee, pertaining to the manner in which particular functions must be performed, the policy or opinion of the State Election Commission shall control.

(B) If a county board of voter registration and elections does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set for certification by applicable law,

the responsibility to determine and certify the results is devolved upon the State Election Commission.

(C) If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the election or voter registration process or fails to comply with or cooperate with the corrective plan established by the State Election Commission or its designee under the provisions of subsection (A), the commission may order the decertification of that official or employee and if decertified the commission shall require that official to participate in a retraining program approved by the commission prior to recertification. If the commission finds that the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes by an official is wilful, it shall recommend the termination of that official to the Governor or it shall recommend termination of a staff member to the director of the appropriate county board of voter registration and elections."

SECTION 33. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-50. (A)(1) The State Election Commission must not accept any funds, grants, or gifts from any source other than the State or federal government to prepare for or to conduct elections unless:

(a) the receipt of the funds is unconditional; and

(b) the funds are distributed by the State Election Commission on a per capita basis to each county board of voter registration and elections based on county population data from the last United States Government census.

(2) If the State Election Commission accepts funds in accordance with the provisions of item (1), it must provide information regarding the amount and source of the funding on its website, and must provide a report to the General Assembly.

(B) No county board of voter registration and elections shall accept or expend any funds other than public funds to prepare for or to conduct elections. For purposes of this section, public funds include funds received from the State Election Commission pursuant to subsection (A)."

SECTION 34. A. Section 7-17-560 of the 1976 Code is amended to read:

"Section 7-17-560.The state executive committee must meet in Columbia at such place as may be designated by the chairman to hear

and decide protests and contests that may arise in the case of federal officers, state officers, State Senate, State House of Representatives, ~~and~~ county officers, ~~involving more than one county~~ and less than county officers. Any protest or contest must be filed in writing with the chairman of the committee, together with a copy for each candidate in the race, not later than noon on Monday following the canvassing of the votes for these officers by the committee. However, service upon the chairman may be perfected by depositing at the office of the Chief of the State Law Enforcement Division a copy of the protest, together with a copy for each candidate in the race. The chief must take immediate steps to deliver these copies to the chairman. The protest must contain each ground thereof stated separately and concisely. The chairman of the committee must forthwith serve upon each candidate in the protested race a copy of the protest and serve a notice of the time and place of the meeting of the committee for the purposes of hearing the protest."

B. Sections 7-17-520, 7-17-530, 7-17-540, and 7-17-550 are repealed.

SECTION 35. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held from the effective date of this act until October 21, 2022.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to September 16, 2022.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than June 20, 2022.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

In addition to the items above, the State Elections Commission may implement additional educational programs in its discretion.

SECTION 36. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of election reform as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 37. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 38. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 39. EFFECTIVE DATE. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator KIMPSON spoke the amendment.

Senator CAMPSEN spoke the amendment.

Senator MALLOY spoke the amendment.

The amendment was adopted.

Amendment No. 2A

Senator CAMPSEN proposed the following amendment (JUD4919.015), which was adopted:

Amend the bill, as and if amended, by striking Section 7-3-40 and inserting:

/ "Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State and all individuals eighteen years of age or older who have died out-of-state. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. ~~The bureau must provide this information at no charge.~~" /

Amend the bill, as and if amended, by striking Section 7-5-186 and inserting:

/ "Section 7-5-186. (A)~~(1)~~ The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct an annual general registration list maintenance program to maintain accurate voter registration records in the statewide voter registration system.

~~(2)(a)~~(B) State agencies, including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

~~(b) Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered~~

~~elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~

~~(c) A county board of voter registration and elections shall contact a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection (A)(2)(a) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency.~~

~~(3)~~(C) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

(D) A county board of voter registration and elections shall send a notice, as described in Section 7-5-330(F)(2), to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if a discrepancy exists between information provided under this section and information that is maintained in the statewide voter registration database.

(E) Information provided under this section for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector must only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both."/

To amend the bill further, by adding an appropriately new SECTION to amend Chapter 5, Title 7 of the 1976 Code by adding:

/ SECTION __. Chapter 5, Title 7 of the 1976 Code of Laws is amended by adding:

"Section 7-5-190. The State Election Commission shall ensure that voter registration information, the voting system, and electronic poll books are protected by security measures that meet or exceed current best practices for protecting data integrity. To do so, the State Election Commission shall consider security standards and best practices issued

by federal security and intelligence services, including, but not limited to, the Department of Homeland Security and the Election Assistance Commission. The State Election Commission shall certify on an annual basis to the Governor, the President of the Senate, and the Speaker of the House of Representatives that the agency has substantially complied with the requirements of this subsection." /

To amend the bill further, by striking Section 7-5-330 of the 1976 Code and inserting:

/ "Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of ~~this item~~ item (1) is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the master file within seven days after receipt of the report from the county board of voter registration and elections and ~~may~~ shall remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the official list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct ~~an~~ the official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election.

To amend the bill further, by striking SECTION 35 and inserting:

/ "SECTION 35. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and

elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held from the effective date of this act until October 21, 2022.

(4) Coordinate with each county board of voter registration and elections so that at least one seminar is conducted with each county's election officials prior to September 16, 2022.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Send a media release describing the changes in this legislation in South Carolina newspapers of general circulation by no later than June 20, 2022.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

In addition to the items above, the State Election Commission may implement additional educational programs in its discretion."/

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator CAMPSEN proposed the following amendment (JUD4919.009), which was adopted:

Amend the bill, as and if amended, by striking Section 7-5-50 and inserting:

/ SECTION __. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-50. (A)(1) The State Election Commission must not accept any funds, grants, or gifts from any source other than the State or federal government to prepare for, or to conduct, elections unless:

(a) the receipt of the funds is unconditional; and

(b) the funds are distributed by the State Election Commission on a per capita basis to each county board of voter registration and

elections based on county population data from the last United States Government census.

(2) If the State Election Commission accepts funds in accordance with the provisions of item (1), it must provide information regarding the amount and source of the funding on its website, and must provide a report to the General Assembly.

(B) No county board of voter registration and elections shall accept or expend any funds other than public funds to prepare for or to conduct elections. For purposes of this section, public funds include funds received from the State Election Commission pursuant to subsection (A).

(C) A county board of voter registration and elections that is offered funds other than public funds must forward the offer to the Executive Director of the State Election Commission within twenty-four hours of receipt of the offer." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator CAMPSEN proposed the following amendment (JUD4919.013), which was adopted:

Amend the bill, as and if amended, by striking Section 7-5-340 and inserting:

/ Section 7-5-340. (A) The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

~~(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

~~(a)~~ the death of the qualified elector; ~~or~~

(d) the elector is not a citizen of the United States; or

~~(b)~~(e) a change in the residence ~~of the qualified elector~~ to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;

~~(3)~~(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

(a) voter eligibility requirements; and

(b) penalties provided by law for submission of a false voter registration application;

~~(4)~~(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official ~~lists~~ list of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:

(a) the removal of names from the official ~~lists~~ list of eligible voters on a basis described in ~~items~~ item (1) ~~and (2)~~; or

(b) correction of registration records pursuant to this article." /

Amend the bill further by adding an appropriately new SECTION to read:

/ SECTION ___. A. Section 7-3-70 of the 1976 Code is amended by adding:

"(c) The Department of Motor Vehicles must furnish the executive director a monthly report of all non-United States citizens who are issued a driver's license or identification card. All reports must contain the name of the driver or identification cardholder, social security number, if any, and date of birth. The department must provide this information at no charge.

B. The first monthly report provided by the Department of Motor Vehicles pursuant to this SECTION must include every non-United States citizen in this State with a driver's license or identification card."/

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 5

Senator CAMPSEN proposed the following amendment (JUD4919.014), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION before the effective date to read:

/ SECTION __. A.Section 7-15-310(7) of the 1976 Code is amended to read:

"(7) ~~"Authorized representative"~~ "Caregiver" means a registered elector who~~,~~ (a) provides medical or healthcare assistance to a voter; and (b) ~~with the voter's permission,~~ acts on behalf of, and at the request of, a voter who is unable to go to the polls because of illness or disability resulting in his confinement in a ~~hospital, sanatorium, nursing home, or~~ place of residence, nursing care facility, hospice facility, assisted living facility, residential care facility, or adult daycare facility ~~or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers that deny him physical access to the polling place, voting booth, or voting apparatus or machinery~~. Under no circumstance shall a candidate or a member of a candidate's paid campaign staff or volunteers reimbursed for the time they expend on campaign activity be considered ~~an "authorized representative"~~ a "caregiver" ~~of an elector desiring to vote by absentee ballot~~." /

To further amend the bill by striking Section 7-15-330 and inserting:

/ "Section 7-15-330. (A) To vote by absentee ballot~~,~~:

(1) a qualified elector or a member of his immediate family, as defined in Section 7-15-310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the county board of voter registration and elections as established by the county governing body, for the county of the voter's residence~~.~~ ;or

(2) ~~A person requesting an application for a qualified elector as the~~ a qualified elector's caregiver, as defined in Section 7-15-310(7), ~~authorized representative~~ must request an application to vote by absentee ballot in person or by mail ~~only and must himself be a registered voter~~ and must sign an oath to the effect that he fits the statutory definition of a caregiver ~~representative~~. ~~This~~ The signed oath must be kept on file with the county board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. ~~A candidate or a member of a candidate's paid campaign staff, including volunteers reimbursed for time expended on campaign activity, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.~~

(B)(1) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which

the qualified elector desires to be permitted to vote by absentee ballot is being held.

(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide, at a minimum, the following:

(a) for the elector for whom the request is being made, the elector's:

(i) name;

(ii) date of birth; and

(iii) last four digits of his social security number; and

(b) if someone is making a request on behalf of an elector, the requestor's:

(i) name;

(ii) address;

(iii) date of birth; and

(iv) relation to the elector, as required by subsection (A).

(3) The county board of voter registration and elections must verify the information required in this section for the elector for whom the absentee ballot is being requested, and must record the information provided for the individual who makes a request on behalf of an elector before providing an absentee ballot application.

(4) A person must not request absentee applications for more than ten qualified electors per election, in addition to himself.

(C) ~~However, completed~~ Completed applications must be returned ~~to the county board of voter registration and elections~~:

in person, by either the elector, a member of the elector's immediate family, or the elector's caregiver, or by mail, by the elector, to the county board of voter registration and elections no later than ~~before~~ 5:00 p.m. on the ~~fourth~~ eleventh day before the day of the election to vote by absentee ballot. ~~Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320.~~

(D) ~~A member of the immediate family of~~ Notwithstanding the provisions of subsection (C), if an elector is ~~a person who is~~ admitted to a hospital as an emergency patient on the day of an election or within a four-day period before the election, then a member of the elector's immediate family may obtain an application from the board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the county board of voter registration and elections.

(E) The county board of voter registration and elections shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(F) A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170." /

To amend the bill further, by striking Section 7-15-385 and inserting:

/ "Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked 'Ballot Herein' which in turn must be placed in the return-addressed envelope. The applicant must ~~then~~ return the return-addressed envelope ~~to the board of voter registration and elections~~ only by:

(1) mail~~,~~ to the main office of the county board of voter registration and elections;

(2) ~~by~~ personal delivery~~,~~ to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center; or

(3) ~~by~~ authorizing ~~another person~~ a member of the applicant's immediate family, as defined in Section 7-15-310(8), or a caregiver, as defined in Section 7-15-310(7), to return the return-addressed envelope for him to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center.

(B) An applicant who authorizes a member of his immediate family or a caregiver to return the return-addressed envelope for him pursuant to this section must complete an ~~The~~ authorization ~~must be given in writing on a~~ form prescribed by the State Election Commission ~~and~~ that must be turned in ~~to the board of voter registration and elections~~ by the immediate family member or caregiver at the time the return-addressed envelope is returned. The ~~voter~~ applicant must sign the form, or in the event the ~~voter~~ applicant cannot write because of a physical handicap or

illiteracy, then the ~~voter~~ applicant must make his mark and have the mark witnessed by someone designated by the ~~voter~~ applicant.

(C) The authorization form prescribed by the State Election Commission must include a designated space in which an election official must record the specific form of government-issued photo identification presented by the immediate family member or caregiver who is authorized by the applicant to deliver the return-addressed envelope. The authorization form must be preserved as part of the record of the election, and the county board of voter registration and elections must note the time and date of receipt of the authorization form, ~~and~~ the name of the ~~authorized returnee~~, immediate family member or caregiver, his relationship to the applicant, and the immediate family member's or caregiver's form of government-issued photo identification in the record book required by Section 7-15-330.

(D)(1) When an applicant, or an applicant's authorized immediate family member or caregiver, presents himself to deliver a return-addressed envelope pursuant to this section, he must produce a valid and current:

(a) driver's license issued by a state within the United States;

(b) another form of identification containing a photograph issued by the Department of Motor Vehicles or its equivalent by a state within the United States;

(c) passport;

(d) military identification containing a photograph issued by the federal government; or

(e) South Carolina voter registration card containing a photograph of the voter.

(2) An election official must verify that the name and photograph on the identification is the applicant, or the applicant's authorized immediate family member or caregiver, as applicable.

(E) An election official must not accept a return-addressed envelope until the provisions of this section have been met.

(F) ~~A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.~~ The board of voter

registration and elections must securely store ~~the~~ return-addressed envelopes in ~~a~~ locked ~~box~~ boxes within the main office of the board of voter registration and elections as prescribed by the State Election Commission.

(G) It is unlawful for a person to return more than ten return-addressed envelopes in an election, in addition to his own. A person who violates this subsection, upon conviction, must be punished as provided in Section 7-25-190." /

To amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

"Section 7-15-400. No absentee ballot application or absentee ballot may be provided by an election official to a qualified elector unless pursuant to a provision of this article or Article 9 of this chapter." /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION __ Chapter 25, Title 7 of the 1976 Code is amended by adding:

"Section 7-25-65. (A) It is unlawful for a person to provide, offer to provide, or accept anything of value in exchange for requesting, collecting, or delivering an absentee ballot. A person who violates this section is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

(B) This section does not apply to an election official in the course and scope of the election official's duties or a public or private mail service provider acting in the course and scope of the mail service provider's duties to carry and deliver mail." /

Amend the bill further, as and if amended, by striking Section 7-15-340.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator HUTTO, the amendment was carried over.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator MASSEY proposed the following amendment (JUD4919.016), which was adopted:

Amend the bill, as and if amended, by striking Section 7-15-420 and inserting:

/ "Section 7-15-420. (A) The county board of voter registration and elections, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the tabulation and reporting of absentee ballots.

(B) ~~At 9:00 a.m.~~ Beginning no earlier than 7:00 a.m. on the second day immediately preceding election day, the managers appointed pursuant to Section 7-13-72 ~~7-5-10, and in the presence of any watchers who have been appointed pursuant to Section 7-13-860,~~ may begin the process of examining the return-addressed envelopes that have been received by the county board of voter registration and elections making certain that each oath has been properly signed and witnessed and includes the printed name, signature and address of the witness. All return-addressed envelopes received by the county board of voter registration and elections before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed and witnessed nor may any ballot be counted which is received by the county board of voter registration and elections after time for closing of the polls. The printed instructions required by Section 7-15-370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return-addressed envelope must be opened by the managers, and the enclosed envelope marked 'Ballot Herein' removed, ~~and~~ placed in a locked box or boxes, and kept secure.

(C) After all return-addressed envelopes have been emptied ~~in this manner~~, but no earlier than 7:00 a.m. on election day, the managers shall remove the ballots contained in the envelopes marked 'Ballot Herein', placing each one in the ballot box provided for the applicable contest.

(D) Beginning no earlier than ~~at 9:00~~ 7:00 a.m. on election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election

worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

(F) The processes of examining the return-addressed envelopes, opening the sealed return-addressed envelopes to remove the 'Ballot Herein' envelopes, and removing the ballots from the 'Ballot Herein' envelopes for tabulation must be conducted in the presence of any candidate who elects to be present, and of any watchers who have been appointed pursuant to Section 7-13-860. Provided, any candidates or watchers present must be located a reasonable distance in order to maintain both the right to observe and the secrecy of the ballots." /

To further amend the bill, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 7-13-35 of the 1976 Code is amended to read:

"Section 7-13-35. The authority charged by law with conducting an election must publish two notices of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return-addressed envelopes containing absentee ballots may begin at ~~2:00 p.m.~~ 7:00 a.m. on the second day immediately preceding election day at a place designated in the notice by the authority charged with conducting the election. The first notice must appear not later than sixty days before the election and the second notice must appear not later than two weeks after the first notice." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator MASSEY proposed the following amendment (JUD4919.017), which was tabled:

Amend the bill, as and if amended, by striking Section 7-15-320 and inserting:

/ "Section 7-15-320. (A) Qualified electors in ~~any of~~ the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in ~~all elections~~ an election ~~when they are absent from their county of residence on election day during the hours the polls are open , to an extent that it prevents them from voting in person~~:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections ~~students, their spouses, and dependents residing with them~~;

(2) persons who will be attending sick or physically disabled persons ~~serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them~~;

(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial ~~governmental employees, their spouses, and dependents residing with them~~; or

(4) persons who are going to be absent from their county of residence ~~on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(5) overseas citizens~~.

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open ~~all elections, whether or not they are absent from their county of residence~~ on election day:

(1) physically disabled persons;

(2) ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections~~;

~~(3)~~ members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them ~~certified poll watchers, poll managers, county board of voter registration and~~

~~elections members and staff, county and state election commission members and staff working on election day~~; or

~~(4) attending sick or physically disabled persons~~;

~~(5)~~(3) persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election, as provided in Section 7-15-330~~;~~

~~(6) persons with a death or funeral in the family within a three-day period before the election~~;

~~(7) persons who will be serving as jurors in a state or federal court on election day~~;

~~(8) persons sixty-five years of age or older;~~

~~(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or~~

~~(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them~~." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator RANKIN spoke on the amendment.

Senator RANKIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 10

AYES

Adams	Allen	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Williams
Young		

Total--34

NAYS

Alexander	Bennett	Campsen
Cash	Corbin	Grooms
Hembree	Massey	Turner
Verdin		

Total--10

The amendment was laid on the table.

Amendment No. 8

Senators MARTIN, RICE, CASH and CORBIN proposed the following amendment (4919R001.KMM.SRM), which was tabled:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/ SECTION __. Article 3, Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-115. (A) Only an elector registered as a member of a certified political party may vote in a partisan primary election, partisan runoff election, or partisan advisory referendum of the certified political party with which that elector is registered, unless the political party has taken action to open its partisan primary election, partisan runoff election, or partisan advisory referendum to independent electors unaffiliated with a certified political party and has advised the State Election Commission, in writing, not more than one hundred eighty days and not less than sixty days in advance of the partisan primary election, partisan runoff election, or partisan advisory referendum of that action. In no event may an elector who is registered as a member of a certified political party vote in the partisan primary election, partisan runoff election, or partisan advisory referendum of a certified political party with which that elector is not registered.

(B) The State Election Commission shall assist each county's board of voter registration and elections create and maintain a list of all electors registered by party affiliation. The State Election Commission shall indicate in the state voter file what selection an elector makes."

SECTION __. Section 7-5-110 of the 1976 Code is amended to read:

"Section 7-5-110. (A) ~~No~~ A person ~~shall be allowed to~~ may not vote ~~at any~~ in a partisan primary election, partisan runoff election, or a partisan advisory referendum unless he ~~shall be~~ is registered as ~~herein~~ a

member of that political party as required by the provisions of this chapter.

(B) The State Election Commission shall assist each county's board of voter registration and elections with capturing the data and maintaining a list of all electors registered by party affiliation."

SECTION ___. Section 7-5-170 of the 1976 Code is amended to read:

"Section 7-5-170. ~~(1)~~(A) Written application required. A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185~~,~~. ~~which shall become~~ That application becomes a part of the permanent records of the board to which it is presented and ~~which~~ must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

~~(2)~~(B) Form of application. The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, political party affiliation, if any, and location of prior voter registration. The applicant ~~must~~ shall affirm that he is not under a court order declaring him mentally incompetent, confined in ~~any~~ a public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted, that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant ~~must~~ shall take the following oath:

'I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed ~~herein~~ on my application is my sole legal place of residence and that I claim no other place as my legal residence. I further swear (or affirm) that I hereby choose to: (a) register as a member of a certified political party, specifically the _____ Party; or (b) register as an independent voter, unaffiliated with a certified political party.'

(C) Fraudulent application. ~~Any~~ An applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(D) Failure to select a party. The form to be signed by the elector may specifically list all of the certified political parties from which the elector

may choose and must contain the option for the elector to register as an independent voter, unaffiliated with a certified political party. In an instance in which an elector fails, for whatever reason, to select membership in one of the certified political parties, that elector must be deemed to have chosen to be registered as an independent voter, unaffiliated with a certified political party.

~~(3)~~(E) Administration of oaths. ~~Any~~ A member of the registration board, a deputy registrar, or ~~any~~ a registration clerk must be qualified to administer oaths in connection with the application.

~~(4)~~(F) Decisions on applications. ~~Any~~ A member of the registration board, deputy registrar, or a registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application."

SECTION ___. Section 7-9-20 of the 1976 Code is amended to read:

"Section 7-9-20. (A) The qualifications for membership in a certified political party ~~and for voting at a party primary election~~ and the criteria for voting in a certified political party's partisan primary election, partisan runoff election, or partisan advisory referendum, unless the certified political party has taken action to open its partisan primary election, partisan runoff election, or partisan advisory referendum to independent electors unaffiliated with a certified political party pursuant to the requirements of Section 7-5-115, ~~include the following: the applicant for membership, or voter, must be at least eighteen years of age or become so before the succeeding general election, and must be a registered elector and a citizen of the United States and of this State. A person may not vote in a primary unless he is a registered elector. The state convention of any political party, organization, or association in this State may add by party rules to the qualifications for membership in the party, organization, or association and for voting at the primary elections if the qualifications do not conflict with the provisions of this section or with the Constitution and laws of this State or of the United States~~ include that the applicant for membership, or voter, must:

(1) be at least eighteen years of age before the succeeding general election; and

(2) be a registered elector, a citizen of the United States, and a resident of this State.

(B) A person may not belong to a party club or vote in a partisan primary election or partisan runoff election unless he is a registered elector and a member of that certified political party. The state

convention of a certified political party, organization, or association in this State may add by party rules to the qualifications for membership in the certified political party, organization, or association and for voting at the primary elections and runoff elections if the additional qualifications do not conflict with the provisions of this section or with the Constitution and laws of this State or of the United States.

(C) The entity charged by law with conducting a primary or runoff shall allow an elector to change his certified political party affiliation by executing an affidavit not later than sixty days before the primary or runoff. During that time, an elector may execute an affidavit declaring that he desires not to be affiliated with a certified political party. The choice to affiliate with a certified political party or remain independent and unaffiliated with a certified party is valid until changed by the qualified elector pursuant to the provisions of this section. In an instance in which an elector fails, for whatever reason, to select membership in one of the certified parties, that elector must be deemed to have chosen to be registered as an independent voter, unaffiliated with a certified party.

(D) When a qualified elector presents himself at a polling place to vote in a partisan primary election, partisan runoff election, or partisan advisory referendum, each county's board of voter registration and elections or its representative shall require the qualified elector to sign an affidavit affirming that he is a member of the certified political party conducting the primary or runoff, or that he is an independent elector unaffiliated with a certified political party who meets the criteria established by that certified political party to vote in that particular partisan primary election, partisan runoff election, or partisan advisory referendum pursuant to the requirements of Section 7-5-115. If the qualified elector does not sign this affidavit, then he may not vote in the partisan primary election, partisan runoff election, or partisan advisory referendum."/

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 18

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Garrett	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Malloy	Massey
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Stephens	Williams
Young		

Total--25

NAYS

Adams	Cash	Climer
Corbin	Davis	Goldfinch
Grooms	Gustafson	*Johnson, Michael*
Kimbrell	Martin	Peeler
Reichenbach	Rice	Shealy
Talley	Turner	Verdin

Total--18

The amendment was laid on the table.

Amendment No. 9A

Senator MARTIN proposed the following amendment (4919R015.KMM.SRM), which was adopted:

Amend the bill, as and if amended, by striking SECTION 33 in its entirety and inserting:

/ SECTION 33. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-50. Notwithstanding another provision of law, the State Election Commission and the county boards of voter registration and elections may not receive, accept, or expend gifts, donations, or funding from private individuals, corporations, partnerships, trusts, or any third party not provided through ordinary state or county appropriations." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 10

Senators KIMBRELL and ADAMS proposed the following amendment (4919R003.SP.JK), which was tabled:

Amend the bill, as and if amended, SECTION 30, by striking Section 7-3-10(a) and inserting:

/ Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. Any vacancy on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointment. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator MASSEY spoke on the amendment.

Remarks by Senator MASSEY

Thank you, Mr. PRESIDENT. Senators, I think this is the most important part of the Bill. We passed this -- the language Senator KIMBRELL is trying to change. We have passed that language twice in here. I understand Senator DAVIS' point. I won't capitulate. I think Senator SENN is actually right on this. I want to go through and explain not only what we are doing in the Bill; but, I think it is important that I explain why we are doing it. With regard to the explanation I'm going to give, some of you have heard these things before. Some of you have not. But I'm going to tell you about our experiences in 2020, which led to the Senate proposing and adopting the legislation twice last year. I'm going to tell you about the experience that Senator PEELER -- who was President of the Senate at time -- had in the summer and the fall of 2020. I'm going to tell you a little bit about Senator CAMPSEN and I being

involved in those conversations, too. I think it is time to talk about them. I think it is important we do those things. Before I get into all that, I'm going to say first what is in the Bill. What is in the Bill is the requirement that there be advice and consent for South Carolina Elections Commission members and also the executive director. That is not some novel approach to the function of state government. In fact, that is what we do for most appointed commissions and directors. I don't know of a state agency where the Governor has unilateral authority to appoint with no advice and consent. There might be some lower level agency or lower level commission where the Senate is not involved in advice and consent. But I haven't been able to think of one. I think we would all agree that the State Elections Commission is not some lower level entity. Folks, it matters. I think when I talk about the experiences from 2020, we are all going to understand that it matters. Now, I have heard the arguments from downstairs that the Senate is usurping the governor's power. But what we are talking about is advice and consent, right? This is not something that SHANE MASSEY makes up. This is Madisonian. This isn't something new. Being involved to have the check and balance ensures that there is some balance between the branches. It is something we have had since the founding of the Senate. We can talk about Federalist Papers on this. This is an important function. I don't know why it was created without an advice and consent option to begin with. But what the Bill does now is it requires advice and consent of the commission members and the executive director. We do that for the Department of Health and Environmental Control, the Department of Mental Health, Department of Natural Resources -- we do that for all. Advice and consent is a safe measure, and sometimes I think we need to ask more questions. We take these things seriously. When we evaluate these nominees for whatever appointments, it is not a partisanship evaluation. We don't do this like they do in Washington. Honestly, when nominees have been rejected, Republicans have been more involved in that decision than Democrats were. The advice and consent function is an important and essential function of republican government -- I say republican with a little "r." What we are asking is that we apply that same function of republican government to the State Elections Commission. Now let's talk a little bit about 2020. Of course, in 2020 we were still in the pandemic. We made some changes to our elections laws at both primary and general elections levels. You probably remember that. For those serving in 2020, you'll remember that shortly before we adjourned, we made changes to allow everybody to vote in the primary elections. We came back in September to allow for that, as well as for the general

election. We did those things because of the emergency status we were in due to the pandemic. We had to take those actions largely on our own, unfortunately. And now I want to tell you some things that really got us to the point where we are today. On March 30, 2020, the Executive Director of the State Elections Commission sent out a letter. It was addressed to the Governor, Senator PEELER, as President of the Senate, and to the Speaker of the House. It was a four-page letter that later became an exhibit in a lawsuit against us. We will talk about that in a minute. In this letter the executive director wrote, on behalf of the Elections Commission, mind you (we are going to talk about the commission as well) what their involvement was and should have been. Mr. Chairman, they asked the Senate to enact certain changes in the elections laws. One of the things they asked for was that we remove the witness requirement for absentee ballots. We are going to hear about that some more. I know there are some people who would like for us to remove the witness requirement. But, a whole lot would rather we not. Ultimately, after some debate and amendments, this Body and the House chose not to do that. The executive director and the State Elections Commission asked us to remove the witness signature requirement. They wrote that we should have a vote by mail program and that we should preemptively send ballots to every voter so they could vote by mail. They cited that in most states that have enacted vote by mail, a ballot is mailed to everyone prior to each election, regardless of the accuracy or inaccuracy of the voter rolls. Part of the conversation we have had on this legislation we are debating is in trying to do a better job of ensuring the accuracy of the voter rolls, right? We are taking steps in this legislation to address that. We have had an amendment that had a good bit of conversation about non-citizens. And what the State Elections Commission proposed was that we send everybody on the rolls a ballot.

Senator CAMPSEN: Senator, did you know I have been dealing with elections law many years? Did you know that historically voter rolls are 30% to 40% inaccurate? We have voters on our roll that are inactive voters who have been there for decades or have never voted, but are still part of voter rolls.

Senator MASSEY: That is right.

Senator CAMPSEN: Even in states that don't do that, the voter rolls are notoriously very, very inaccurate. You are talking about flooding the State with ballots. That is their recommendation -- flooding the State with ballots. Many of those ballot also go into mailboxes where people haven't been there in 20 years and a lot of people go out to harvest those ballots.

Senator MASSEY: If you do that -- send everybody a ballot and remove the witness requirement, what is going to happen -- Take them out of the mailbox and fill it out for somebody. There is no way to verify, right? This is nuts. This is what our Elections Commission and the executive director they hired asked us to do. Now around this time, shortly thereafter, I can't remember the exact date, but South Carolina got sued. We had six or seven in that year. We are going to talk about those too. In that first lawsuit the plaintiffs asked for a number of things. The primary one was they wanted to have the judge intercede in state law and the federal judge intercede the requirement for the witness signature. So when they got sued, it was the State Elections Commission's job to respond to that. What happened ultimately is that the federal district court in South Carolina struck the witness requirement. This letter that I just referenced that the executive director wrote on March 30, 2020, became an exhibit in that trial. It was filed with the court on April 28, 2020, as an exhibit to that case. This really got developed more in the later lawsuits, because there were depositions taken at that point wherein the executive director said that if the witness signature is really meaningless, then they don't ever look at it. Of course the court did take testimony from SLED to say if there is no witness requirement, where else are we going to look to prevent fraud? Y'all for the State Elections Commission to not look at the witness requirement as important is removing a key component for law enforcement to determine if and when there is an allegation of fraud. If they don't have the witness signature, they have no trail to follow in determining fraud. The Elections Commission asked us to eliminate those things, and then it was used against them in that lawsuit when the court struck it. And this is important when the court ruled, there was no appeal. Senators, none of them appealed. They let it go. Now, that happened in the statewide primaries, which many would argue were not as big a deal as the general election. They're charged with defending state law. Surely the Elections Commission or the Governor or somebody is going to step up. But they didn't. So let's skip forward to July 17, 2020. The PRESIDENT got another four-page letter from the executive director. This one goes beyond what the last one did. Writing on behalf of the Elections Commission, the executive director says we (as in the Elections Commission) respectfully recommend allowing every voter to vote absentee. Now, we ultimately did that. But they wanted us to remove the witness requirement for absentee return envelopes. Here we go again. Institute this vote by mail program and preemptively send everybody in the general elections and in a presidential election, an absentee ballot by

mail. And then allow for the use of drop boxes for return of all absentee ballots. First of all, that's an interesting recommendation, because the Elections Commission historically had allowed the use of drop boxes in some locations. We had drop boxes in places, even though the law says you can't do it. And they knew it cannot be done, because she asked us in the letter to allow it. The Elections Commission signed off on it though. Shortly thereafter, we received a number of other lawsuits, one of which was a state lawsuit filed in the original jurisdiction of the Supreme Court, by a law firm with a lawyer who is a Senator in this Body. They used this letter that the State Elections Commission sent us as essentially the complaint. You can go back and read the complaint. In response to this and to a number of other lawsuits around August 2020, I called Senator PEELER. I said to Senator PEELER, "We've seen these two letters. We have seen how they responded to the lawsuit in the primary. I'm concerned about what's going to happen." I'm going to tell you, there wasn't a whole lot of questioning from Senator PEELER. He had the same concerns, and so there were conversations then with lawyers about whether we ought to intervene. We talked about how this would be a whole lot more effective if the House was with us. Turned out that the House was with us, but only after I think it was determined that the Senate's going to do this whether they came along or not. Then the Speaker joined in. I think that was helpful. Things would have been different if Senator PEELER had not intervened. I am confident that the State Elections Commission would have done the same thing in the general election that they did in the primary elections. Actually it would have been worse, because we got to the point that they were about to enter into the consent order to do these things. Not only were they not going defend it, they were going to consent to it. The Senate did intervene. The House intervened. Then we have the trial in the district court before the same judge -- Judge Michelle Childs -- and she striked the witness requirement again. To her credit, part of her argument was that she did it before in the primary, so there was really no argument against it now. I remember having this conversation with Senator PEELER and our attorneys that if we're going to engage in this, we have got to be prepared to go all the way to the U.S. Supreme Court with it. Senator PEELER, to his credit, said, "Let's do it." So we did. We intervened and we lost it at the district court level. We appealed to the Fourth Circuit Court of Appeals in Richmond. We had the hearing before the three judge panel and we won. They overturned and reversed the district court judge. Then something that doesn't happen every day occurred. The entire Fourth Circuit Court held another hearing and they

reversed the three judge panel! So at that point, the PRESIDENT was faced with what he had been told may have to happen, and he signed off on going forward to the U.S. Supreme Court, and we won! The United States Supreme Court reinstates South Carolina's witness requirement as being reasonable and not being in violation of the U.S. Constitution or the Voting Rights Act. It was a reasonable thing for South Carolina to do. Y'all, that would not have happened if HARVEY PEELER hadn't intervened and supported going forward. But more importantly it, should not have happened, because the State Elections Commission, which is charged with enforcing state law, was derelict in its duties. I think it is important for people to understand that the states that had trouble, places like Georgia and Pennsylvania -- you know what got them into trouble? What got Georgia in trouble is that they got sued and they entered into a consent decree to do a lot of these things. And in Pennsylvania, their State Supreme Court changed the law. In Arizona there were similar consent decrees. But we didn't do that here in South Carolina. We didn't do it because the Elections Commission was going sit and do nothing, and the PRESIDENT of the Senate had to enforce it. I am absolutely convinced that if the Senate had not intervened in those lawsuits, South Carolina would have been Georgia. Most people don't realize that we were that close to being Georgia. Because if we had not intervened, the Elections Commission not only would have not fought it, they wouldn't have appealed to the U.S. Supreme Court. They would have just consented to it. We would have been Georgia. As it turns out, and as I told people since, South Carolina's elections laws were really very strong. I mean, what we're doing here in this Bill is not taking any drastic measures or making major changes. We performed well. Our laws held up. But make no mistake. We wouldn't have though if we had allowed the Elections Commission and its executive director to do what they wanted to do. We were that close, Senators. We were that close. Afterward, we had conversations with our lawyers about some of the most important reforms that needed to be made. Some of those things came into Bills here and over in the House. The House introduced and passed legislation to make things uniform -- to make sure that the counties are all operating under the same procedures. The Speaker introduced that Bill in October, before the election, and it was a challenge because counties were doing things differently when it came to evaluating witness signatures and absentee ballots. Some were discarded with no witness signature. Some were calling and asking for the witness to come in. Some had different types, even though the law spells out that they have to be uniform and consistent. We get to court on that one, too.

The counties have to comply with the law. If we are going to change the law, then we need to change the law. But until then, they have to comply with the law. So the Speaker, in response to that, filed legislation that would give the State Elections Commission power to make the counties comply with everything. My thought to that was that we had just seen what this Elections Commission does or doesn't do. We had just seen what this executive director does or doesn't do. Why in the world would we give them power to do anything? I'm open to having more conformity, but not with the current Elections Commission. We've had them historically allowing drop boxes when the law says they couldn't. Remember that we came back in September 2020, to pass some changes. One of the things we did was to allow everybody to vote early for the entire absentee period, which was for 30 days. We told them that they can start having early voting on like October 4th (whatever the 30 days was before the election). Then in a call -- the Executive Director of the State Elections Commission is having a call with all of the counties to update them on the law. The executive director proceeds to tell them they can start allowing for absentee voting in September. We found out about that, I think in part, because Senator VERDIN was engaged in this through his county election staff. I'm like no, they can't do that. So I called Senator SENN. I called our lawyer. I told them that what I was hearing is that the executive director is on the phone right now with all these counties, telling them they can do this. Our lawyer calls their lawyer and says in probably much more colorful language, what the heck are you all doing? The executive director then gets a call from her lawyer and reverses herself in the same phone call. She had just told the counties they can start allowing for voting now, and then she has to reverse herself in the same phone call. This is what we dealt with in 2020. There were numerous requests thereafter to the Governor that she has got to go. Nothing was done. She was allowed to stay for an additional year, with the preparations for 2022 already going strong. Every one of the commissioners who were there in the 2020 election are still there. Every one of them. Even though they all sat on their hands throughout this whole ordeal. Mr. PRESIDENT, they sat on their hands. Now, what I'm hearing from outside is yes they did, but they didn't know she was sending that letter. They each claim that they didn't know she sent the second letter. I guess they didn't know about the lawsuits. They didn't know that the letter they were referenced in as requesting certain things became an issue it in a federal lawsuit. Seriously? Are they really just not doing anything? Because if that's the case, that's almost even worse. If the Elections Commission is allowing its executive director to run

unchecked, that's even worse. We had a big fight for three or four years about Santee Cooper doing that. Finally, we made some changes there. Why in the world would we allow that same thing to happen at the Elections Commission? I bet nobody in here can name more than two people on the Elections Commission. You might name one because he might live down the street from you. But I bet nobody in here can name more than one person on the Elections Commission. There is absolutely no oversight at all. You all know me. You've heard me argue about different things over the year. I'm not going to usurp power to the Governor. But don't you think that a check and balance system is important? And right now, there is none. When not only does the Governor not do anything; but then all of these people are still there, so why should we not be engaged in the process? I don't know another state agency where the Legislature is not involved in the process of selecting the leadership of the agency by advice and consent. I hear all of these things like the House isn't going to accept it. Look, I don't serve in the House. I ran for and was elected to serve in the Senate. There are lots of things that we pass in this Body that the House doesn't agree with. There are lots of things the House passes that we don't agree with. But we work those things out. This suggestion that the House won't even take it up when they're on the ballot in two months, they're going to get significant push back from their voters. I get that the House is going to get significant push back from the Governor's office. The idea that the Governor would veto this, with all the other things in there, in an election year is incomprehensible. I think this is the right thing to do. I think the Senate should have advice and consent over these appointments. Frankly, that's enough for me. I don't care what the House is going to do. I don't care what the Governor's position is. If that's what we think the right policy is, we ought to adopt it. Let's see what happens from there. But I will tell you again, I think this is actually a most important piece of the legislation. This legislation gives the Elections Commission additional powers and additional duties. Why in the world would we give this Elections Commission more power and more duties with no oversight? Considering what they've done, I can't imagine that the people who may be watching, the grass roots folks, the folks who are really concerned about election integrity -- I can't imagine that they think it is a good thing for us to give that up. It doesn't matter what changes we make, if the entity charged with enforcing and defending it, is not going do its job. Then it is all meaningless, right? It doesn't matter what updates we make if they don't like it, they're not going to enforce it. It is thus meaningless. That's what we have dealt with. The only way to ensure

that doesn't happen in the future is to require that there be some regular interaction and some oversight. The confirmation process seems to be the most reasonable and effective process to adopt.

On motion of Senator CASH, with unanimous consent, the remarks of Senator MASSEY were order printed in the Journal.

Senator MASSEY resumed speaking on the amendment.
Senator DAVIS spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 9

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Adams	Climer	Davis
Fanning	*Johnson, Michael*	Kimbrell
Loftis	Reichenbach	Shealy

Total--9

The amendment was laid on the table.

Amendment No. 13

Senator DAVIS proposed the following amendment (4919R006.SP.TD), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Chapter 3, Title 7 of the 1976 Code is amended by adding:

"Section 7-3-45.Each county probate court must furnish to the executive director of the State Election Commission a monthly report of all persons eighteen years of age or older who have been declared mentally incapacitated by the county probate court. All reports must include the name, county of residence, social security number or other identification number, and date and place of birth of any incapacitated persons. The county probate court must provide the information to the executive director of the State Election Commission free of charge." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 17

Senators CASH, MASSEY, CORBIN, PEELER and VERDIN proposed the following amendment (HB\4919C001.BH.HB22), which was tabled:

Amend the bill, as and if amended, SECTION 1.A., by deleting Section 7-13-25(E) and inserting:

/ (E) The early voting period shall be for Monday through Saturday for the one-week period immediately preceding an election. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator RANKIN spoke on the amendment.

Senator RANKIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Alexander	Allen	Bennett
Campsen	Climer	Cromer
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Talley	Turner
Williams	Young	

Total--29

NAYS

Adams	Cash	Corbin
Davis	Garrett	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Shealy	Verdin

Total--15

The amendment was laid on the table.

Amendment No. 22

Senator M. JOHNSON proposed the following amendment (4919R014.SP.MJ), which was adopted:

Amend the bill, as and if amended, SECTION 35, by striking the first sentence in its entirety and inserting:

/ The State Election Commission must establish a voter education program concerning the provisions contained in this legislation./

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Amendment No. 24A

Senators RANKIN, JACKSON, CAMPSEN, KIMBRELL, SETZLER and McELVEEN proposed the following amendment (JUD4919.022), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ Section 7-25-180 of the 1976 Code of Laws is amended to read:

(A~~) It is unlawful on an election day within five hundred feet of any entrance used by the voters to enter the polling place, for a person to distribute any type of campaign literature or place any political posters~~. It is unlawful for a person to distribute any type of campaign literature or place any political posters within five hundred feet of any entrance used by the voters to enter the polling place, during polling hours on an election day and during the early voting period. The poll manager shall use every reasonable means to keep the area within ~~two~~ five hundred feet of any such entrance clear of political literature and displays, and the county and municipal law enforcement officers, upon request of a poll manager, shall remove or cause to be removed any material within ~~two~~ five hundred feet of any such entrance distributed or displayed in violation of this section.

(B) A candidate may wear within ~~two~~ five hundred feet of the polling place a label no larger than four and one-fourth inches by four and one-fourth inches that contains the candidate's name and the office he is seeking. If the candidate enters the polling place, he may not display any of this identification including, but not limited to, campaign stickers or buttons. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Amendment No. 25

Senators CAMPSEN and HUTTO proposed the following amendment (JUD4919.021), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION before the effective date to read:

/ SECTION ___. Section 7-15-310. (7) 'Authorized representative' means a registered elector who, with the voter's permission, acts on behalf of a voter unable to go to the polls because of illness or disability

resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate, ~~or~~ a member of a candidate's paid campaign staff, or a campaign volunteer ~~volunteers reimbursed for the time they expend on campaign activity~~ be considered an 'authorized representative' of an elector desiring to vote by absentee ballot." /

To further amend the bill by striking Section 7-15-330 and inserting:

/ "Section 7-15-330. (A) To vote by absentee ballot~~,~~:

(1) a qualified elector or a member of his immediate family, as defined in Section 7-15-310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the county board of voter registration and elections as established by the county governing body, for the county of the voter's residence~~.~~ ; or

(2) A person requesting an application for a qualified elector as the qualified elector's authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of an authorized representative. ~~This~~ The signed oath must be kept on file with the county board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate, ~~or~~ a member of a candidate's paid campaign staff, or a ~~including~~ campaign volunteer ~~volunteers reimbursed for time expended on campaign activity~~, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.

(B)(1) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held.

(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide, at a minimum, the following:

(a) for the elector for whom the request is being made, the elector's:

(i) name;
(ii) date of birth; and
(iii) last four digits of his social security number; and

(b) if someone is making a request on behalf of an elector, the requestor's:

(i) name;
(ii) address;
(iii) date of birth; and
(iv) relation to the elector, as required by subsection (A).

(3) The county board of voter registration and elections must verify the information required in this section for the elector for whom the absentee ballot is being requested, and must record the information provided for the individual who makes a request on behalf of an elector before providing an absentee ballot application.

(4) A person must not request absentee applications for more than five qualified electors per election, in addition to himself.

(C) ~~However, completed~~ Completed applications must be returned ~~to the county board of voter registration and elections~~:

in person, by either the elector, a member of the elector's immediate family, or the elector's authorized representative, or by mail, by the elector, to the county board of voter registration and elections no later than ~~before~~ 5:00 p.m. on the ~~fourth~~ eleventh day before the day of the election to vote by absentee ballot. ~~Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320.~~

(D) ~~A member of the immediate family of~~ Notwithstanding the provisions of subsection (C), if an elector is ~~a person who is~~ admitted to a hospital as an emergency patient on the day of an election or within a four-day period before the election, then a member of the elector's immediate family may obtain an application from the board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the county board of voter registration and elections.

(E) The county board of voter registration and elections shall serially number each absentee ballot application form and keep a record book in which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; the date upon

which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(F) A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170." /

To amend the bill further, by striking Section 7-15-385 and inserting:

/ "Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked 'Ballot Herein' which in turn must be placed in the return-addressed envelope. The applicant must ~~then~~ return the return-addressed envelope ~~to the board of voter registration and elections~~ only by:

(1) mail~~,~~ to the main office of the county board of voter registration and elections;

(2) ~~by~~ personal delivery~~,~~ to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center; or

(3) ~~by~~ authorizing ~~another person~~ a member of the applicant's immediate family, as defined in Section 7-15-310(8), or an authorized representative, to return the return-addressed envelope for him to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center.

(B) An applicant who authorizes a member of his immediate family or an authorized representative to return the return-addressed envelope for him pursuant to this section must complete an ~~The~~ authorization ~~must be given in writing on a~~ form prescribed by the State Election Commission ~~and~~ that must be turned in ~~to the board of voter registration and elections~~ by the immediate family member or authorized representative at the time the return-addressed envelope is returned. The ~~voter~~ applicant must sign the form, or in the event the ~~voter~~ applicant cannot write because of a physical handicap or illiteracy, then the ~~voter~~ applicant must make his mark and have the mark witnessed by someone designated by the ~~voter~~ applicant.

(C) The authorization form prescribed by the State Election Commission must include a designated space in which an election official must record the specific form of government-issued photo identification presented by the immediate family member or authorized representative who is authorized by the applicant to deliver the return-

addressed envelope. The authorization form must be preserved as part of the record of the election, and the county board of voter registration and elections must note the time and date of receipt of the authorization form, ~~and~~ the name of the ~~authorized returnee~~, immediate family member or authorized representative, his relationship to the applicant, and the immediate family member's or authorized representative's form of government-issued photo identification in the record book required by Section 7-15-330.

(D)(1) When an applicant, or an applicant's authorized immediate family member or authorized representative, presents himself to deliver a return-addressed envelope pursuant to this section, he must produce a valid and current:

(a) driver's license issued by a state within the United States;

(b) another form of identification containing a photograph issued by the Department of Motor Vehicles or its equivalent by a state within the United States;

(c) passport;

(d) military identification containing a photograph issued by the federal government; or

(e) South Carolina voter registration card containing a photograph of the voter.

(2) An election official must verify that the name and photograph on the identification is the applicant, or the applicant's authorized immediate family member or authorized representative, as applicable.

(E) An election official must not accept a return-addressed envelope until the provisions of this section have been met.

(F) ~~A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.~~ The board of voter registration and elections must securely store ~~the~~ return-addressed envelopes in ~~a~~ locked ~~box~~ boxes within the main office of the board of voter registration and elections as prescribed by the State Election Commission.

(G) It is unlawful for a person to return more than five return-addressed envelopes in an election, in addition to his own. A person who

violates this subsection, upon conviction, must be punished as provided in Section 7-25-190." /

To amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION ___. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

"Section 7-15-400. No absentee ballot application or absentee ballot may be provided by an election official to a qualified elector unless pursuant to a provision of this article or Article 9 of this chapter." /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION __ Chapter 25, Title 7 of the 1976 Code is amended by adding:

"Section 7-25-65. (A) It is unlawful for a person to provide, offer to provide, or accept anything of value in exchange for requesting, collecting, or delivering an absentee ballot. A person who violates this section is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

(B) This section does not apply to an election official in the course and scope of the election official's duties or a public or private mail service provider acting in the course and scope of the mail service provider's duties to carry and deliver mail." /

Amend the bill further, as and if amended, by striking Section 7-15-340.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 16

Senator MALLOY proposed the following amendment (JUD4919.020), which was adopted:

Amend the bill, as and if amended, by striking SECTION 34, concerning Sections 7-17-520 through 560.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 18A

Senator MALLOY proposed the following amendment (4919GM2sub), which was adopted:

Amend the bill, as and if amended, by striking 7-13-25(F) as contained in SECTION 1.A and inserting the following:

/ (F) The county board of voter registration and elections shall provide the hours of operation for the early voting center or centers in accordance with the following:

(1) for statewide general elections, the early voting centers must be open for the Saturdays within the early voting period and the early voting centers must be open at least from 8:30 a.m. until 6:00 p.m. on each date of the early voting period;

(2) for any election that is not a general election, the early voting centers must be open from at least 8:30 a.m. until 6:00 p.m. on each date of the early voting period. The county board of voter registration and elections shall determine whether to open the early voting centers on Saturday during the early voting period;

(3) for a primary run-off for which timing would not permit an early voting period as prescribed in subsection (E), the Executive Director of the State Election Commission may establish a period of time for an early voting period. However, the early voting centers must be open from at least 8:30 a.m. until 6:00 p.m.; and

(4) for any election, the early voting centers must not be open on Sundays. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CLIMER desired to be recorded as voting against the adoption of the amendment.

Amendment No. 19

Senator MALLOY proposed the following amendment (4919GM1), which was tabled:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Scott	Setzler	Stephens
Williams		

Total--13

The amendment was laid on the table.

Senator SCOTT spoke on the Bill.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion to Ratify Adopted

At 8:09 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

WEDNESDAY, APRIL 20, 2022

ADJOURNMENT

At 8:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 21, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 147:1

In Psalms we read: "Praise the Lord! How good it is to sing praises to our God; for he is gracious, and a song of praise is fitting."

Let us bow in prayer: Tomorrow, O God, Earth Day will be observed around the globe. And no South Carolinian should ever take for granted the rich treasures which surround us here in our State. Indeed, all of us must be thoughtful caretakers of the precious resources that enrich our lives. And so, Lord, we ask that You will inspire these Senators, indeed all of us, as together we care for and preserve the natural world You have given to us. In addition, we also pray today for our colleague Stephanie Jones-Fitts, and her family; hold them all tightly in your tender, loving arms. Moreover, we remember our friend and longtime Senate employee, Henry Minis, who died to this life just yesterday. And, of course, we continue, O God, to lift up to You and ask Your richest blessings upon our sisters and brothers in Ukraine: grant them Your peace. We pray all of this in Your wondrous name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator SCOTT introduced Dr. Mark Humphrey of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:49 A.M., Senator McLEOD was granted a leave of absence until 12:30.

Leave of Absence

On motion of Senator SABB, at 11:51 A.M., Senators KIMPSON, MATTHEWS and McELVEEN were granted a leave of absence for today.

THURSDAY, APRIL 21, 2022

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 933 Sen. Young
S. 1226 Sen. Rice
S. 1282 Sen. Young

RECALLED

H. 4755 -- Reps. B. Newton, McGarry and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 9 BYPASS AND GILLSBROOK ROAD IN THE CITY OF LANCASTER IN LANCASTER COUNTY "C.D. 'BUBBER' GREGORY, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5008 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOLLOW CREEK ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH CLINTON CHURCH ROAD TO THE AIKEN/ORANGEBURG COUNTY LINE "CHIEF GLENN POOLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5250 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox,

W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS® FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2022, AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

H. 4538 -- Reps. Whitmire, Bustos, Forrest and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-1-320 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF AN ELECTRONIC COLLAR OR OTHER ELECTRONIC DEVICE PLACED ON A DOG BY ITS OWNER TO MAINTAIN CONTROL OF THE DOG.

Read the first time and referred to the Committee on Fish, Game and Forestry.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4600 -- Reps. West and Bennett: A BILL TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and

Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 5151 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District: Registered Nurse

Jonela D. Davis, 2643 Henagan Lane, Myrtle Beach, SC 29588-5441

Received as information.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Piedmont Region: Organ and tissue recipients, family of recipients, and families of donors:

Curtis A. Nelson, 302 Scotch Rose Lane, Greer, SC 29650-5267 *VICE* Richard M. "Marc" Jordan, Sr.

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Dietician, Clinical:

Robert Duffell-Hoffman, 501 Gillsbrook Rd., Lancaster, SC 29720-1915 *VICE* Kay MacInnis

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

S. 1263 -- Senators Gambrell and Garrett: A BILL TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.

On motion of Senator GAMBRELL.

S. 1263--Ordered to a Third Reading

On motion of Senator GAMBRELL, S. 1263 was ordered to receive a third reading on Friday, April 22, 2022.

S. 1271 -- Senator Peeler: A BILL TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING

BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

On motion of Senator PEELER.

S. 1271--Ordered to a Third Reading

On motion of Senator PEELER, S. 1271 was ordered to receive a third reading on Friday, April 22, 2022.

CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

On motion of Senator HUTTO, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY

ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

On motion of Senator CORBIN, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE;

AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator MASSEY, the Resolution was carried over.

RECOMMITTED

S. 1222 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NEED-BASED GRANTS PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5054, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 1223 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 1224 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5052, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was recommitted to Committee on Education.

RECOMMITTED

S. 1225 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO DETERMINATION OF RATES OF TUITION AND FEES, DESIGNATED AS REGULATION

DOCUMENT NUMBER 5051, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was recommitted to Committee on Education.

CARRIED OVER

S. 1273 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO ARCHITECTURAL EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5082, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1274 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO LICENSE RENEWAL; RETAIL DEALER SALES TRANSACTIONS; INSTALLERS; REPAIRERS; AND CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5089, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1275 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO ENGINEERS AND LAND SURVEYORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5076, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

THURSDAY, APRIL 21, 2022

CARRIED OVER

S. 1276 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5100, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1277 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBER EXAMINERS; MOBILE BARBERS; AND SANITARY RULES GOVERNING BARBERS, BARBERSHOPS AND BARBER COLLEGES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5073, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

POINT OF ORDER

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL

DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3939 -- Reps. Pope, Hyde, McCravy, McGarry, Bryant, Wheeler, Wooten, Hixon, B. Newton, Blackwell and Weeks: A BILL TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO

AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4601 -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 5017 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:47 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

THURSDAY, APRIL 21, 2022

CONCURRENCE

S. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

On motion of Senator CAMPSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

RECESS

At 11:54 A.M., on motion of Senator MASSEY, the Senate receded from business.

At 12:13 P.M., the Senate resumed.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 4919 -- Reps. Lucas, B. Newton, Jordan, Simrill, Pope, Hixon, W. Newton, Erickson, Allison, Bailey, Ballentine, Brittain, Bennett, Blackwell, Burns, Bustos, B. Cox, Crawford, Daning, Elliott, Felder, Forrest, Gagnon, Gatch, Hardee, Hewitt, Hiott, Huggins, J.E. Johnson, Ligon, Long, Magnuson, McCravy, McGarry, V.S. Moss, Murphy, Nutt, Sandifer, G.R. Smith, M.M. Smith, G.M. Smith, West, White, Willis, Yow, Taylor, Whitmire, W. Cox, Hyde, Dabney, May, Jones and Wooten: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTIONS 7-15-220 AND 7-15-380, BOTH RELATING TO ABSENTEE BALLOT OATHS, BOTH SO AS TO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO DELETE CERTAIN REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED AND ADD A NEW REASON FOR PERSONS WHO ARE GOING TO BE ABSENT

FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO REQUIRE THE VOTER'S DRIVER'S LICENSE NUMBER OR OTHER PERSONAL OR UNIQUE IDENTIFYING NUMBER ASSOCIATED WITH A GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SUNDAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON THE CALENDAR DAY IMMEDIATELY PRECEDING ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; BY ADDING SECTION 7-15-325 SO AS TO PROVIDE THAT ANY VOTER WHO IS DESIGNATED AS HAVING PREVIOUSLY VOTED ABSENTEE MAY CAST A PROVISIONAL BALLOT ON ELECTION DAY TO BE COUNTED ONLY IF THE VOTER'S ABSENTEE BALLOT IS NOT RECEIVED; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 26

Senator CAMPSEN proposed the following amendment (JUD4919.026), which was adopted:

Amend the bill, as and if amended, page 7, by striking lines 26-29, containing item (B)(2), and inserting:

/ <u>(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide the following:</u> /

Amend the bill further, as and if amended, page 13, by striking lines 1-29, of Section 7-15-430, as contained in SECTION 9, and inserting:

/ "(A) Prior to the distribution of voter registration lists to the various precincts, the county board of voter registration and elections shall note, opposite the name of each registered voter, who is provided an absentee ballot and who has returned an absentee ballot ~~has voted by absentee ballot the fact of such voting or that an absentee ballot has been issued to a voter, as the case may be~~.

(B) No voter whose name is so marked on the registration list as having returned an absentee ballot ~~voted~~ shall be permitted to vote in person in his resident precinct or at an early voting center in his county. ~~and no~~ A voter who is provided an absentee ballot, but who has not returned an ~~been issued an~~ absentee ballot, may cast a provisional ballot at his resident precinct or at an early voting center in his county. The provisional ballot must only be counted if the absentee ballot is not received by the time for the closing of the polls on election day ~~vote whether such ballot has been cast or not, unless he shall furnish to the officials of his resident precinct a certificate from the county board of voter registration and elections that his absentee ballot has been returned to the board unmarked~~.

(C) Should any voter be issued an absentee ballot, or should any voter return an absentee ballot, after the board has released the registration books to be used in the election to the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll managers, the board of voter registration and elections shall immediately notify in writing the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll manager, as the case may be, of the name, address, and certificate number of each voter who has since been issued an absentee ballot, or who has since returned an absentee ballot, and the registration books must be appropriately marked that the voter has been issued an absentee ballot, or has returned an absentee ballot." /

Amend the bill further, as and if amended, beginning on page 14, line 38, and ending on page 15, line 9, by striking SECTION 12 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 27

Senator CAMPSEN proposed the following amendment (JUD4919.027), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION:

/ SECTION ___. A. Any changes to forms required by this act must be implemented as soon as possible, but not later than May 31, 2022.

B. Notwithstanding the provisions of this act, a county board of voter registration and elections must honor any request made for absentee ballot for an election during the 2022 calendar year, provided that the request was: (1) received by the county board of voter registration and elections before 5:00 p.m. on May 31, 2022; and (2) made in accordance with the law as of April 21, 2022.

C. An absentee ballot requested prior to the Governor's approval of this act must not be counted towards the limit on absentee ballot requests as prescribed in Section 7-15-330(B)(4), as added by this act.

D. For the 2022 statewide elections, each county board of voter registration and elections must identify each early voting center it intends to utilize and provide the locations to the State Election Commission Executive Director as follows: (1) for the primary election, no later than May 24, 2022; and (2) for the general election, no later than July 1, 2022. The Executive Director must approve any additions or changes to these early voting centers, and may direct the move of early voting centers to ensure proper distribution throughout each county. /

To further amend the bill, as and if amended, by striking SECTION 45, line 13 on page 39 and inserting:

/ SECTION 45. A. Except as provided in B. and C. below, all SECTIONS shall take effect upon approval by the Governor.

B. SECTION 2 shall take effect on January 1, 2023.

C. SECTIONS 3 and 6 shall take effect on July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 28

Senators CASH, CAMPSEN, MALLOY, RICE and HUTTO proposed the following amendment (4919R001.GEC), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 7-20 and inserting:

/ "(1) for statewide general elections, the early voting centers must be open from 8:30 a.m. until 6:00 p.m. on each day of the early voting period.

(2) for any election that is not a statewide general election or primary runoff election, the early voting centers must be open Monday through Friday from 8:30 a.m. until 5:00 p.m. during the early voting period;

(3) for any primary runoff election, the early voting centers must be open on the Wednesday through Friday immediately preceding the election and must be open from 8:30 a.m. until 5:00 p.m.; and /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb

Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 21, 2022, at 12:30 P.M. and the following Acts and Joint Resolution were ratified:

(R150, S. 203) -- Senators Hembree, Gustafson and Bennett: AN ACT TO AMEND SECTION 59-19-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING OF TRUSTEE VACANCIES, SO AS TO PROVIDE THE GOVERNOR MAY REMOVE TRUSTEES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THE GOVERNOR MAY FILL TRUSTEE VACANCIES, TO PROVIDE NOTICE AND HEARING REQUIREMENTS, AND TO DELETE EXISTING PROVISIONS CONCERNING TRUSTEE REMOVAL AND FILLING OF VACANCIES BY SCHOOL BOARDS.
L:\COUNCIL\ACTS\203WAB22.DOCX

(R151, S. 1010) -- Senators Gambrell, Alexander and Garrett: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.
L:\COUNCIL\ACTS\1010PH22.DOCX

(R152, S. 1132) -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ONSITE WASTEWATER SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5103, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
L:\COUNCIL\ACTS\1132WAB22.DOCX

(R153, S. 1204) -- Senator Alexander: AN ACT TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\1204ZW22.DOCX

(R154, S. 1220) -- Senator Rice: AN ACT TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF PICKENS COUNTY BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED.
L:\COUNCIL\ACTS\1220ZW22.DOCX

(R155, H. 3105) -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M.M. Smith, Pope, D.C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 1 SO AS TO PROVIDE FOR THE PROTECTION OF THE EXERCISE OF RELIGION DURING A STATE OF EMERGENCY, TO DEFINE NECESSARY TERMS, TO PROVIDE THAT RELIGIOUS

SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY THAT MUST BE ALLOWED TO CONTINUE OPERATING, TO ALLOW A RELIGIOUS ORGANIZATION TO ASSERT A VIOLATION OF THESE PROVISIONS AS A CLAIM OR DEFENSE, AND TO PROVIDE THAT THIS CHAPTER APPLIES TO ALL STATE AND LOCAL LAWS AND ORDINANCES REGARDLESS OF WHEN ADOPTED OR IMPLEMENTED.
L:\COUNCIL\ACTS\3105HB22.DOCX

(R156, H. 3126) -- Reps. Jones, Burns, Chumley, Magnuson, Taylor, Haddon, Long, Forrest, McCabe, Oremus, Hill, M.M. Smith, Huggins, Wooten, Ballentine, Bustos, B. Cox, Elliott, Trantham, Willis, Nutt, Morgan, McCravy, Thayer, V.S. Moss, Stringer, T. Moore, Allison, Hixon, Bennett, Fry, Kimmons, Davis and Murphy: AN ACT TO DECLARE THAT THE PRACTICE OF DISCRIMINATION BASED ON VACCINATION STATUS IS IN CONFLICT WITH THE IDEALS OF SOUTH CAROLINA; TO PROVIDE THAT THE GENERAL ASSEMBLY BELIEVES THAT A FEDERAL VACCINE MANDATE IS UNCONSTITUTIONAL; TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID-19 VACCINATION MANDATE; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-15-80 SO AS TO PROVIDE THAT NEITHER THE STATE NOR ANY OF ITS POLITICAL SUBDIVISIONS MAY TERMINATE OR SUSPEND A FIRST RESPONDER BASED ON HIS VACCINATION STATUS; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS; AND TO REENACT ACT 99 OF 2021 RELATING TO SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR.
L:\COUNCIL\ACTS\3126SA22.DOCX

(R157, H. 3509) -- Reps. Fry, Felder, Bernstein, Collins, Kimmons, Robinson, Haddon, V.S. Moss, Pope, Forrest, J.L. Johnson, W. Cox, Carter, Oremus, Henegan, Jefferson and R. Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 7, TITLE 63 SO AS TO ESTABLISH AN EXTENDED FOSTER CARE PROGRAM AND RELATED PROCEDURES TO ENABLE CERTAIN CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES ON THEIR EIGHTEENTH BIRTHDAY TO CONTINUE TO RECEIVE SERVICES AND SUPPORTS FROM THE DEPARTMENT UNTIL THE AGE OF TWENTY-ONE; TO DEFINE TERMS; TO PROVIDE FOR VOLUNTARY AND COURT-ORDERED EXTENDED FOSTER CARE; TO REQUIRE CASE REVIEW AND PERMANENCY PLANNING; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING HEARINGS, SO AS TO MAKE CONFORMING CHANGES.
L:\COUNCIL\ACTS\3509VR22.DOCX

(R158, H. 3524) -- Reps. Hixon and Forrest: AN ACT TO AMEND SECTION 58-7-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES CONFERRED ON PIPELINE COMPANIES, SO AS TO PROVIDE THAT THE PROVISIONS OF SECTION 58-9-2030 AND OF CHAPTER 2, TITLE 28 DO NOT APPLY TO PRIVATE, FOR-PROFIT PIPELINE COMPANIES, INCLUDING PUBLICLY TRADED FOR-PROFIT COMPANIES, THAT ARE NOT DEFINED WITHIN TITLE 58 AS A PUBLIC UTILITY, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT SHALL SUNSET ON JUNE 30, 2024, UNLESS OTHERWISE AMENDED, REENACTED, OR EXTENDED BY THE GENERAL ASSEMBLY.
L:\COUNCIL\ACTS\3524ZW22.DOCX

(R159, H. 3773) -- Reps. West, G.M. Smith, Weeks, White, Hill, Jefferson and Anderson: AN ACT TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING

TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS WITH CERTAIN APPROVAL AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\3773VR22.DOCX

(R160, H. 3859) -- Reps. Jordan, Sandifer, Kirby and Cogswell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.
L:\COUNCIL\ACTS\3859SA22.DOCX

(R161, H. 4177) -- Reps. Lowe, Pope and Ligon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION AND TO PROVIDE DUTIES AND QUALIFICATIONS; BY ADDING SECTION 50-3-195 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY

WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.
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(R162, H. 4319) -- Reps. Calhoon, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: AN ACT TO AMEND SECTION 56-1-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EVIDENCE REQUIRED OF APPLICANTS TO OBTAIN A DRIVER'S LICENSE, SO AS TO REVISE THIS EVIDENCE TO INCLUDE GENDER, PRINCIPAL RESIDENTIAL ADDRESS, LEGAL NAME CHANGE, AND AUTHORIZED LENGTH OF STAY IN THIS COUNTRY, TO PROVIDE THIS EVIDENCE APPLIES TO APPLICANTS SEEKING TO OBTAIN OR RENEW DRIVERS' LICENSES, BEGINNERS' PERMITS, OR IDENTIFICATION CARDS, TO REVISE THE TYPES OF EVIDENCE NECESSARY TO VERIFY THE SOCIAL SECURITY NUMBERS OF APPLICANTS, TO PROVIDE THE TYPES OF EVIDENCE APPLICANTS WHOSE NAMES HAVE CHANGED SINCE BIRTH MUST PRESENT TO SHOW NAME TRACEABILITY, TO PROVIDE APPLICANTS MAY HAVE DRIVERS' LICENSES OR IDENTIFICATION CARDS ISSUED IN THEIR PREFERRED NAMES UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT REAL IDS SHALL NOT BE ISSUED IN THE CASE OF SOCIAL SECURITY NUMBERS NOT VALIDATING; AND TO AMEND SECTIONS 56-1-140, AS AMENDED, 56-1-50, AS AMENDED, 56-1-2100, AS AMENDED, AND 56-1-3370, RELATING TO THE ISSUANCE OF DRIVERS' LICENSES, BEGINNERS' PERMITS, COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, SO AS TO PROVIDE THEY MUST CONTAIN UNOBSTRUCTED PHOTOGRAPHS OF THE APPLICANTS, AND TO PROVIDE THE PHOTOGRAPHS ARE NOT REQUIRED TO BE IN COLOR.
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(R163, H. 5159) -- Reps. G.R. Smith, Allison, Bannister, Burns, Chumley, B. Cox, W. Cox, Dillard, Elliott, Haddon, Morgan, Robinson, Trantham and Willis: AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE SCHOOL DISTRICT OF

GREENVILLE COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE NEWLY DRAWN ELECTION DISTRICTS.
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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 22, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 1263 -- Senators Gambrell and Garrett: A BILL TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.

On motion of Senator GAMBRELL.

S. 1271 -- Senator Peeler: A BILL TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

On motion of Senator PEELER.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, April 26, 2022, at 12:00 Noon.

* * *

Tuesday, April 26, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Hebrews 12:1

We read in the Book of Hebrews: "Therefore, since we are surrounded by such a great cloud of witnesses, let us throw off everything that hinders and the sin that easily entangles, and let us run with perseverance the race marked out for us."

Let us pray, friends: Truly, O loving God, today we ask that You will lead this Senate to take stock of where it actually is at this point of the second session of its 124th General Assembly. Certainly a great many major issues have been resolved already. But, Lord, the list of matters still to be wrestled with and settled remains a long one. And here today, with time slipping away, surrounded as we are "by such a great cloud of witnesses" -- the portraits of many here on the walls of this Chamber -- we pray, O God, that You will grant these Senators and their aides the zeal and the perseverance necessary to keep charging forward. May these servants truly run the "race" expected of them this term, drawing their strength from You, as always. So we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Fanning

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5038
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Appeal Procedures
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 21, 2022

Document No. 5039
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Research Involving Persons Eligible for Services
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 21, 2022

Document No. 5040
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Eligibility Determination
Received by Lieutenant Governor January 11, 2022

Referred to Committee on Medical Affairs
Legislative Review Expiration May 11, 2022
Withdrawn and Resubmitted April 21, 2022

Document No. 5105
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Section 56-23-100
SUBJECT: Driver Training Schools
Received by President of the Senate March 3, 2022
Referred to Committee on Transportation
Legislative Review Expiration February 28, 2023
Withdrawn and Resubmitted April 25, 2022

Leave of Absence

On motion of Senator SETZLER, at 12:09 P.M., Senator ALLEN was granted a leave of absence until 12:30 P.M.

Leave of Absence

On motion of Senator KIMBRELL, at 5:34 P.M., Senator ADAMS was granted a leave of absence until 7:30 P.M.

Leave of Absence

On motion of Senator GOLDFINCH, at 5:34 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HUTTO, at 5:34 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

At 5:34 P.M., Senator CROMER requested a leave of absence until 6:45 P.M.

Leave of Absence

At 5:55 P.M., Senator MARTIN requested a leave of absence until 7:03 P.M.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator JACKSON rose for an Expression of Personal Interest.

Remarks by Senator JACKSON

Thank you, Mr. PRESIDENT, members of the Senate. I rise to say to Senator HARPOOTLIAN, that I appreciate what he's proposing, and at the appropriate time, I will look at it and I would like to be a co-sponsor. I would like to join in with that and let me tell you why. I have spoken to our sheriff in Richland County also. Just to bring this full circle, the incident at Columbiana Mall, the incident happened at the mall and ended at my church. My son was the youth pastor, officiated, did the eulogy, and after this incident members rode buy and shot up a building near the church. You could understand why we were too disappointed to really hear why perhaps --

I hesitated if I was going to say something on this, having talked to the sheriff of Richland County, I decided that I would. Senator HARPOOTLIAN, I think he's trying -- he's been there. Let me tell you, this is not an issue of black or white. This is not an issue of attack on young black boys. This is an issue of being safe in our community. The people who are calling me are older African Americans who are saying do something. So, what Senator HARPOOTLIAN is proposing, if he had not proposed it, I would -- that's why I'm going to join him and hopefully even make it better if JACKSON and HARPOOTLIAN get together. I would smooth off some of his rough edges and make it perhaps even more acceptable. But let me finish the story of the young man. The funeral at our church -- many devastated. My son did the eulogy, former basketball coach, youth leader -- saw this young man now lying in the casket -- coached him basketball. Right after the service members of the gang drove by and shot at the building at the church. There are bullet holes at the building at our church that I refuse to get fixed. I want them to be reminded. It is time out for playing, young people. Listen, I'm as sympathetic as anyone against someone who had a rough bring-up but that is no excuse to go and take lives. So, this situation at the mall without revealing too much -- one of the individuals that was involved in all of this was involved in the original thing. And so now he's out and others

are out, bragging about the fact that I'm out. I'm free. But what happened to the guy that I shot? He's in the grave. And so, I think something needs to be done -- a hard something and it needs to be tough. And we need to protect our communities. Because the truth is, the people who are impacted the most -- they don't live in Senator HARPOOTLIAN's community. They live in my mother's community. She's the one that goes to bed at night, and she is awakened with gunshots there. Her neighbors who are 80, 85, who have been there all their lives -- my mom was in that community since 1965. She loves it. She should not have her community held hostage to young gang members just because they feel like they need to express themselves. So, I don't know what the answer is. But I'll tell you, it's not another march. I'm tired of marching. I'm tired of having meetings after tragedies to say, what should we do? We need to do something that is concrete, and if it hurts, it should hurt. If you commit a crime, be it with a gun, you should not be out on the street in months or weeks or days. And much less, you should not feel so emboldened that you can brag about it on social media -- feel as if you've gotten away with it. You need to do something. And I think working together across party lines to find a solution is what we need to do. So, to Senator HARPOOTLAIN, thank you, to other members, thank you. Let us lay aside our differences and get something done.

On motion of Senator HARPOOTLIAN, with unanimous consent, the remarks of Senator JACKSON were ordered printed in the Journal.

Expression of Personal Interest

Senator HEMBREE rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 918 Sens. Rankin, Hembree, Sabb and Williams

S. 919 Sens. Rankin, Hembree, Sabb and Williams

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1283 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE LEXINGTON COUNTY

COMMUNICATIONS CENTER FOR BEING AWARDED CALEA ACCREDITATION FOR THE FIFTH TIME.
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The Senate Resolution was adopted.

S. 1284 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE LEXINGTON POLICE DEPARTMENT FOR BEING AWARDED CALEA ACCREDITATION FOR THE FIFTH TIME.
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The Senate Resolution was adopted.

S. 1285 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MYRA GIBSON UPON THE OCCASION OF HER RETIREMENT AS BENEFITS ADMINISTRATOR IN OCONEE COUNTY'S HUMAN RESOURCES DEPARTMENT, TO COMMEND HER FOR HER NEARLY TWENTY YEARS OF DEDICATED SERVICE TO OCONEE COUNTY, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1286 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE CALEB "CAL" E. THOMAS UPON THE OCCASION OF HIS RETIREMENT AS A SUPERVISOR, INVESTIGATOR, AND TASK FORCE OFFICER, TO COMMEND HIM FOR HIS FOURTEEN YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1287 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE BETHEL UNITED METHODIST CHURCH OF CHESTER ON THE OCCASION OF ITS HISTORIC ONE HUNDRED EIGHTY-FIFTH ANNIVERSARY AND

TO COMMEND THE CHURCH FOR ITS MANY YEARS OF SERVICE TO GOD AND THE COMMUNITY.
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The Senate Resolution was adopted.

S. 1288 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-31-1525 SO AS TO PROHIBIT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM DENYING THE REPAIR, REPLACEMENT, OR CONSTRUCTION OF WELLS AND SEPTIC TANKS ON CERTAIN RURAL LANDS REGARDLESS OF THE AVAILABILITY OF MUNICIPAL WATER AND SEWER SERVICE.
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Read the first time and referred to the Committee on Judiciary.

S. 1289 -- Senator Fanning: A BILL TO AMEND SECTION 5-31-1520, RELATING TO THE EXTENSION OF WATER AND SEWER SYSTEMS BY A MUNICIPALITY, SO AS TO PROHIBIT EXTENSIONS CONDITIONED ON ANNEXATION AND FOR OTHER PURPOSES.
l:\council\bills\cc\16177vr22.docx

Read the first time and referred to the Committee on Judiciary.

S. 1290 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO SUITABILITY IN ANNUITY TRANSACTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5065, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE

GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Read the first time and referred to the Committee on Finance.

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE

30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

The Concurrent Resolution was introduced and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

Ordered for consideration tomorrow.

Appointment Reported

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2021, and to expire June 30, 2025 Licensed consumer finance business restricted lender or supervised lender recommended by the Independent Consumer Finance Association:

James Daniel Walters, 301 Portabello Way, Simpsonville, SC 29681

Received as information.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director of Department of Juvenile Justice, with term coterminous with Governor

Director:

Laurel Eden Harvey Hendrick, 6331 Westshore Road, Columbia, SC 29206-2122 *VICE* Freddie B. Pough

Received as information.

Senator MARTIN from the Committee on Corrections and Penology submitted a report with no recommendation on:

Statewide Appointment

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Samuel Rivers, Jr., Post Office Box 760, Goose Creek, SC 29445-0760 *VICE* Christopher F. Gibbs

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5150, THE GENERAL APPROPRIATIONS BILL.

REPORT OF THE SENATE FINANCE COMMITTEE ADOPTED, AMENDED

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator PEELER spoke on the report.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Motion Adopted
Report of the Committee on Finance Adopted

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

The report of the Committee on Finance was adopted.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 5150, the General Appropriations Bill.

There was no objection.

Report of the Subcommittee on Health and Human Services

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

PRESIDENT PRESIDES

At 1:02 P.M., the PRESIDENT assumed the Chair.

Report of the Subcommittee on Natural Resources and Economic Development

Senator SETZLER, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Constitutional Officers and Administrative Laws

Senator GROOMS, on behalf of the Chairman of the Subcommittee on Constitutional and Administrative Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Higher Education

Senator CROMER, Chairman of the Subcommittee on Higher Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Transportation and Regulatory Laws

Senator JACKSON, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Judicial and Criminal Justice

Senator MARTIN, Chairman of the Subcommittee on Judicial and Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on K-12 Education

Senator BENNETT, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

Amendment No. 7

Senator SCOTT proposed the following amendment (SM REIMAGINING OUR DESTINY), which was adopted (#1):

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 373, proviso 33.30, line 27, by striking / *the South Carolina Christian-Action Council* / and inserting / *Voorhees College* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1.3 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.3. (SDE: State Aid to Classrooms) ~~To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act via an allocation from the State Aid to Classrooms appropriation. The funds appropriated for State Aid to Classrooms shall be allocated as follows: 63.60 percent must be allocated based on the Education Finance Act formula and the differentiated student weightings in this act; 28.62 percent must be allocated based on the manner of distribution of EFA employer contributions in the prior fiscal year; and 7.79 percent must be allocated to fully implement the State Minimum Teacher Salary Schedule with a minimum starting teacher salary of $36,000. The department is authorized to adjust the percentage allocation related to~~

~~EFA employer contributions to accommodate for the disbursement of the state retirement funds and any other related employee allocation sent to districts.~~ For the current fiscal year, the total pupil count is projected to be ~~764,037~~ *761,855, which includes traditional school districts, charter school authorizers, and the special school districts. For the current fiscal year, the total pupil count for traditional school districts is projected to be 714,073, the total pupil count for the charter authorizers is projected to be 47,061, and the total pupil count for the special districts is projected to be 721.* These funds represent an average per pupil of ~~$3,887~~ *$4,834* in State Aid to Classrooms. The average per pupil funding is projected to be ~~$6,902~~ *$7,629* state, ~~$1,202~~ $*1,274* federal, and ~~$7,423~~ *$7,859* local. This is an average total funding level of ~~$15,527~~ *$16,762* excluding revenues of local bond issues. ~~It is the intent of the General Assembly that the consolidation of the Education Finance Act and Education Finance Act – Employer Contributions appropriations, and the subsequent allocation of the State Aid to Classrooms appropriation back to these categories, should not significantly alter the application of funding formulas or maintenance of effort requirements referencing the Education Finance Act and Education Finance Act - Employer Contributions.~~

~~The funds allocated from State Aid to Classrooms for implementing the revised State Minimum Teacher Salary Schedule shall be distributed to school districts using the EIA Teacher Salary Supplement methodology. The resulting estimated teacher salary schedule is as follows:~~

~~*YRS EXP*~~	~~*CLASS 8 DR*~~	~~*CLASS 7 MASTERS +30 HRS*~~	~~*CLASS 1 MASTERS*~~	~~*CLASS 2 BACHELORS +18 HRS*~~	~~*CLASS 3 BACHELORS*~~
~~*0*~~	~~*48,076*~~	~~*44,576*~~	~~*41,076*~~	~~*37,576*~~	~~*36,000*~~
	~~*2.12%*~~	~~*2.29%*~~	~~*2.50%*~~	~~*2.73%*~~	~~*2.86%*~~
~~*1*~~	~~*48,593*~~	~~*44,813*~~	~~*41,377*~~	~~*37,838*~~	~~*36,119*~~
	~~*2.10%*~~	~~*2.28%*~~	~~*2.48%*~~	~~*2.71%*~~	~~*2.85%*~~
~~*2*~~	~~*48,924*~~	~~*44,888*~~	~~*41,525*~~	~~*37,994*~~	~~*36,313*~~
	~~*2.09%*~~	~~*2.28%*~~	~~*2.47%*~~	~~*2.70%*~~	~~*2.83%*~~
~~*3*~~	~~*49,236*~~	~~*44,957*~~	~~*41,664*~~	~~*38,107*~~	~~*36,462*~~
	~~*2.07%*~~	~~*2.27%*~~	~~*2.46%*~~	~~*2.69%*~~	~~*2.82%*~~
~~*4*~~	~~*49,578*~~	~~*45,058*~~	~~*41,831*~~	~~*38,280*~~	~~*36,667*~~
	~~*2.06%*~~	~~*2.27%*~~	~~*2.45%*~~	~~*2.68%*~~	~~*2.80%*~~
~~*5*~~	~~*49,870*~~	~~*45,125*~~	~~*41,962*~~	~~*38,388*~~	~~*36,806*~~
	~~*2.05%*~~	~~*2.27%*~~	~~*2.44%*~~	~~*2.67%*~~	~~*2.79%*~~

~~6~~	~~51,134~~	~~46,074~~	~~42,911~~	~~39,273~~	~~37,691~~
	~~1.99%~~	~~2.22%~~	~~2.39%~~	~~2.61%~~	~~2.73%~~
~~7~~	~~52,400~~	~~47,022~~	~~43,859~~	~~40,127~~	~~38,546~~
	~~1.95%~~	~~2.17%~~	~~2.33%~~	~~2.56%~~	~~2.66%~~
~~8~~	~~53,665~~	~~47,972~~	~~44,808~~	~~41,012~~	~~39,431~~
	~~1.90%~~	~~2.13%~~	~~2.28%~~	~~2.50%~~	~~2.60%~~
~~9~~	~~54,930~~	~~48,921~~	~~45,757~~	~~41,867~~	~~40,285~~
	~~1.85%~~	~~2.09%~~	~~2.23%~~	~~2.45%~~	~~2.55%~~
~~10~~	~~56,196~~	~~49,870~~	~~46,707~~	~~42,753~~	~~41,171~~
	~~1.81%~~	~~2.05%~~	~~2.19%~~	~~2.40%~~	~~2.49%~~
~~11~~	~~57,461~~	~~50,818~~	~~47,655~~	~~43,607~~	~~42,025~~
	~~1.77%~~	~~2.01%~~	~~2.14%~~	~~2.35%~~	~~2.44%~~
~~12~~	~~58,726~~	~~51,768~~	~~48,604~~	~~44,492~~	~~42,911~~
	~~1.73%~~	~~1.97%~~	~~2.10%~~	~~2.30%~~	~~2.39%~~
~~13~~	~~59,991~~	~~52,716~~	~~49,553~~	~~45,346~~	~~43,765~~
	~~1.70%~~	~~1.93%~~	~~2.06%~~	~~2.25%~~	~~2.34%~~
~~14~~	~~61,256~~	~~53,665~~	~~50,502~~	~~46,233~~	~~44,650~~
	~~1.66%~~	~~1.90%~~	~~2.02%~~	~~2.21%~~	~~2.29%~~
~~15~~	~~62,522~~	~~54,614~~	~~51,450~~	~~47,087~~	~~45,504~~
	~~1.63%~~	~~1.87%~~	~~1.98%~~	~~2.17%~~	~~2.25%~~
~~16~~	~~63,787~~	~~55,563~~	~~52,400~~	~~47,972~~	~~46,390~~
	~~1.59%~~	~~1.83%~~	~~1.95%~~	~~2.13%~~	~~2.20%~~
~~17~~	~~65,052~~	~~56,511~~	~~53,348~~	~~48,825~~	~~47,244~~
	~~1.56%~~	~~1.80%~~	~~1.91%~~	~~2.09%~~	~~2.16%~~
~~18~~	~~65,693~~	~~57,066~~	~~53,873~~	~~49,305~~	~~47,706~~
	~~1.55%~~	~~1.78%~~	~~1.89%~~	~~2.07%~~	~~2.14%~~
~~19~~	~~66,339~~	~~57,628~~	~~54,401~~	~~49,787~~	~~48,173~~
	~~1.53%~~	~~1.77%~~	~~1.87%~~	~~2.05%~~	~~2.12%~~
~~20~~	~~66,993~~	~~58,194~~	~~54,935~~	~~50,275~~	~~48,646~~
	~~1.52%~~	~~1.75%~~	~~4.0%~~	~~4.0%~~	~~4.0%~~
~~21~~	~~67,654~~	~~58,766~~	~~55,474~~	~~50,767~~	~~49,122~~
	~~1.50%~~	~~1.73%~~	~~1.84%~~	~~2.01%~~	~~2.08%~~
~~22~~	~~68,320~~	~~59,343~~	~~56,019~~	~~51,264~~	~~49,603~~
	~~1.49%~~	~~1.71%~~	~~1.82%~~	~~1.99%~~	~~2.06%~~
~~23~~	~~68,993~~	~~59,927~~	~~56,570~~	~~51,768~~	~~50,089~~
	~~1.47%~~	~~1.70%~~	~~1.80%~~	~~1.97%~~	~~2.04%~~

The State Minimum Teacher Salary Schedule for the current fiscal year is as follows:

~~YRS EXP~~	~~CLASS 8 DR~~	~~CLASS 7 MASTERS +30 HRS~~	~~CLASS 1 MASTERS~~	~~CLASS 2 BACHELORS +18 HRS~~	~~CLASS 3 BACHELORS~~
0	50,076	46,576	43,076	39,576	38,000
	4.16%	4.49%	4.87%	5.32%	5.56%

TUESDAY, APRIL 26, 2022

1	50,593	46,813	43,377	39,838	38,119
	4.12%	4.46%	4.83%	5.29%	5.54%
2	50,924	46,888	43,525	39,994	38,313
	4.09%	4.46%	4.82%	5.26%	5.51%
3	51,236	46,957	43,664	40,107	38,462
	4.06%	4.45%	4.80%	5.25%	5.49%
4	51,578	47,058	43,831	40,280	38,667
	4.03%	4.44%	4.78%	5.22%	5.45%
5	51,870	47,125	43,962	40,388	38,806
	4.01%	4.43%	4.77%	5.21%	5.43%
6	53,134	48,074	44,911	41,273	39,691
	3.91%	4.34%	4.66%	5.09%	5.31%
7	54,400	49,022	45,859	42,127	40,546
	3.82%	4.25%	4.56%	4.98%	5.19%
8	55,665	49,971	46,808	43,012	41,431
	3.73%	4.17%	4.46%	4.88%	5.07%
9	56,930	50,921	47,757	43,866	42,285
	3.64%	4.09%	4.37%	4.78%	4.96%
10	58,196	51,870	48,707	44,753	43,171
	3.56%	4.01%	4.28%	4.68%	4.86%
11	59,460	52,818	49,655	45,606	44,025
	3.48%	3.94%	4.20%	4.59%	4.76%
12	60,726	53,767	50,604	46,492	44,911
	3.41%	3.86%	4.11%	4.50%	4.66%
13	61,991	54,716	51,553	47,346	45,765
	3.33%	3.79%	4.04%	4.41%	4.57%
14	63,256	55,665	52,501	48,232	46,650
	3.26%	3.73%	3.96%	4.33%	4.48%
15	64,522	56,614	53,451	49,086	47,504
	3.20%	3.66%	3.89%	4.25%	4.40%
16	65,787	57,563	54,400	49,971	48,390
	3.14%	3.60%	3.82%	4.17%	4.31%
17	67,052	58,511	55,348	50,825	49,244
	3.07%	3.54%	3.75%	4.10%	4.23%
18	67,693	59,067	55,872	51,304	49,706
	3.04%	3.50%	3.71%	4.06%	4.19%
19	68,339	59,628	56,401	51,787	50,173
	3.01%	3.47%	3.68%	4.02%	4.15%
20	68,993	60,194	56,935	52,275	50,646
	2.99%	3.44%	3.64%	3.98%	4.11%
21	69,653	60,765	57,474	52,767	51,122
	2.96%	3.40%	3.61%	3.94%	4.07%
22	70,320	61,343	58,019	53,264	51,603
	2.93%	3.37%	3.57%	3.90%	4.03%
23	70,993	61,927	58,570	53,767	52,089
	2.90%	3.34%	3.54%	3.86%	3.99%

~~As further used in this act, references to the Education Finance Act or EFA funds shall be interpreted to mean the 63.60 percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 28.62 percent of State Aid to Classrooms allocated for Education Finance Act Employer Contributions.~~

~~For the purpose of maintaining consistency when calculating maintenance of effort, references to the base student cost shall be interpreted as the base student cost resulting from the 63.60 percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 28.62 percent of State Aid to Classrooms allocated for Education Finance Act Employer Contributions, and other any other items normally included in the base student cost calculation.~~

~~For the purpose of maintaining consistency when calculating the Base Student Cost, the base student cost calculation shall include funds from State Aid to Classrooms consisting of the 63.60% of funds appropriated for State Aid to Classrooms allocated based on the Education Finance Act formula and the 7.79% that are allocated to fully implement the State Minimum Teacher Salary Schedule.~~

For the current fiscal year, the funds appropriated for State Aid to Classrooms represent the State's contribution to the Aid to Classrooms program for direct instruction of students in kindergarten through grade twelve in our state, which is seventy-five percent of the total cost of funding one teacher salary for every 10.5 students. The salary cost used to determine the amount of funding required for the state effort is based on that of a teacher having a master's degree and twelve years of experience, which equates to $50,604 on the statewide minimum salary schedule for the current fiscal year and including fringe benefits is $66,524. The calculation of teachers for every student ratio includes those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the State. School districts are required to meet the statewide minimum salary schedule in the current fiscal year and are required to provide the annual step increase pursuant to Section 59-20-50. No school district is required to increase teacher salaries above the amount necessary to meet the statewide minimum salary schedule as prescribed in this act. For the current fiscal year, the provisions of Section 59-20-50(3) of the 1976 Code, as amended, are suspended.

To allocate the funds, the department will calculate the total number of weighted pupil units (WPUs) in each school district and in the State. The funds appropriated herein for State Aid to Classrooms represent the state share of the total Aid to Classrooms program, which is seventy-five percent. The local required effort is twenty-five percent of the total program. The total Aid to Classrooms funding for each district is calculated based on the district's percentage of the total statewide weighted pupils multiplied by the total Aid to Classrooms program. The district's local share is calculated by multiplying the total local share by the district's imputed index of taxpaying ability, which is the district's relative fiscal capacity compared to that of all other districts in the State. The State Aid to Classrooms amount allocated to each district will be determined by subtracting the calculation of the district's local share from the calculation of the district's total Aid to Classrooms projected funding. The Statewide Public Charter School District and any approved institution of higher education authorizing charter schools shall receive one hundred percent of the Aid to Classrooms funding from the State. For Fiscal Year 2022-23, each district will receive as its base the same funding it received in the previous fiscal year from State Aid to Classrooms, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA – Teacher Salaries, Allocations EIA – Employer Contributions, and EIA - South Carolina Public Charter Schools. For Fiscal Year 2022-23, no local match is required for the State Aid to Classroom EIA distributions for the base funding rolled up from the previous fiscal year. Any additional money in State Aid to Classrooms will be distributed utilizing the new funding methodology in this provision.

To provide flexibility, each district may expend the funds as determined by the local school board of trustees to meet the educational needs of students as defined in Section 59-1-50, Chapter 18, Title 59, and as delineated in a child's Individualized Education Program (IEP). Pursuant to Section 59-20-80, each school board of trustees must make available by September first of each fiscal year its annual budget that includes state, local, and federal investments in education. The budget must be available on the district's website. The department, in collaboration with local school districts, will provide a template that each district must use in reporting its budget.

To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district and other relevant data. To ensure that the public reporting meets the needs of educators,

parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will convene a group of educators, parents, citizens, and policymakers to provide recommendations regarding the items and the design of the dashboard by January 1. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1.

If a traditional school district, charter school authorizer, or special school district fails to submit expenditure data needed for the online financial dashboard, the Revenue and Fiscal Affairs Office will notify the Department of Education. Within thirty days of such notification, the Department of Education must then withhold ten percent of all state payments to the district or authorizer until the district or authorizer complies and all payments will then be made.

To ensure accountability, each district's annual audit that is submitted to the Department of Education pursuant to Section 59-17-100 must be conducted using an auditing firm from an approved list provided by the State Auditor. The State Auditor will develop standards and criteria for determining qualifying auditors. Each district's annual audit must be available on the district's website.

For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state *Aid to Classroom* funds to the charter school. *Students enrolled in charter schools authorized by the South Carolina Public Charter School District or an institution of higher education will receive in addition to the base weight of 1.00 or in addition to the disability weight of 2.60 an additional weight based upon the type of charter school that they attend. These additional funds must support the provision of educational services for children served by a charter school that does not receive local revenues. These students are also eligible to receive additional weights for personalized instruction. The department will make any necessary adjustments to account for the state share for Charter and Special Districts.*

Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.

For Fiscal Year 2022-23, special districts, career centers, and alternative schools will receive the amount received in the prior fiscal year from these funds.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

(1) K-12 pupils or base students including homebound students 1.00

Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.

(2) Weights for students with disabilities ~~as prescribed in Section 59-20-40(1)(c) Special Programs~~ *as documented by their Individualized Education Plan (IEP) 2.60*

(3)	Precareer and Career Technology	~~1.29~~ 1.20
(4)	*Charter school students*	
(a)	*Enrolled in brick and mortar school*	*1.25*
(b)	*Enrolled in virtual charter school*	*0.65*
~~(4)~~*(5)*	Additional weights for personalized instruction:	
(a)	Gifted and Talented	0.15
(b)	Academic Assistance	0.15
(c)	Limited English Proficiency	0.20
(d)	Pupils in Poverty	~~0.20~~ *0.50*
~~(e)~~	~~Dual Credit Enrollment~~	~~0.15~~

~~No local match is required for the additional weightings for personalized instruction in the current school year. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:~~

Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP), International Baccalaureate (IB), and Cambridge International courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

~~Funds received by a school district pursuant to the dual credit weighting must be used to defray all possible costs of dual credit courses for students. Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must utilize these funds to offset the cost of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other institution of higher education. Each school district shall report to the department the number of students participating in dual credit courses and specify the cost borne by each entity. School districts must assist students in accessing Lottery Tuition Assistance when applicable.~~

Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five day student average daily membership for all classifications. During the current fiscal year, the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30. The department must provide

districts with technical assistance with regard to student count changes in PowerSchool.

Up to ten percent of any funds appropriated for State Aid to Classrooms at the end of the fiscal year may be carried forward into the subsequent fiscal year and allocated to school districts, the South Carolina Public Charter School District, and an institution of higher education that authorizes charter schools pursuant to this provision. The additional funds must first support increases in student enrollment and any balance may be allocated proportionately utilizing weighted pupil units to districts. Any additional unexpended funds shall revert to the general fund or to the EIA Fund.

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1.79 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.79. (SDE: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~$53,426~~ $55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2021-22~~ 2022-23, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

~~Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors,~~

~~psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than one thousand dollars. Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase.~~

For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.36 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.36. (SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be ~~$53,426~~ $55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using at a minimum the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year ~~2021-22~~ 2022-23, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

~~Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than one thousand dollars.~~

~~Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase.~~

For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.24 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.24. (SDE-EIA: Students at Risk of School Failure) ~~For the current fiscal year, EIA funds appropriated for students at academic risk of school failure, must be allocated to school districts based upon two factors: (1) poverty as determined for the poverty add-on weight in Proviso 1.3; and (2) the number of weighted pupil units identified in the prior fiscal year as in need of academic assistance. At least eighty-five percent of the funds must be spent on instruction and instructional support for students at academic risk. Instructional support may include family literacy and parenting programs to students at risk for school failure and their families. Students at academic risk are defined as students who are not meeting grade level standards in English language arts/reading and mathematics as evidenced by summative state assessments in grades three through eight or students who are not on track to meeting or exceeding English language arts/reading or mathematics standards by the end of third grade. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation based on the number of students at academic risk of school failure served.~~

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.30 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.30. (SDE-EIA: Aid to Districts) ~~Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be disbursed monthly to school districts. For the current fiscal year, the remaining funds shall be allocated to districts based on the number of weighted pupil units.~~

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.32 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.32. (SDE-EIA: IDEA Maintenance of Effort) ~~Prior to the dispersal of funds appropriated in Section VIII.A.1. Aid to Districts according to Proviso 1A.30 for the current fiscal year, in the event that there is a reduction in state funds or there are changes in the Education Finance Act/Base Student Cost formula that would reduce support for children with disabilities, the Department of Education is authorized to utilize funds appropriated in Section VIII.A.1. Aid to Districts to ensure maintenance of state financial support for the IDEA. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership or as directed by the United States Department of Education. Funds provided for these purposes may not be transferred to any other purpose and therefore are not subject to flexibility. For continued compliance with the federal maintenance of state financial support requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of state financial support requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December first, the department must submit an estimate of the IDEA maintenance of state financial support requirement to the General Assembly and the Governor. For the current fiscal year, the department may carry forward IDEA Maintenance of Effort funds from the prior fiscal year and expend them in the same manner.~~

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.49 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.49. (SDE-EIA: South Carolina Public Charter School Funding) ~~The funds appropriated in Part IA, Section VIII.H. South Carolina Public Charter School Statewide Sponsor must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District or within a registered Institution of Higher Education: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive $1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive $3,600 per weighted pupil. Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall receive $3,600 per student for brick and mortar charter schools. Three and four year old students with a disability, who are eligible for serves under IDEA and enrolled in charter schools sponsored by the South Carolina Public Charter School District or a registered IHE, shall be included in student counts for the South Carolina Public Charter School District and registered IHE's solely for purposes of funding under this proviso. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year 2021-22, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant's proposal to address an existing achievement gap utilizing an evidence-based educational~~

~~program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.~~

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator FANNING raised a Point of Order under Rule 24A that Proviso 1A.72 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.72. *(SDEEIA: ARP Maintenance of Equity): The Department of Education is authorized to utilize funds appropriated in State Aid to Classrooms - Maintenance of Effort and Equity to ensure Maintenance of Equity is met under the American Rescue Plan and maintenance of state financial support for IDEA.*

Senator BENNETT spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.96 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.96. *(SDE: Capital Improvement Payments) In the current fiscal year, any school district that is allocated state funds pursuant to this act may utilize any fees derived from developmental impact fees to pay debt service on projects included in the capital improvements plan for which the fees were imposed.*

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.101 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.101. *(SDE: Graduation Requirements) Of the funds appropriated or authorized herein, and pursuant to Section 59-39-100 of the 1976 Code, the Department of Education, through the State Board of Education, is directed to promulgate regulations to update the current graduation requirements to include within the existing credits a required half credit in personal finance. The regulation shall be submitted to the State Board of Education for first reading by September 30th.*

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.104 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.104. *(SDE: Charter School Accountability) In order to ensure funds allocated to charter schools promote quality school choices for parents and students and are expended to avoid the legal disputes, instability, fiscal challenges, and potential negative outcomes associated with charter hopping and charter shopping, only those public or independent institutions of higher learning registered with the State Department of Education, as of July 1, 2021, or approved by an application process developed by the State Board of Education pursuant to the Charter Schools Act after July 1, 2021, may register or operate as charter school sponsors during Fiscal Year 2022-23. During Fiscal Year 2022-23, the State Department of Education shall use funds allocated to it to develop a sponsor application process, which shall apply only to those public or independent institutions of higher learning who were not registered as charter school sponsors with the State Department of Education as of July 1, 2021, and which shall prioritize evidence that the institution of higher education has capacity to meet minimum requirements of a local education agency (LEA) as its primary criteria. No sponsor may receive funds in Fiscal Year 2022-23 for any charter school that attempts to transfer to that sponsor unless the transfer is approved by school's current sponsor in Fiscal Year 2021-22 as expressed in a vote at a public meeting by the current sponsor board of trustees or board of directors. Each current charter school sponsor shall adopt and implement policies, procedures, and practices that ensure*

good governance and are consistent with the charter school sponsor's powers and duties as an LEA as provided in the Charter Schools Act. Each charter school sponsor also shall submit a report on the performance of each of its sponsored charter schools and the sponsor's performance of its duties by June 30, 2023. Board members of charter schools or charter school sponsors are subject to removal pursuant to Section 59-19-60 of the 1976 Code to the same extent as other school district trustees in South Carolina or may be removed pursuant to any provision of the Charter Schools Act. Further, in the absence of any state law or regulation providing a process to transfer charters from one sponsor to another, no charter school may terminate its contract or charter for the purpose of transferring its charter or otherwise seek to transfer its charter from one sponsor to another unless the charter school follows the following procedure. The charter school board of directors shall place the transfer request on a public meeting agenda and take action on the request in open session not later than August 30, 2022. The charter school board shall permit public testimony, pursuant to its rules. Upon an affirmative vote of the charter school board, the charter school shall submit a written request to the current sponsor to transfer its charter to a different sponsor before September 1, 2022. The transfer must be effective on June 30, 2023. The proposed new sponsor shall issue a written final decision approving or denying the request to transfer before October 31, 2022. The proposed new sponsor may deny the request for any reason that is not arbitrary, capricious, discriminatory, or otherwise violative of law. A copy of the final decision must be served on the charter school applying to transfer, the current sponsor, and the State Department of Education before November 5, 2022. If the proposed new sponsor approves the request to transfer, the current sponsor shall issue a final decision approving or denying the request to transfer before December 31, 2022. The sponsor may, but is not required to, permit the charter school to submit materials or information to support its transfer request, all of which must be submitted at least five business days before the board hearing. No hearing is required. If a sponsor fails to comply with this provision, the State Department of Education may compel the sponsor to comply with this provision by withholding the sponsor's fees related to the charter school seeking to transfer until a final decision is issued. Each step of the transfer process must be conducted with proper notice, public discussion, and a vote by the board during a public meeting in accordance with the Freedom of Information Act. The current sponsor shall deny a request to transfer to the proposed new sponsor if the current sponsor determines the charter school's request to transfer

is to avoid accountability, prohibited by law, untimely, or other good cause to deny the transfer exits. Good cause to deny the charter school's transfer request includes, but is not limited to: (a) violations of the charter, contract, or applicable law that have not been resolved by the charter school; (b) receipt of the lowest performance level rating under the state or federal accountability system at any grade level during the past two academic years by the charter school seeking to transfer; (c) more than one transfer request by the charter school within a five-year period; or (d) the charter school has operated less than three years with the current sponsor. The final decision of the current sponsor regarding the request to transfer is appealable to the Administrative Law Court.

The PRESIDENT took the Point of Order under advisement.

Amendment No. 1

Senator RANKIN proposed the following amendment (AM CIRCUIT COURT JUDGES), which was carried over:

Amend the bill, as and if amended, Part IB, Section 57, JUDICIAL DEPARTMENT, page 416, after line 7, by adding an appropriately numbered new proviso to read:

/ *(JUD: Leave for Circuit Court Judges) For the current fiscal year, Section 14-5-130 of the 1976 Code is suspended.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 5

Senator CASH proposed the following amendment (5150R011.KMM.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 482, proviso 108.4 is amended to read:

/ 108.4. (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except ~~in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to~~

~~avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function~~ *in which the life of the mother is at risk and the termination of the pregnancy is incidental to the lifesaving intervention*, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided contemporaneously with abortion services *or services incidental to abortion except as permitted by this provision. Physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child*. The Public Employee Benefit Authority must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator KIMPSON spoke on the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 15

AYES

Allen	Bennett	Davis
Fanning	Gambrell	Gustafson

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimpson
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Williams		

Total--25

NAYS

Alexander	Cash	Climer
Corbin	Garrett	Goldfinch
Kimbrell	Martin	Peeler
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--15

The amendment was laid on the table.

Amendment No. 15

Senators HEMBREE and FANNING proposed the following amendment (SM RETURN TO WORK), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 484, after line 9, by adding an appropriately numbered new proviso to read:

/ *(PEBA: PORS and SCRS Return to Work) For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the Police Officer Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in this title for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.*

For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the South Carolina Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in this title for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 117.175 of Part 1B was out of order inasmuch as it was not germane to the Bill.

117.175. *(GP: Indirect Costs Exemption) For the current fiscal year, the requirements of Section 26570(A) of the 1976 Code shall apply except, that for public institutions of higher learning, the first five hundred thousand dollars of a nonresearch grant shall be exempt when the grant directly supports the mission of another state agency, institution, or unit of government. Public institutions of higher learning shall provide a report to the Chairmen of the House Ways and Means Committee, Senate Finance Committee, and State Fiscal Accountability Authority by September 30 of the current fiscal year detailing the utilization of this provision.*

The PRESIDENT took the Point of Order under advisement.

Amendment No. 14

Senators CASH, HARPOOTLIAN and JACKSON proposed the following amendment (5150R009.KMM.RJC.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 486, after line 21, by adding an appropriately numbered new proviso to read:

/109.__ (DOR: Alcohol Consumables) (A) For the purposes of this proviso, 'alcohol consumable' means all products intended for consumption in frozen, gum, gelatin, or other nonliquid form containing alcoholic liquors, alcoholic beverages, wine, beer, ale, porter, or other similar malt or fermented beverages greater than one-half of one percent alcohol by volume.

(B) Beginning on August 1, 2022, the sale of alcohol consumables in this State is prohibited. A person who sells alcohol consumables in violation of this provision is guilty of a misdemeanor and shall be fined one thousand dollars or imprisoned for up to thirty days; or both. Each sale of an alcohol consumable constitutes a separate offense.

(C) From the appropriations contained in this act, the Department of Revenue shall partner with local law enforcement officials to provide adequate notice to the public and vendors of alcoholic consumables that the sale of alcohol consumables is prohibited beginning on August 1, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

Senator RANKIN spoke on the Point of Order.

Senator CASH spoke resumed speaking on the amendment.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 9

Senators DAVIS and CAMPSEN proposed the following amendment (SM BOATING PILOT PROGRAM), which was adopted (#2):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 551, after line 36, by adding an appropriately numbered new proviso to read:

/ *(A) Of the funds appropriated to the Department of Natural Resources, there is established a pilot program within the department named the Public/Private Partnerships - Boating Safety. The pilot program shall administer a boating education course and increase overall boater safety and boater safety education. A list of approved courses must be provided on the department's website. The following persons must be provided a South Carolina boating safety certificate in both physical and electronic forms by the department:*

(1) a person who successfully completes a boating education course administered or approved by the department;

(2) a person who provides satisfactory proof to the department that the person was issued a boater education certificate, or an equivalency, by another state; and

(3) a person who provides satisfactory proof to the department that the person was issued a license to operate a vessel by the United States Coast Guard or was issued a merchant mariner credential by the United States Coast Guard.

(B) A person may not operate, upon the waters of this State, a vessel powered by an engine of ten horsepower or greater, a personal watercraft, or a specialty propcraft without having possession of a South Carolina boating safety certificate issued by the department in the person's name, unless the person:

(1) was born on or before July 1, 2006;

(2) is in possession of a license to operate a vessel issued by the United States Coast Guard in the person's name, regardless of the expiration date on the license;

(3) is in possession of a merchant mariner credential issued by the United States Coast Guard in the person's name, regardless of the expiration date on the credential;

(4) is a nonresident in possession of a boater education certificate, or an equivalency, issued by another state in the nonresident's name; or

(5) is accompanied by a person at least 18 years old who:

(a) is in possession of a South Carolina boating safety certificate issued by the department in the person's name; or

(b) meets one of the criteria in items (1) through (5) of this paragraph.

(C) The department shall partner with motorboat rental businesses to ensure that:

(1) a motorboat, including a personal watercraft, is not rented or leased to any person for operation on the waters of the state unless the renter or lessee has a valid watercraft operator's permit or is an exempt operator and is 18 years of age or older;

(2) the motorboat rental business lists on each motorboat rental or lease agreement the name and age of each operator who is authorized to operate the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that only listed authorized operators operate the motorboat or personal watercraft;

(3) the motorboat rental business provides each authorized operator (a) a summary of this provision together with any other relevant laws, regulations, and rules governing operation of motorboats and personal watercraft in the state and (b) instructions for safe operation. Each authorized operator must review the summary provided under this paragraph and must either successfully complete a boating education course administered or approved by the department; provide satisfactory proof to the motorboat rental business that the person was issued a boater education certificate, or an equivalency, by another state; or provide satisfactory proof to the motorboat rental business that the person was issued a license to operate a vessel by the United States Coast Guard or was issued a merchant mariner credential by the United States Coast Guard before the motorboat or personal watercraft leaves the motorboat rental business premises; and

(4) that the motorboat rental business provides a United States Coast Guard (USCG) approved wearable personal flotation device with a USCG label indicating it either is approved for or does not prohibit use with personal watercraft or water-skiing and any other required safety equipment to all persons who rent a personal watercraft at no additional cost.

(D) A person who violates this provision shall be fined by the department not less than fifty dollars and not more than three hundred dollars, no part of which may be suspended. Revenues from fines under this provision must be retained by the department for support of the pilot program and boater safety. No court costs, assessments, or surcharges may be assessed against a person who violates this provision. A custodial arrest for a violation of this provision must not be made, except upon a warrant issued for failure to appear in court when summoned or

for failure to pay an imposed fine. A violation of this provision does not constitute a criminal offense and must not be included in the records maintained by the department or in the records maintained by SLED. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 10

Senator JACKSON proposed the following amendment (SM JUSTICE FORTY), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 552, after line 36, by adding an appropriately numbered new proviso to read:

/ *(GP: Justice Forty Oversight Committee) (A) There is created a thirteen member Justice Forty Oversight Committee within state government to study opportunities to address the issue of environmental justice in South Carolina. The study committee shall be chaired by the Director of Environmental Affairs at the Department of Health and Environmental Control and shall:*

(1) identify disadvantaged and marginalized communities throughout South Carolina with environmental justice impact;

(2) identify the infrastructure deficiencies in these communities;

(3) assist members of the community in developing a plan to apply for assistance to secure funding for infrastructure projects; and

(4) undertake other actions necessary to carry out the purpose of the committee.

(B) The study committee shall be comprised of:

(1) two members of the House of Representatives who serve on the Joint Bond Review Committee appointed by the Chairman of the House Ways and Means Committee;

(2) two members of the Senate who serve on the Joint Bond Review Committee appointed by the Chairman of the Senate Finance Committee;

(3) the Director of Environmental Affairs for the Department of Health and Environmental Control or his designee;

(4) the Director of the Office of Regulatory Staff or his designee;

(5) the Director of the Housing Finance and Development Authority or his designee;

(6) the Director of the South Carolina Primary Health Care Association or his designee;

(7) the Commissioner of Agriculture or his designee;

(8) a member of the White House Environmental Justice Advisory Council;

(9) the Secretary of Transportation or his designee; and

(10) two members appointed by the Governor with experience in the designation and implementation of Opportunity Zones.

(C) The study committee shall work with any other appropriate entities while undertaking its assigned duties.

(D) The House of Representatives and the Senate shall provide appropriate staffing for the committee.

(E) The study committee shall provide a report to the House Ways and Means Committee, the Senate Finance Committee, the White House Council on Environmental Quality, and the White House Environmental Justice Advisory Council by June 30, 2023, at which time the study committee shall be dissolved. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON explained the amendment.

On motion of Senator JACKSON, with unanimous consent, the amendment was carried over and subsequently withdrawn.

Amendment No. 12

Senator MATTHEWS proposed the following amendment (AM CAROLINA GOLD RICE), which was adopted(#3):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 552, after line 36, by adding an appropriately numbered new proviso to read:

/ *(GP: Carolina Gold Rice) For the current fiscal year, the provisions of Section 39-31-70 of the 1976 Code do not apply to the sale of the heirloom grain commonly referred to as "Carolina Gold".* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 22

Senators CAMPSEN, GROOMS, CLIMER and KIMBRELL proposed the following amendment (SA\5150C024.JN.SA22.DOCX), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 552, after line 36, by adding an appropriately numbered new proviso to read:

/(GP: Chicago Statement) (A) From the funds appropriated to a public institution of higher learning, the governing body of the public institution of higher learning must adopt, and act in accordance with, the following statement on the commitment to academic freedom and freedom of expression no later than August 1, 2022. The statement is commonly known as the "Chicago Statement" and has been adopted by over 80 institutions of higher education in the United States:

"[Public institution of higher learning] is committed to free and open inquiry in all matters—it guarantees all members of the [Public institution of higher learning] community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of [Public institution of higher learning], [Public institution of higher learning] fully respects and supports the freedom of all members of the [Public institution of higher learning] community "to discuss any problem that presents itself.

Of course, the ideas of different members of the [Public institution of higher learning] community will often and quite naturally conflict. But it is not the proper role of [Public institution of higher learning] to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although [Public institution of higher learning] greatly values civility, and although all members of the [Public institution of higher learning] community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. [Public institution of higher learning] may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or

that is otherwise directly incompatible with the functioning of [Public institution of higher learning]. In addition, [Public institution of higher learning] may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of [Public institution of higher learning]. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with [Public institution of higher learning]'s commitment to a completely free and open discussion of ideas.

In a word, [Public institution of higher learning]'s fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the [Public institution of higher learning] community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the [Public institution of higher learning] community, not for [Public institution of higher learning] as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the [Public institution of higher learning] community to engage in such debate and deliberation in an effective and responsible manner is an essential part of [Public institution of higher learning]'s educational mission.

As a corollary to [Public institution of higher learning]'s commitment to protect and promote free expression, members of the [Public institution of higher learning] community must also act in conformity with the principle of free expression. Although members of the [Public institution of higher learning] community are free to criticize and contest the views expressed on campus, and to criticize and contest speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, [Public institution of higher learning] has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it."

(B) If the governing body of a public institution of higher learning does not adopt this statement on or before August 1, 2022, then the State Treasurer must withhold all state payments to the public institution of higher learning until the statement is adopted.

(C) If the governing body of a public institution of higher learning has adopted a substantially similar statement based on the Chicago

statement, then it must act in accordance with the adopted statement, but does not need to adopt another statement.

(D) At the public institution of higher learning's first scheduled budget subcommittee meeting in the House of Representatives and in the Senate, it shall provide a statement that it is acting in accordance with this proviso to the members of the appropriate budget subcommittees in the House of Representatives and the Senate. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 6

Senators WILLIAMS and MALLOY proposed the following amendment (JS NE FEDERAL MATCH), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 578, proviso 118.19, after line 32, by inserting:

/*(41.1) The funds appropriated in Item (41)(h) may be used to match federal funds for new construction.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator WILLIAMS explained the amendment.

The amendment was adopted.

Amendment No. 4

Senators KIMBRELL, MALLOY, CROMER and JACKSON proposed the following amendment (BQ AERONAUTICS DIRECTIVE), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19, after line 18, by inserting:

/*(76.1) From the funds appropriated for Statewide Airport Growth Response, twenty percent shall be made available to fund airport(s) in counties that do not currently have a public airport.* /Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Amendment No. 8

Senator ALLEN proposed the following amendment (AM REEDY FORK CENTER), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 21, by striking:/ *Lisa School House Rocks $25,000;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 21, by striking /*Reedy Fork Center $75,000*/ and inserting /*Reedy Fork Center $100,000*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALLEN explained the amendment.

The amendment was adopted.

Amendment No. 17

Senators GUSTAFSON, SHEALY, HUTTO and McELVEEN proposed the following amendment (SM LOCAL CHILD FATALITY REVIEW TEAMS), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 35, after /*$500,000/* by inserting

/ *,and $1 for Local Child Fatality Investigations* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GUSTAFSON explained the amendment.

The amendment was adopted.

Amendment No. 20

Senator SHEALY proposed the following amendment (AM HHS NR), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 22, after / *$250,000;* / by inserting:

/ *Alzheimer's Disease Research Center $1; Special Olympics $1; PACE Center for Girls $1; M.A.D. USA $1; Child Advocacy Centers $1; and Girl Scouts Mountains to Midlands $1;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

Amendment No. 21

Senator LOFTIS proposed the following amendment (SM ARTIFICIAL INTELLIGENCE PILOT - AUTOENGINEERING PATHWAY), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 14-15, by striking:/ *and Artificial Intelligence Pilot - Autoengineering Pathway $500,000;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19, line 22, after / *$500,000* / by inserting / *and Artificial Intelligence Pilot - Autoengineering Pathway $500,000;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LOFTIS explained the amendment.

The amendment was adopted.

Amendment No. 26

Senator MARTIN proposed the following amendment (AM CLASSIFIED POSITIONS), which was adopted (#11):

Amend the bill, as and if amended, Part IA, Section 66, DEPARTMENT OF PROBATION, PAROLE & PARDON SERVICES, page 184, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	28,410,825	22,416,269
and		
INSERTING:	28,316,769	22,322,213/

Amend the bill further, as and if amended, Part IA, Section 65, DEPARTMENT OF CORRECTIONS, page 180, line 29, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	236,055,300	233,682,498
and		
INSERTING:	236,149,356	233,776,554/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 24

Senator CASH proposed the following amendment (5150R012.KMM.RJC.DOCX), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 294, proviso 1.48, after line 7, by inserting:

/ *(3) Notwithstanding subsection (1) and (2) of this proviso, no funds appropriated pursuant to this act may be used for classroom instruction concerning sexual orientation or gender identity by school personnel or third parties in kindergarten, including any pre-K programs, through grade 3. After grade 3, all classroom instruction concerning sexual orientation or gender identity by school personnel or third parties utilizing funds appropriated by this act must be age-appropriate and developmentally appropriate for students. If, upon investigation, the department determines that the district has violated the provisions of this subsection, then the Department of Education shall*

withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

Senator HUTTO spoke on the Point of Order.

Senator CASH spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Kimpson

Matthews	McLeod	Sabb
Scott	Stephens	

Total--11

The amendment was adopted.

Amendment No. 11

Senator JACKSON proposed the following amendment (SM CHILDREN WITH DISABILITIES REPORT), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ *(SDE: Educational Services for Children with Disabilities Report) In order to determine whether educational services provided to students with disabilities are delivered effectively and efficiently and whether services or funding should be reformed, the Department of Education shall provide a report to the Joint Citizens and Legislative Committee on Children and to the Revenue and Fiscal Affairs Office on targets identified from the Annual Performance Report on the most recent State Performance Plan submitted as required by the Individuals with Disabilities Education Act (IDEA) of 2004, Section 616 and Section 619 to include all Indicators 1-16 (Indicator 1-Graduation; Indicator 2-Drop-out; Indicator 3-Achievement; Indicator 4-Significant Discrepancy (Suspension); Indicator 5-School-aged Least Restrictive Environment; Indicator 6-Preschool Least Restrictive Environment; Indicator 7-Preschool Outcomes; Indicator 8-Parent Involvement; Indicator 9-Disproportionate Representation (All Special Education); Indicator 10-Disproportionate Representation (Selected Categories); Indicator 11-60-Day Evaluation Timeline; Indicator 12-Part C to B Transition; Indicator 13-Transition Components; Indicator 14-Post-Secondary Outcomes; Indicator 15-Mediations; and Indicator 16-Due Process Complaints) and Tables 1-5 (Table 1-Child Count; Table 2-Personnel; Table 3-Placement; Table 4-Exiting; and Table 5-Discipline) required under these sections that have not been met by a school district.*

The department shall submit the required reports to the Joint Citizens and Legislative Committee on Children committee on or before August 1, 2022. The Joint Citizens and Legislative Committee on Children is directed to report its finding and a work plan to assess and develop recommendations concerning service delivery to students with

disabilities to the Governor, the General Assembly, the Department of Education, and the State Board of Education by November 1, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON explained the amendment.

The amendment was adopted.

Amendment No. 19

Senators HEMBREE and FANNING proposed the following amendment (AM BASIC SKILLS ASSESSMENT), which was carried over and subsequently adopted (#19):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ *(SDE: Basic Skills Assessment) For the current fiscal year, a college or university educator preparation provider may choose to suspend the basic skills assessment for admission to a teacher preparation program/Praxis Core as established in Section 59-26-10, et. seq., of the 1976 Code. The college or university must submit their decision on whether or not to suspend the basic skills assessment for admissions to the State Board of Education no later than September 1.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was carried over.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 23

Senator SCOTT proposed the following amendment (SM INSTITUTES OF INNOVATION), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 359, proviso 11.21, lines 7-26, by striking the proviso in its entirety, and inserting

/ *(CHE: Institutes of Innovation and Information) Of the funds appropriated to the Commission on Higher Education for the Institutes*

of Innovation and Information (Institutes), the commission may provide administrative services, oversight, consulting, technical assistance, and other services in support of the Institutes. The commission shall also establish a separate and distinct fund and/or nonprofit foundation to receive private donations on behalf of the program. This fund shall retain its interest earnings.

For accountability purposes, by March first, each institution shall submit a final report to the Commission on Higher Education that details the Institutes: (a) final expenditures and any remaining funds in the operating budget; (b) achieved goals and the timeline detailing when the goals were achieved; and (c) specific measures demonstrating success in implementing and meeting the stated goals. By March fifteenth, the Commission on Higher Education shall report this information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

The Executive Director of the commission shall order an audit of any participating institution's Institutes of Innovation and Information program activities and expenditures as he deems necessary. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator KIMBRELL proposed the following amendment (5150R013.SP.JK.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA., page 361, after line 19, by adding an appropriately numbered new proviso to read:

/23._ (MUSC: Pediatric Transgender Clinic) No funds appropriated to MUSC pursuant to this act shall be used to fund or support MUSC's pediatric transgender clinic. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

On motion of Senator MALLOY, with unanimous consent, the amendment was carried over.

Amendment No. 3

Senator KIMBRELL proposed the following amendment (AM AID TO COUNTY LIBRARIES), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 362, proviso 27.1, line 33, by inserting at the end to read:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not contain any books or materials that could be harmful to children or that appeals to the prurient interest.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

On motion of Senator KIMBRELL, the amendment was withdrawn.

Amendment No. 27

Senator KIMBRELL proposed the following amendment (AM AID TO COUNTY LIBRARIES V.2), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 362, proviso 27.1, line 33, by inserting at the end to read:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that could be harmful or that appeal to the prurient interest to children under the age of thirteen and that they do not provide access to these books or materials without a parent or guardian present.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HUTTO spoke on the amendment.

On motion of Senator KIMBRELL, with unanimous consent, the amendment was carried over.

Amendment No. 16

Senator MARTIN proposed the following amendment (5150R004.KMM.SRM.DOCX), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 394, proviso 38.9, by striking lines 28 -30 and inserting:

/38.9. (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist in referring applicants to appropriate county health departments to obtain the immunizations. *For the purposes of this proviso, COVID-19 vaccinations are not "age appropriate immunizations."*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator CAMPSEN proposed the following amendment (SA\ 5150C002.JN.SA22.DOCX), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 47, DEPARTMENT OF NATURAL RESOURCES, page 406, after line 28, by adding an appropriately numbered new proviso to read:

/(DNR: Blue Crab Fishery) From the funds appropriated to the Department of Natural Resources, the department shall produce a report, no later than January 10, 2023, on sustainability of the blue crab fishery and prepare recommendations for seasons, closed zones, and catch limits. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 25

Senators HUTTO, STEPHENS, JACKSON, SABB, McLEOD, FANNING, KIMPSON and SENN proposed the following amendment (AM HATE CRIMES UNIT), which was tabled:

Amend the bill, as and if amended, Part IB, Section 59, OFFICE OF THE ATTORNEY GENERAL, page 419, after line 5, by adding an appropriately numbered new proviso to read:

/ (AG: Hate Crimes Unit) (A) From the funds appropriated, the Office of the Attorney General shall establish a Hate Crimes Unit. For the purposes of this provision, a "hate crime" means an offense committed against a victim who was intentionally selected because of the person's belief or perception regarding the victim's race, color, religion, sex, gender, national origin, sexual orientation, physical or mental disability, age, political opinion, or the exercise of a victim's political rights and privileges, whether or not the perception is correct.

(B) This unit shall create and disseminate outreach materials on the topic of hate crimes so law enforcement agencies can better engage with communities; create and make available training materials for law enforcement agencies on how best to identify and respond to crimes that would meet the definition of a hate crime in this provision; be tasked with investigating offenses that meet the definition of a "hate crime"; analyze reported hate crimes in various regions in South Carolina; and assist law enforcement agencies in the investigation of hate crimes.

(C) The department, in conjunction with the South Carolina Law Enforcement Division, sheriffs, and solicitors, shall maintain a database of reported hate crimes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HUTTO spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 18

AYES

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Davis	Fanning
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	McLeod	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Williams

Total--18

The amendment was laid on the table.

Amendment No. 28

Senators SENN and BENNETT proposed the following amendment (SM PREGNANCY CRISIS CENTERS), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 17, after "*Center*" by inserting:

/ including, Florence Crittenton, /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 29

Senator SENN proposed the following amendment (SM FLORENCE CRITTENTON), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 22, after "*$250,000*" by inserting:

/ Florence Crittenton $1 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 30

Senator LOFTIS proposed the following amendment (SM SCHOOL IMPACT FEES), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ (SDE: School Impact Fees) For Fiscal Year 2022-23, there is a moratorium on the collection of school impact fees. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LOFTIS explained the amendment.

On motion of Senator LOFTIS, with unanimous consent, the amendment was carried over.

Amendment No. 13

Senator CASH proposed the following amendment (5150R010.KMM.RJC.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 340, after line 5, by adding an appropriately numbered new proviso to read:

/1A.__ (SED-EIA: Same Sex School Athletic Team Participation)

(A) Interscholastic, intramural, or club athletic teams or sports that are sponsored by a public elementary or public secondary school must be expressly designated as one of the following based on the biological sex at birth of team members:

(a) males, men, or boys;

(b) females, women, or girls; or

(c) coed or mixed, including both males and females.

(2) Athletic teams or sports designated for males, men, or boys shall not be open to students of the female sex, unless no team designated for females in that sport is offered.

(3) Athletic teams or sports designated for females, women, or girls shall not be open to students of the male sex.

(4) For purposes of this subsection, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex at birth if the statement was filed at or near the time of the student's birth.

(5) A private elementary or private secondary school sponsoring an athletic team or sport in which its students or teams compete against a public elementary or public secondary school must also comply with this proviso for the applicable team or sport.

(B)(1) A student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this proviso has a cause of action for injunctive relief and any other relief available under law against the public elementary or public secondary school.

(2) A student who is subject to retaliation or other adverse action by a public elementary or public secondary school or athletic association or organization as a result of reporting a violation of this proviso to an employee or representative of the a public elementary or public secondary school, or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary institutions in this State, has a cause of action for injunctive relief and

any other relief available under law against the school, institution, or athletic association or organization.

(3) A public elementary or public secondary school that suffers any direct or indirect harm as a result of a violation of this proviso has a cause of action for injunctive relief and any other relief available under law against the governmental entity, licensing or accrediting organization, or athletic association or organization.

(4) A civil action brought under this proviso must be initiated no later than June 30, 2023.

(C) A public elementary or public secondary school that violates this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Amend the bill further, as and if amended, Part IB, Section 11, DEPARTMENT OF EDUCATION - EIA, page 359, after line 26, by adding an appropriately numbered new proviso to read:

/11.__. *(CHE: Same Sex School Athletic Team Participation) (A)*

Intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public college or university must be expressly designated as one of the following based on the biological sex at birth of team members:

(a) males, or men;

(b) females, or women; or

(c) coed or mixed, including both males and females.

(2) Athletic teams or sports designated for males or men shall not be open to students of the female sex, unless no team designated for females in that sport is offered.

(3) Athletic teams or sports designated for females or women shall not be open to students of the male sex.

(4) For purposes of this subsection, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex at birth if the statement was filed at or near the time of the student's birth.

(5) A private college or university sponsoring an athletic team or sport in which its students or teams compete against a public college or university must also comply with this proviso for the applicable team or sport.

(B)(1) A student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this proviso has a cause of action for injunctive relief and any other relief available under law against the public college and university.

(2) A student who is subject to retaliation or other adverse action by a public college or university or athletic association or organization as a result of reporting a violation of this proviso to an employee or representative of the public college or university, or athletic association or organization, or to any state or federal agency with oversight of public colleges or universities in this State, has a cause of action for injunctive relief and any other relief available under law against the public college or university, or athletic association or organization.

(3) A public college or university that suffers any direct or indirect harm as a result of a violation of this proviso has a cause of action for injunctive relief and any other relief available under law against the governmental entity, licensing or accrediting organization, or athletic association or organization.

(4) A civil action brought under this proviso must be initiated no later than June 30, 2023.

(C) A public college or university that violates this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 32

Senators KIMBRELL and CASH proposed the following amendment (AM AID TO COUNTY LIBRARIES V. 5), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 362, proviso 27.1, line 33, by inserting at the end to read:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age*

of thirteen in children's book sections of libraries and are only made available with explicit parental consent. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

On motion of Senator KIMBRELL, with unanimous consent, Amendment Nos. 27 and 27A were withdrawn.

Amendment No. 36

Senator HUTTO proposed the following amendment (AM ALLENDALE COUNTY), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 573, proviso 118.19, line 11, by striking /*$4,500,000*/ and inserting /*$2,000,000*/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 573, proviso 118.19, after line 13, by inserting an appropriately lettered subsubitem to read:

/ *( ) Allendale County - Law Enforcement Agency Consolidation and Upgrades $2,500,000;*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 33

Senator SENN proposed the following amendment (SM ST. CLARE MATERNITY HOME), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 22, after "*$250,000*" by inserting:

/ St. Clare Maternity Home $1/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 35

Senator LOFTIS proposed the following amendment (SM TRAUMATIC BRAIN INJURY), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 28, after */$400,000;* / by inserting:

/ H510 Medical University of South Carolina - Traumatic Brain Injury Research $1;/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LOFTIS explained the amendment.

The amendment was adopted.

Amendment No. 37

Senator GUSTAFSON proposed the following amendment (DG\ 5150C018.NBD.DG22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 3, by striking / *Carolina Cup Equipment and Repairs $250,000* / and inserting / *Carolina Cup Equipment and Repairs $875,000* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 581, proviso 118.19, by striking line 3 inserting:

/ *(o) Regional Tourism Advertising $ 3,375,000;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GUSTAFSON explained the amendment.

Senator SETZLER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 38

Senator SENN proposed the following amendment (SM NONRECURRING ITEMS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 13, by inserting:

/*Morris Island Lighthouse Interior Repairs $400,000; American Landmark Middleton Place Foundation - Infrastructure Repairs $75,000; Dorchester Heritage Museum - Capital Fund Drive $75,000; and American Legion Post 170 $43,000;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 31

Senator FANNING proposed the following amendment (SM STATE AID TO CLASSROOMS), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, proviso 1.3, by striking the proviso in its entirety and inserting:

/ *(SDE: State Aid to Classrooms) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act via an allocation from the State Aid to Classrooms appropriation. The funds appropriated for State Aid to Classrooms shall be allocated as follows: 59.89 percent must be allocated based on the Education Finance Act formula and the differentiated student weightings in this Act; 27.30 percent must be allocated based on the manner of distribution of EFA employer contributions in the prior fiscal year; and 12.81 percent must be allocated to fully implement the State Minimum Teacher Salary Schedule with a minimum starting teacher salary of $38,500. The department is authorized to adjust the percentage allocation related to EFA employer contributions to accommodate for the disbursement of the state retirement funds and any other related employee allocation sent to districts. For the current fiscal year, the total pupil count is projected to be 761,855. These funds represent an average per pupil of $4,220 in State Aid to Classrooms. The average per pupil funding is projected to be $7,629 state, $1,274 federal, and $7,859 local. This is an average*

total funding level of $16,762 excluding revenues of local bond issues. It is the intent of the General Assembly that the consolidation of the Education Finance Act and Education Finance Act - Employer Contributions appropriations, and the subsequent allocation of the State Aid to Classrooms appropriation back to these categories, should not significantly alter the application of funding formulas or maintenance of effort requirements referencing the Education Finance Act and Education Finance Act - Employer Contributions.

The funds allocated from State Aid to Classrooms for implementing the revised State Minimum Teacher Salary Schedule shall be distributed to school districts using the EIA Teacher Salary Supplement methodology. The resulting estimated teacher salary schedule is as follows:

The State Minimum Teacher Salary Schedule for the current fiscal year is as follows:

YRS EXP	CLASS 8 DR DEGREE	CLASS 7 MASTERS DEGREE +30 HRS	CLASS 1 MASTERS DEGREE	CLASS 2 BACHELORS DEGREE +18 HRS	CLASS 3 BACHELORS DEGREE
0	50,576	47,076	43,576	40,076	38,500
	5.20%	5.61%	6.09%	6.65%	6.94%
1	51,093	47,313	43,877	40,338	38,619
	5.14%	5.58%	6.04%	6.61%	6.92%
2	51,424	47,388	44,025	40,494	38,813
	5.11%	5.57%	6.02%	6.58%	6.88%
3	51,736	47,457	44,164	40,607	38,962
	5.08%	5.56%	6.00%	6.56%	6.86%
4	52,078	47,558	44,331	40,780	39,167
	5.04%	5.55%	5.98%	6.53%	6.82%
5	52,370	47,625	44,462	40,888	39,306
	5.01%	5.54%	5.96%	6.51%	6.79%
6	53,634	48,574	45,411	41,773	40,191
	4.89%	5.43%	5.83%	6.37%	6.63%
7	54,900	49,522	46,359	42,627	41,046
	4.77%	5.32%	5.70%	6.23%	6.49%
8	56,165	50,471	47,308	43,512	41,931
	4.66%	5.21%	5.58%	6.10%	6.34%
9	57,430	51,421	48,257	44,366	42,785
	4.55%	5.11%	5.46%	5.97%	6.21%

10	*58,696*	*52,370*	*49,207*	*45,253*	*43,671*
	4.45%	*5.01%*	*5.35%*	*5.85%*	*6.07%*
11	*59,960*	*53,318*	*50,155*	*46,106*	*44,524*
	4.35%	*4.92%*	*5.25%*	*5.73%*	*5.95%*
12	*61,226*	*54,267*	*51,104*	*46,992*	*45,411*
	4.26%	*4.83%*	*5.14%*	*5.62%*	*5.83%*
13	*62,491*	*55,216*	*52,053*	*47,846*	*46,265*
	4.17%	*4.74%*	*5.05%*	*5.51%*	*5.71%*
14	*63,756*	*56,165*	*53,001*	*48,732*	*47,150*
	4.08%	*4.66%*	*4.95%*	*5.41%*	*5.60%*
15	*65,022*	*57,114*	*53,951*	*49,586*	*48,004*
	4.00%	*4.58%*	*4.86%*	*5.31%*	*5.49%*
16	*66,287*	*58,063*	*54,900*	*50,471*	*48,890*
	3.92%	*4.50%*	*4.77%*	*5.21%*	*5.39%*
17	*67,552*	*59,011*	*55,848*	*51,325*	*49,744*
	3.84%	*4.42%*	*4.69%*	*5.12%*	*5.29%*
18	*68,193*	*59,567*	*56,372*	*51,804*	*50,206*
	3.81%	*4.38%*	*4.64%*	*5.07%*	*5.24%*
19	*68,839*	*60,128*	*56,901*	*52,287*	*50,673*
	3.77%	*4.34%*	*4.60%*	*5.02%*	*5.19%*
20	*69,493*	*60,694*	*57,435*	*52,775*	*51,146*
	3.73%	*4.30%*	*4.55%*	*4.97%*	*5.14%*
21	*70,153*	*61,265*	*57,974*	*53,267*	*51,621*
	3.70%	*4.25%*	*4.51%*	*4.92%*	*5.09%*
22	*70,820*	*61,843*	*58,519*	*53,764*	*52,103*
	3.66%	*4.21%*	*4.46%*	*4.88%*	*5.04%*
23	*71,493*	*62,427*	*59,070*	*54,267*	*52,589*
	3.62%	*4.17%*	*4.42%*	*4.83%*	*4.99%*

As further used in this act, references to the Education Finance Act or EFA funds shall be interpreted to mean the 59.89–percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 27.30 percent of State Aid to Classrooms allocated for Education Finance Act Employer Contributions.

For the purpose of maintaining consistency when calculating maintenance of effort, references to the base student cost shall be interpreted as the base student cost resulting from the 59.89-percent of funds appropriated for State Aid to Classrooms and allocated for the Education Finance Act and, where appropriate, the 27.30 percent of State Aid to Classrooms allocated for Education Finance Act Employer

Contributions, and other any other items normally included in the base student cost calculation.

For the purpose of maintaining consistency when calculating the Base Student Cost, the base student cost calculation shall include funds from State Aid to Classrooms consisting of the 59.89 % of funds appropriated for State Aid to Classrooms allocated based on the Education Finance Act formula and the 12.81% that are allocated to fully implement the State Minimum Teacher Salary Schedule.

For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current years base student cost, as funded by the General Assembly multiplied by the weighted pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

(1) K-12 pupils or base students including homebound students 1.00

Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.

(2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs

(3) Precareer and Career Technology 1.29

(4) Additional weights for personalized instruction:

(a) Gifted and Talented 0.15

(b) Academic Assistance 0.15

(c) Limited English Proficiency 0.20

(d) Pupils in Poverty 0.20

(e) Dual Credit Enrollment 0.15

No local match is required for the additional weightings for personalized instruction in the current school year. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP), International Baccalaureate (IB), and Cambridge International courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

Funds received by a school district pursuant to the dual credit weighting must be used to defray all possible costs of dual credit courses for students. Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must utilize these funds to offset the cost of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other institution of higher education. Each school district shall report to the department the number of students participating in dual credit courses and specify the cost borne by each entity. School districts must assist students in accessing Lottery Tuition Assistance when applicable.

Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as

the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five day student average daily membership for all classifications. During the current fiscal year, the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

For Fiscal Year 2022-23, prior to making recommendations for changes to any state education funding formula to the General Assembly, Revenue and Fiscal Affairs shall meet with school business officials from a representative sample of school districts in the state including at a minimum one from each of the following categories: 1) districts with an Average Daily Membership of no more than 2,499; 2) districts with an Average Daily Membership of 2,500 - 4,999; 3) districts with an Average Daily Membership of 5,000-9,999; and 4) districts with an Average Daily Membership of 10,000 and higher. RFA shall include any recommendations made regarding reforms to school funding formulae by those business officials in any report made to the General Assembly./

Amend the bill further, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, proviso 1.79, by striking the proviso in its entirety, and inserting

/ (SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be $55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year 2022-23, the requirement that school districts maintain

local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than two thousand, five hundred dollars. Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase. /

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION-EIA, page 326, proviso 1A.36, by striking the proviso in its entirety, and inserting

/ *(SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be $55,898. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.*

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year 2022-23, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.

Funds allocated by Proviso 1.3 for implementing a revised state minimum salary schedule for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state by not less than two thousand, five hundred dollars. Districts must use the district salary schedule utilized the prior fiscal year as the basis for providing the increase. /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Senator BENNETT moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 13

AYES

Alexander	Bennett	Campsen
Cash	Climer	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Peeler	Reichenbach	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--26

NAYS

Allen	Corbin	Fanning
Hutto	Jackson	Kimpson
Loftis	Malloy	Matthews
McLeod	Sabb	Scott
Stephens		

Total--13

The amendment was laid on the table.

Amendment No. 40

Senator BENNETT proposed the following amendment (AM TEACHER SALARIES), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 304, proviso 1.79, line 3, by striking: / if additional State funds fill the gap /

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 326, proviso 1A.36, line 10, by striking:/ if additional State funds fill the gap /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

On motion of Senator LOFTIS, with unanimous consent, Amendment No. 30 was withdrawn.

Amendment No. 39

Senator LOFTIS proposed the following amendment (SM SCHOOL IMPACT FEES V.2), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ *(SDE: School Impact Fees) For any school impact fee implemented on or after July 1, 2022, there is a moratorium for the year 2022-2023 on the collection of school impact fees.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LOFTIS explained the amendment.

Point of Order

Senator M. JOHNSON raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Point of Order

Senator M. JOHNSON raised a Point of Order under Rule 24A that Proviso 117.95 of Part 1B was out of order inasmuch as it was not germane to the Bill.

117.95. (GP: School Construction Development Impact Fee Assessment Prohibition) Governmental entities are prohibited from assessing South Carolina Development Impact Fees on the construction of new elementary, middle, or secondary schools. If a governmental entity violates this prohibition it shall have its Aid to Subdivisions Allocation reduced by the amount of the impact fee.

Senator MALLOY spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 117.95 was ruled out of order.

Amendment No. 34

Senator HARPOOTLIAN proposed the following amendment (SM COLUMBIA CONVENTION CENTER), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION AND TOURISM, page 409, proviso 49.20, line 26, by striking /*redirected*/ and inserting /*transferred to the Department of Agriculture* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

Amendment No. 41

Senators GOLDFINCH, HEMBREE and RANKIN proposed the following amendment (SA\5150C022.JN.SA22.DOCX):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, line 12, by striking proviso 118.19(B)(74) and inserting:

/ *(74)U120 Department of Transportation*

(a) Rural Interstate Funding	*$48,281,000;*
(b) Southern Segment Construction I-73	*$350,000,000;*
(c) Permanent Improvement Enhancements	*$5,000,000 ;*
(d) Permanent Improvement Operational and Safety Improvement	*$5,000,000;*
(e) Permanent Improvement Rehabilitation	*$5,000,000;*
(f) Permanent Improvement Bridges	*$5,000,000;*

(g) Permanent Improvement Widenings and New Locations *$50,000,000;*

(h)Other Operating Expenses *$5,000,000;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 583, by striking line 16 and inserting:

/ *CTC Acceleration Fund* *$550,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Motion Adopted

On motion of Senator PEELER, with Senator GOLDFINCH retaining the floor on Amendment No. 41, the Senate agreed to stand adjourned to meet tomorrow, Wednesday, April 27, 2022, at 10:00 A.M.

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Sylvia Carolyn Scott Griffin of Dillon, S.C. Sylvia was a graduate of Dillon High School and Francis Marion University. She worked for 20 years with the Dillon County Welfare Department and 20 years as an American history, government and economics teacher. Sylvia was a lifelong member of First Baptist Church of Dillon where she served in many capacities over the years. She was a member of the Junior Charity League, Business and Professional Women's Club, Dillon Historical Society and vice president of the Dillon County Democratic Party to mention a few. Sylvia was a loving mother and devoted friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator JACKSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Minis of Columbia, S.C. Henry was a beloved member of the Senate family who worked for nine years with the custodial team. Henry was a kind, gentle and hardworking man. He enjoyed riding his bicycle, searching for treasures at yard sales, fishing and spending time with his family. Henry was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 7:23 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, April 27, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 32:8

In Isaiah we read that: ". . .those who are noble plan noble things, and by noble things they stand."

Pray with me, please: O loving and all-merciful God, we call upon You this day to bestow upon these Senators a true sense of what is genuinely noble -- all that is clearly just and right and beneficial for all. Indeed, dear Lord, motivate each Senator and every aide as they selflessly labor to achieve the very best for every South Carolinian. In addition, Lord, we pray that You will likewise bless all other leaders who also serve the people of our land, as well as our women and men in uniform as they protect what we hold dear. Moreover, with heavy hearts we remember our friend and loved one, Stephanie Jones-Fitts, who died to this life yesterday afternoon following a long, arduous struggle. Embrace Stephanie's family members, her friends, and her colleagues in Your love, dear Lord, for we pray all of these things in Your blessed name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 10:05 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Goldfinch	Grooms	Gustafson

Harpootlian	Hembree	Hutto
Johnson, Michael	Kimbrell	Martin
Massey	Peeler	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Keith Sherlin, 1305 North Blackstock Road, Landrum, SC 29356-9117

Doctor of the Day

Senator SENN introduced Dr. Elizabeth Kline of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 3:16 P.M., Senator KIMPSON requested a leave of absence beginning at 3:45 P.M. until 5:00 P.M.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Remarks by Senator SETZLER

Yesterday afternoon I came before you to report the sad news about Stephanie Jones-Fitts' passing and was not able to fully express my thoughts. I reflected on this last night and during the prayer by the chaplain this morning. Stephanie touched each one of us during the time she worked with the Senate from 1985 until yesterday.

As we mourn her, we also need to celebrate her life and her contributions not only to the Senate but also to the State of South Carolina. We can celebrate her life by also celebrating the people who work with us each and every day. Our staff -- the people who work with

us every day in the Senate, those who give their time, their energy, and their commitment to us -- are, frankly, what makes us. Many times we do not realize this or we take for granted, regrettably, what they do for us.

I am reminded of when my mother passed in 1994, and I was out for several days. When I returned, I got on the elevator with one of the Senate's staff, Kenny. He looked at me and said, "Senator, we are glad to have you back." His smile and what he said to me that day meant more than he ever understood.

As we celebrate Stephanie, celebrate the people who work with us every day, give them credit for what they do for us each day, and thank them.

On motion of Senator PEELER, with unanimous consent, the remarks of Senator SETZLER, were ordered printed in the Journal.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

I was not sure when I was going to make these statements. I was going to make them yesterday but I was unable to find an appropriate time. On Monday, I had an interesting conversation with one of my constituents in Charleston. A lot of you know her, her name is Anita Zucker and she is a proud South Carolinian. We spoke on a lot of things like how her parents still had their home in the Ukraine; how concerned she was for her State that she tries to give back to; and, where we are today. We talked about what had gone on in Charleston years ago with one of your own -- the person who I succeeded, Clementa Pinckney. When I came to the Senate, I came behind him and had big shoes to fill.

I wasn't sure what I was going to say this morning because I have tried to follow the Creed of the Senate. I know a lot of you do not want to hear about this. We have a Hate Crimes Bill. But I came to the Senate with the understanding that we were a deliberative Body. That means we are to talk out our differences and try to find common ground. So it was interesting to me that even though one of your Senators, after making comments on this very floor about gun rights, left these Chambers on June 17, 2015, and was murdered later that evening in his church along

with some of his parishioners. This was one of the nation's most atrocious hate crimes that has ever been committed and the irony is that this Body refuses to even deliberate the Bill.

The leadership has made a statement that this is not important. That Clementa Pinckney's death *is* in vain and that the rest of us, when we stand up, can be persecuted for representing our constituents. The leadership in my caucus said, "Let's take all of the people listed in your book; let's take all of the people that have objected to this Hate Crimes Bill, and go around and talk to them." What's interesting about the Hate Crimes Bill in our book is that this is the most contested Bill before us. At one time it was nine, at another time it was ten; currently, eight members are contesting this Bill. What is also interesting -- it is not necessarily the leadership that has objected to this Bill. It is also the young members -- it is most of the young Senators here. Quite honestly, I think the leadership *does* object to it because the leadership is responsible for bringing the Bill to the floor under Special Order. I think that it is using some of the other members and that's a shame on you.

South Carolina has long said, "Welcome to South Carolina, it is a great place to live" or "It is a great day in South Carolina." The Governor keeps saying, "South Carolina is open for business. We want business here." What Anita Zucker brought to my attention and what she discovered was that white nationalists have this website, called Storm Front. It is a worldwide, white pride forum. I placed a copy of a thread from the website on your desks yesterday. You can research this site yourself. Did you know that South Carolina is now a great place for white nationalists to come? That's what this site says. I circled it for you to reference. Because we refuse to take up this Hate Crimes Bill, because we refuse to pass hate crimes laws, across the world South Carolina is now touted as a great place to come -- because we do not have a Hate Crimes Bill. That's what it is saying. You can look at the threads yourself. I do not know another way to say this other than, shame on you if you don't at least let us take this up before this legislative session is over.

A lot of the young Senators, some of them lawyers, whom I have tried to talk to have never read the Bill. When I tried to deliberate with them, some of the lawyers in this Body have told me that they just do not want free speech to be removed. Subsequently, it was brought to my attention that that component of the Bill was removed. The whole idea of pandering to the far right -- we've fallen prey to it. It is not a great day to live in South Carolina when we say by our actions that we *want* to live among people who pride themselves on hating others.

I cannot imagine anybody in here that I would hate. I just do not get it. We can do better than this, South Carolina. We have to do better! I am going to reference what I read online. The question on the StormFront.org site asks, "White nationalist friendly towns I can move to?" Congratulations, South Carolina! On the second page, one forum member states, "One thing to consider before moving is that: Arkansas, Indiana…" and we know Indiana now has hate crime legislation, " …Wyoming and South Carolina don't have hate crime laws yet, at least according to the ADL." So congratulations leadership, you've accomplished a lot this year in showing that all of you love South Carolina and you want us to continue to prosper. Don't let hate live. It's up to you.

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator MATTHEWS, were ordered printed in the Journal.

Expression of Personal Interest

Senator McLEOD rose for an Expression of Personal Interest.

Remarks by Senator McLEOD

I rise this morning for a very important, very powerful video presentation. Senator KEVIN JOHNSON just talked about hate crime and so many of us have been talking about hate crime and working behind the scenes -- to talk to our colleagues from blocking us from debating it in this Body. Today, you're going to hear from someone who knows and has experienced hate first hand. Before we show this video, I invite my colleagues to join me at the podium. I want to talk about a young man, the youngest of those who were murdered by Dylan Roof on June 17, 2015. Tywanza Sanders was a young man that I had an opportunity to meet while doing some work for Allen University where my great-grandfather served as president in the late 1800's. I was looking through some materials the other day, well not the other day, actually it was last year. I came across his name and his number on a sheet of paper that he had given me years ago. It brought me to my knees because all I could think about was that this was a young man, with a brilliant mind, a bright and beautiful smile, and a zest for life. But his hopes and dreams will never be realized because of hate. The hate that Dylan Ruth harbored in his heart when he went to Mother Emmanuel to kill nine innocent people -- simply because of the color of their skin. I want you all to think about that. Think about the hopes and dreams that he had. Think about the hopes and dreams that our colleague Senator Clementa Pinckney had

and the time that he will miss. Think about the memories he'll never get to make with his wife and his daughters. I would ask my colleagues who are interested in debating and passing a Hate Crimes Bill this session to join me at the podium, please. May we show the video now?

On motion of Senator KIMPSON, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

Remarks by Senator SENN

Colleagues, I am mortified about what just happened. We never fail to give our colleagues an extra minute or two when they are trying to make a point of personal interest. Here it was -- it happened during all of our colleagues pouring out their hearts about their lack of an ability to even get a fair debate on the Hate Crimes Bill. It struck me that what I've seen today are only Democrats and only black Democrats coming up here to talk about the Hate Crimes Bill. But, I'm going to tell you right now, this white Republican thinks that we need to have an open and honest debate. If you don't want the Bill, vote against it. I would like to point out, also, that Senator KEVIN JOHNSON -- we all know him -- he rarely holds up a Bill. He believes in free and fair debate. He almost always sends things through even if he doesn't like it -- like medical marijuana. He lets people have a chance to vote. We need to vote on this and I honestly believe those of you who voted "no" to add the hate crimes portion in proviso yesterday -- a lot of you did so only because the budget was not an appropriate place for that argument to take place. However, I do believe that we need to go ahead and have honest and open debate on it. We do it on abortion year after year. Those of us who do not like the Bills have to stand up and cast our votes. Those of you who do not like the Hate Crimes Bills, for whatever reason, ought to at least come to the podium and explain why you don't like it. Let's have a debate and put it forward. Thank you.

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator SENN, were ordered printed in the Journal.

Expression of Personal Interest

Senator SCOTT rose for an Expression of Personal Interest.

RECALLED

S. 1121 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG WATEREE ROAD IN FAIRFIELD COUNTY WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 "REVEREND JESSE L. JACKSON, SR. STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE

IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY "JOSEPH LEE JACKSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1291 -- Senator Alexander: A BILL TO AMEND CHAPTER 78, TITLE 38 OF THE 1976 CODE, RELATING TO SERVICE CONTRACTS, BY ADDING SECTION 38-78-55, TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.
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Read the first time and referred to the Committee on Banking and Insurance.

S. 1292 -- Senator Fanning: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.
l:\council\bills\ar\8057zw22.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1293 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TALAYSIA COOPER FOR HER OUTSTANDING HIGH SCHOOL CAREER IN BASKETBALL AND TO CONGRATULATE HER UPON SIGNING TO PLAY FOR THE UNIVERSITY OF SOUTH CAROLINA IN THE FALL OF 2022.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1294 -- Senator Kimbrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE INMAN AMERICAN LEGION POST 45 FOR A HUNDRED YEARS OF PROMOTING A CULTURE OF PATRIOTIC LOVE OF COUNTRY AND COMMUNITY AND TO CONGRATULATE THEM AS THEY CELEBRATE THEIR ONE HUNDREDTH ANNIVERSARY OF SERVICE TO VETERANS, SERVICE MEMBERS, AND THE INMAN COMMUNITY.
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The Senate Resolution was adopted.

S. 1295 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE PLEASANT HILL BAPTIST CHURCH OF BELTON ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FIFTIETH+1 ANNIVERSARY AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF SERVICE TO GOD AND THE COMMUNITY.
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The Senate Resolution was adopted.

H. 4572 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION RECOGNIZE THE HONORABLE DOLPHUS "D.C." CARTER, JR.,

RETIRED EDUCATOR AND MUNICIPAL JUDGE, FOR A LIFETIME OF OUTSTANDING AND MEANINGFUL ACHIEVEMENTS, AND VALUABLE SERVICE AND COMMITMENT TO THE PEOPLE OF DILLON COUNTY, BY NAMING THE PORTION OF EAST DARGAN STREET IN THE CITY OF DILLON, FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 57 "JUDGE DOLPHUS 'D.C.' CARTER, JR. WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4750 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STACKHOUSE ROAD BETWEEN HAYMOUNT ROAD AND BURKE ROAD IN DILLON COUNTY "HUBERT GRICE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5050 -- Reps. Gagnon and West: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF SOUTH CAROLINA HIGHWAY 81 IN ABBEVILLE COUNTY WITH GPS COORDINATES 34.09244, -82.598032 AND 34.116944, -82.596181 "JUDGE HAROLD C. DIXON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5072 -- Reps. Gagnon, West and White: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE IN ABBEVILLE COUNTY THAT CROSSES CALHOUN CREEK ALONG SOUTH CAROLINA HIGHWAY 28 NORTH "LESLIE FAMILY BRIDGE"

AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5183 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TRANSPARENCY AND INTEGRITY IN EDUCATION ACT" BY ADDING ARTICLE 5 TO CHAPTER 29, TITLE 59 SO AS TO EXPRESS RELATED INTENTIONS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTAIN CONCEPTS ARE PROHIBITED FROM BEING INCLUDED IN PUBLIC SCHOOL INSTRUCTION AND PROFESSIONAL DEVELOPMENT, TO PROVIDE MEANS FOR ADDRESSING VIOLATIONS, AND TO PROVIDE PROCEDURES FOR PUBLIC REVIEW OF PUBLIC SCHOOL CURRICULUM AND INSTRUCTIONAL MATERIALS; AND TO AMEND SECTION 59-28-180, RELATING TO PARENTAL EXPECTATIONS IN THE PARENTAL INVOLVEMENT IN THEIR CHILDREN'S EDUCATION ACT, SO AS TO PROVIDE PARENTS ARE EXPECTED TO BE THE PRIMARY SOURCE OF THE EDUCATION OF THEIR CHILDREN REGARDING MORALS, ETHICS, AND CIVIC RESPONSIBILITY, AND TO PROVIDE A PARENTAL PLEDGE OF EXPECTATIONS MUST BE PROVIDED TO PARENTS AS PART OF THE REGISTRATION AND ENROLLMENT PROCESS.

Read the first time and referred to the Committee on Education.

H. 5212 -- Reps. Lucas and R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD "JAMES 'JIMMY' MCKELVEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

Message from the House

Columbia, S.C., April 27, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 805 -- Senator Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 701 IN CONWAY, BETWEEN SOUTH CONWAY ELEMENTARY AND PITCH LANDING ROAD, THE “FREDDY E. HENDRICK HIGHWAY”

AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1000 -- Senators K. Johnson and Martin: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DONALD "DON" WESLEY DROSE, SR., TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE FIRST WATER ON SOUTH CAROLINA HIGHWAY 260 IN MANNING IN CLARENDON COUNTY, CURRENTLY KNOWN AS "THE CAUSEWAY", "DON DROSE CAUSEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1002 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ENTIRE LENGTH OF QUAKER ROAD IN DORCHESTER COUNTY "JACK AND EMMA LEE GRUBER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1085 -- Senators Williams, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Young: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY "JAMES M. JORDAN, SR. ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1267 -- Senator Hutto: A BILL TO AMEND ACT 105 OF 2021, AS AMENDED, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5150, THE GENERAL APPROPRIATIONS BILL.

WEDNESDAY, APRIL 27, 2022

AMENDED, READ THE SECOND TIME

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1.3 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1.79 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.36 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.24 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.30 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.32 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.49 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator FANNING on April 26, 2022, that Proviso 1A.72 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 26, 2022, that Proviso 1.96 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 1.96 was ruled out of order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 26, 2022, that Proviso 1.101 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT overruled the Point of Order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 26, 2022, that Proviso 1.104 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 1.104 was ruled out of order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 26, 2022, that Proviso 117.175 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 117.175 was ruled out of order.

Amendment No. 41

Senators GOLDFINCH, HEMBREE, and RANKIN proposed the following amendment (SA\5150C022.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, line 12, by striking proviso 118.19(B)(74) and inserting:

/ *(74)U120 Department of Transportation*

(a) Rural Interstate Funding $48,281,000;

(b) Southern Segment Construction I73 $350,000,000;

(c) Permanent Improvement Enhancements $5,000,000;

(d) Permanent Improvement Operational and Safety Improvement $5,000,000;

(e) Permanent Improvement Rehabilitation $5,000,000;

(f)Permanent Improvement Bridges $5,000,000;

(g) Permanent Improvement Widenings and New Locations $50,000,000

(h) Other Operating Expenses $5,000,000;/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 583, by striking line 16 and inserting:

/ *CTC Acceleration Fund $550,000,000;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 42A

Senator GOLDFINCH proposed the following amendment (SA\ 5150C036.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $326,093,667;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, after line 17, by inserting:

/ *(d) County Projects $326,093,667;*

(64.1) Each county legislative delegation shall receive an equal amount for county projects. Each delegation must meet in a public session to determine the itemized appropriation of the funds by weighted voting of its members. An itemized accounting of each appropriation shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee within 15 days of the meeting. Counties must submit a written request for funds appropriated in the county to the Executive Budget Office. Funds in this item may be released to fund an eligible project at the direction of the Executive Budget Office, upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursal, the Executive Budget Office shall report each request for disbursement to the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 583, by striking line 16 and inserting:

/ *CTC Acceleration Fund $326,093,667;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 579, by striking proviso 118.19(B)(50) and inserting:

/ *(50) F300 Employee Benefits Employee Bonus $45,000,000;*

(50.1) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 17, 2022, the Department of Administration shall allocate to state agencies $45,000,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2022, shall receive an $1,500 one-time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may

be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. For institutions of higher education, the funds received for this bonus may be used without uniformity. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

RECESS

At 12:28 P.M., on motion of Senator PEELER, the Senate receded from business until 1:30 P.M.

At 1:30 P.M., the Senate resumed.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Cromer	Davis
Garrett	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Michael*
Kimbrell	Martin	Massey
Peeler	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
Williams		

A quorum being present, the Senate resumed.

Senator GOLDFINCH spoke on Amendment No. 42A.

Senator DAVIS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Reichenbach	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Fanning	Goldfinch	Gustafson
Hembree	Rankin	Sabb

Total--6

The amendment was laid on the table.

Amendment No. 43A

Senator GOLDFINCH proposed the following amendment (SA\ 5150C037.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $326,093,667;*
(d) Permanent Improvement, Enhancements, and Rehabilitation $326,093,667; /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, after line 17, by inserting:

/ *(d) County Projects $326,093,667;*

(64.1) Each county legislative delegation shall receive an equal amount for county projects. Each delegation must meet in a public session to determine the itemized appropriation of the funds by weighted voting of its members. An itemized accounting of each appropriation shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee within 15 days of the meeting. Counties must submit a written request for funds appropriated in the county to the Executive Budget Office. Funds in this item may be released to fund an eligible project at the direction of the Executive Budget Office, upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursal, the Executive Budget Office shall report each request for disbursement to the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 579, by striking proviso 118.19(B)(50) and inserting:

/ *(50) F300 Employee Benefits Employee Bonus $45,000,000;*

(50.1) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 17, 2022, the Department of Administration shall allocate to state agencies $45,000,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2022, shall receive an $1,500 one-time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. For institutions of higher education, the funds received for this bonus may be used without uniformity. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Goldfinch	Gustafson	Hembree
Loftis	Rankin	Sabb
Stephens		

Total--7

The amendment was laid on the table.

Amendment No. 44

Senator HEMBREE proposed the following amendment (SA\ 5150C011.JN.SA22.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, proviso 118.19(B)(1), by striking line 28 and inserting:

/ *(1) Comprehensive Tax Cut of 2022 (S.1087) $723,281,000;*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 45

Senator HEMBREE proposed the following amendment (SA\ 5150C017.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19(B), after line 35, by inserting:

/ *( ) J200Department of Alcohol and Other Drug Abuse Services*
Collegiate Recovery Programs $33,012,173;
Opioid Prevention and Treatment $50,000,000
( ) J020Department of Health and Human Services Opioid Prevention and Treatment $50,000,000 /

Amend the bill further, Part IB, Section 117, GENERAL PROVISIONS, beginning on line 34 of page 530, by striking proviso 117.120(F) and inserting:

/ (F) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall also coordinate with ~~at least one~~ *all* four-year *public* colleges ~~or~~ *and* universities and ~~one~~ two-year technical colleges with on-campus dormitories to establish ~~pilot~~ programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic advising, to assist students in recovery. /

Amend the bill further, Part IB, Section 117, GENERAL PROVISIONS, page 552, after line 36, by adding an appropriately numbered new proviso to read:

/ *(GP: Unclassified Positions Reduction) Notwithstanding the appropriations for unclassified positions contained in Sections 13 through 23 of Part IA, the appropriations for such unclassified positions are reduced to the amount appropriated in Fiscal Year 2021-2022.* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 581, proviso 118.19, by striking lines 6 and 7 and inserting:

/ *(a) Closing Fund $125,000,000;*

(b) Strategic Economic Development Infrastructure $25.000,000/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 581, by striking proviso 118.19(57.2) and inserting:

/ *(57.2) From the funds appropriated to the Department of Commerce (Department) for Strategic Economic Development Infrastructure, twenty-five million shall be for the purposes of procuring and operating a quantum computing system for the benefit of the State of South Carolina. Prior to procuring and operating the quantum computing system, the General Assembly shall establish the South Carolina Quantum Commission which will work in consort with the department in determining operational, maintenance, and housing regulations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator CROMER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 46

Senator HEMBREE proposed the following amendment (SA\ 5150C013.JN.SA22.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, proviso 118.19(B)(60), by striking line 4 and inserting:

/ *Naval Base Intermodal Facility and Container Barge Infrastructure $50,000,000;* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 47

Senator HEMBREE proposed the following amendment (SA\ 5150C028.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 582, after line 11, by inserting:

/ *(e) Gun Violence Task Force $50,000,000;*

(62.1) From the funds appropriated to the Attorney General, the Attorney General shall create a gun violence task force, aimed at the prosecution of unlawful gun possession. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, proviso 118.19(B)(1), by striking line 28 and inserting:

/ *(1) Comprehensive Tax Cut of 2022 (S.1087) $973,281,000;* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 48A

Senator GOLDFINCH proposed the following amendment (SA\ 5150C038.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $307,760,333;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, after line 17, by inserting:

/ *(d) County Projects $307,760,333;*

(64.1) Each county legislative delegation shall receive an equal amount for county projects. Each delegation must meet in a public session to determine the itemized appropriation of the funds by weighted voting of its members. An itemized accounting of each appropriation shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee within 15 days of the meeting. Counties must submit a written request for funds appropriated in the county to the Executive Budget Office. Funds in this item may be released to fund an eligible project at the direction of the Executive Budget Office, upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursal, the Executive Budget Office shall report each request for disbursement to the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 583, by striking line 16 and inserting:

/ *CTC Acceleration Fund $307,760,333;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 574, after line 16, by inserting:

/ *(d) Capital Funding for Disadvantaged Schools $100,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Garrett	Grooms	Gustafson
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach

Rice	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Gambrell	Goldfinch	Hembree
Loftis	McLeod	Sabb
Stephens		

Total--7

The amendment was laid on the table.

Amendment No. 54

Senator GAMBRELL proposed the following amendment (AM HOMELAND PARK FIRE DEPT), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 35, after /*$500,000* / by inserting:

/ *; Homeland Park Fire Department $1* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

Amendment No. 56A

Senator MALLOY proposed the following amendment (AM CITY OF BISHOPVILLE V.2), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, line 8, by striking / *Bishopville/Lee County Recreation Facilities* / and inserting / *City of Bishopville Recreation Facilities* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 57

Senator HEMBREE proposed the following amendment (SA\ 5150C014.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 579, by striking proviso 118.19(B)(50) and inserting:

/ *(50) F300 Employee Benefits Employee Bonus $45,000,000;*

(50.1) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 17, 2022, the Department of Administration shall allocate to state agencies $45,000,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2022, shall receive an $1,500 one-time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. For institutions of higher education, the funds received for this bonus may be used without uniformity. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Amend the bill further, Part IB Section 118, STATEWIDE REVENUE, page 574, by striking proviso 118.19(B)(5) and inserting:

/ *(5) H630 State Department of Education*

(a) Capital Funding for Disadvantaged Schools $60,000,000;

(b) State Aid to Classrooms - Maintenance of Effort and Equity $10,000,000;

(c) ESA Pilot $1,000,000;

(d) K-12 Public School Teacher COVID Bonus $82,000,000;

(5.1) From the funds appropriated to State Department of Education, effective on the first pay date that occurs on or after October 17, 2022, the Department of Administration shall allocate to the State Department of Education, $82,000,000 to provide for a one-time lump sum bonus. Each permanent public school teacher, who is subject to the state minimum salary schedule pursuant to proviso 1.3, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2022, shall receive a COVID bonus in an amount to be determined by the department. The department shall use all of the funds provided for teacher bonuses, and each teacher must receive an equal amount. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes./

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19(B), after line 35, by inserting:

/ (81) *F500 Public Employee Benefit Authority South Carolina Pension Fund $96,281,000;*

(82) Income Tax Reform Fund $500,000,000;

(82.1) There is created the Income Tax Reform Fund in the State Treasury. The fund is separate and distinct from the general fund and all other funds of the State. The fund must be maintained until the General Assembly adopts comprehensive income tax reform. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 59

Senators HEMBREE and GOLDFINCH proposed the following amendment (SA\5150C027.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;*

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 579, by striking proviso 118.19(B)(50) and inserting:

/ *(50) F300 Employee Benefits Employee Bonus $45,000,000;*

(50.1) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 17, 2022, the Department of Administration shall allocate to state agencies $45,000,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2022, shall receive an $1,500 one-time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation on bonuses in Proviso 117.52 of this Act does not apply to this bonus. For institutions of higher education, the funds received for this bonus may be used without uniformity. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes. /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, proviso 118.19(B)(1), by striking line 28 and inserting:

/ *(1) Comprehensive Tax Cut of 2022 (S.1087) $878,281,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 581, proviso 118.19(B)(57)(a), by striking line 6 and inserting:

/ *(a) Closing Fund $350,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, proviso 118.19(B)(60), by striking line 4 and inserting:

/ *Naval Base Intermodal Facility and Container Barge Infrastructure $250,000,000;*/

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Gustafson	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Goldfinch	Hembree	Rankin

Total--3

The amendment was laid on the table.

Amendment No. 61

Senators GOLDFINCH, HEMBREE, RANKIN and WILLIAMS proposed the following amendment (DG\ 5150C028.NBD.DG22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 585, after line 3, by adding an appropriately numbered new proviso to read:

/ (SR: Savings and Loan Tax) In the current fiscal year, up to one hundred percent of savings and loan tax revenue collected by the Department of Revenue for savings and loan institutions which do business in the county must be rebated to the county for purposes of public infrastructure improvements. Public infrastructure improvements are limited to providing funding for the construction of new interstate highways. Provided that this proviso only applies to counties in which at least nineteen million dollars in state accommodation taxes imposed pursuant to Section 12-36-920 of the 1976 Code has been collected in at least one fiscal year. The county shall deposit the taxes in a special interest bearing account and not in its general fund. The county shall provide to the SFAA a report by the end of the fiscal year on the use of the funds. The county may carry forward any unexpended funds from one fiscal year to the next. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Gustafson	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Young

Total--36

NAYS

Goldfinch Hembree Williams

Total--3

The amendment was laid on the table.

Amendment No. 63

Senators GOLDFINCH, HEMBREE, RANKIN and WILLIAMS proposed the following amendment (DG\ 5150C026.NBD.DG22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 585, after line 3, by adding an appropriately numbered new proviso to read:

/ *(SR: Insurance Premium Tax) In the current fiscal year, up to one hundred percent of Insurance Premium tax revenue collected by the Department of Insurance for insurance policies issued in the county must be rebated to the county for purposes of public infrastructure improvements. Public infrastructure improvements are limited to providing funding for the construction of new interstate highways. Provided that this proviso only applies to counties in which at least nineteen million dollars in state accommodation taxes imposed pursuant to Section 12-36-920 of the 1976 Code has been collected in at least one fiscal year. The county shall deposit the taxes in a special interest bearing account and not in its general fund. The county shall provide to the SFAA a report by the end of the fiscal year on the use of the funds. The county may carry forward any unexpended funds from one fiscal year to the next.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 69A

Senator CLIMER proposed the following amendment (AM NR LIST V.3), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583-584, proviso 118.19, by striking items (77), (78), (79), and (80) in their entirety and inserting:

/ *(77) H630 State Department of Education*

(a) Center for Educational Equity $50,000;

(b) Gallman Elementary School and Community Center - Renovations and Repair $500,000;

(c)Fairfield County Summer Nutrition Program $6,000;

(d) Camp David Summer Academic Enrichment $50,000;

(e) Renovations of St. James Learning Center in Marion $500,000

(f) Artificial Intelligence Pilot - Autoengineering Pathway $500,000;

(78) H590 Board for Technical and Comprehensive Education Trident Technical College - Logistics Apprenticeship Program in Partnership with the Ports Authority $1,100,000.

(78.1) The State Ports Authority shall enter a Memorandum of Understanding with Trident Technical College for the creation of a truck driver logistics apprenticeship program (LAP);

(79) H790 Department of Archives & History

(a) City of Gaffney Revolutionary War Discovery Center - Federal Match $1,500,000;

(b) Laurens County Historic Courthouse Renovation $1,000,000;

(c) Cherokee Historical Preservation Society $400,000;

(80) H910 Arts Commission

(a) Hartsville Center Theater $500,000;

(b) Theatre of the Republic $97,900;

(81) P280 Department of Parks, Recreation and Tourism

(a) Palmetto Trail $2,000,000;

(b) Foothills Trail Maintenance $100,000;

(c) African American Tourism Institute $25,000;

(d)Summerville Miracle League - ADA Compliant Field $180,000;

(e) Town of Summerville - Maple Street Extension Pedestrian Safety Improvements $1,000,000;

(f) Historic Penn Center Restoration $900,000;

(g) Dolly Cooper Park Improvements $500,000;

(h) City of York City Park - Phase II $100,000;

(i) City of Campobello - Community Center Project $200,000;

(j) Slater Hall $50,000;

(k) City of Newberry - Downtown Beautification $75,000;

(l) Historic Mitchelville - Site Preservation and Development $1,200,000;

(m) Fairfield County Recreation Center $35,000;

(n)Abbeville County Small Town Historical and Recreation $30,000;

(o) Anderson County Small Town Historical and Recreation $50,000;

(p) City of Calhoun Falls - Recreational Facility $44,000;

(q) City of Calhoun Falls - Baseball Field Update $15,500;

(r) McCormick County - Nuisance Buildings/Properties $300,000;

(s) Town of Loundsville $5,000;

(t) Greenwood Recreation $10,000;

(u) City of Saluda $5,000;

(v) City of Ninety-Six $5,000;

(w) Town of Hodges $5,000;

(x) Town of Ware Shoals $5,000;

(y) Town of Troy $5,000;

(z) Town of McCormick $5,000;

(aa) Carolina Cup Equipment and Repairs $250,000;

(bb) Cherry Grove FFA Camp $50,000;

(cc) Tourism Congestion Improvements - Hwy 90 $900,000;

(dd) City of Orangeburg - Civil Rights Museum $250,000;

(ee) Orangeburg County - Lake Edisto Park Boardwalk $500,000;

(ff) Orangeburg County - Homeless Shelter Renovations $450,000;

(gg) Lower Richland Diamond Festival $30,000;

(hh) Statewide African American History Tourism and Marketing $2,000,000;

(ii) Westend Neighborhood Park Construction $500,000;

(jj) Anson Burial Memorial Fund $100,000;

(kk)ButlerHeritageFoundation-EconomicDevelopment/Community Investment $500,000;

(ll) City of Bishopville Recreation Facilities $400,000;

(mm) Lake Paul Wallace Maintenance and Revitalization $500,000;

(nn) Enoree Community Revitalization $100,000;

(oo) Hunters for the Hungry $100,000;

(pp) Colleton County Green Pond Community Center $324,000;

(qq) Swan Lake Iris Gardens/Shotpouch Greenway $350,000;

(rr)Town of Arcadia Lakes Beautification $500,000;

(ss) City of Conway - Wetland Park Boardwalk Trails and Gardens $250,000;

(tt) City of Conway - Riverwalk Connection to Kingston Lake $750,000;

(uu) Greeleyville Pavilion $15,000;

(vv) West Columbia - Riverfront Repair and Expansion $5,000,000;
(ww) Riverbanks Zoo and Gardens $1,000,000;
(xx) Rosenwald School $500,000;
(yy) Morris Island Lighthouse Interior Repairs $400,000;
(zz) American Landmark Middleton Place Foundation - Infrastructure Repairs $75,000;
(aaa) Dorchester Heritage Museum - Capital Fund Drive $75,000;
(bbb) American Legion Post 170 $43,000;

(82) P320 Department of Commerce
(a) Spartanburg Downtown Development Infrastructure $12,000,000;
(c) Graduation Alliance $500,000;
(d) Charleston Digital Corridor $400,000;

(83) J020Department of Health & Human Services
(a)Pregnancy Crisis Centers, including Florence Crittenton $1,000,000;
(b) Camp Happy Days $150,000;
(c) Beyond BASIC Lifeskills - Intellectual Disability Assistance $100,000;
(d) Palmetto Foundation for Prevention and Recovery - Youth Intervention Program $250,000;
(e) Seahaven Home for Youth $50,000;
(f) Antioch Senior Center $200,000;
(g)James R. Clark Memorial Sickle Cell Foundation $300,000;
(h) SC Cervical Cancer Awareness Initiative $100,000;
(i) Marion County Long Term Recovery Group Home Repairs $100,000;
(j) Fresh Start Transitional Project $75,000;
(k)Pleasant Valley Connection $25,000;
(l) Reedy Fork Center $100,000;
(m)Emma Wright Fuller Foundation (Fuller Normal Institute) $250,000;
(n) Alzheimer's Disease Research Center $1;
(o) Special Olympics $1;
(p) PACE Center for Girls $1;
(q) M.A.D. USA $1;
(r) Child Advocacy Centers $1;
(s) Girl Scouts Mountains to Midlands $1;
(t) Florence Crittenton $1;
(u) St. Clare Maternity Home $1;

(84)J040 Department of Health & Environmental Control

(a) EMS Association Recruitment and Retention $75,000;
(b) PFAS Remediation $2,500,000;
(c) New Morning Foundation $1,875,000;
(d) Conestee Dam Emergency Mitigation $3,000,000;
(e)Town of Honea Path - Chiquola Mills Site Remediation $1,000,000;
(f) Clarendon County Abandonment of Wells $82,500;
(85) L040 Department of Social Service
(a) The Courage Center $300,000;
(b) Real Champions Pilot Project $500,000;
(86) L060 Department on Aging
(a) Oconee County Matching Funds for Senior Center $5,000,000;
(b) Lee County Council on Aging - Bishopville Senior Center Renovations $150,000;
(c)Murdaugh Center Project - Federal Match $400,000;
(d)Medical University of South Carolina - Traumatic Brain Injury Researh $1;
(87)L320 Housing Finance & Development Authority
(a) Statewide Housing Needs Assessment
(b) Darla Moore School of Business $100,000;
(88) R360 Department of Labor, Licensing, & Regulation
(a) Slater Marietta Fire Department $250,000;
(b)Fairfield County Fire Service Firefighter Air Packs $400,000;
(c)Town of Patrick Fire Department Equipment $250,000;
(d) Homeland Park Fire Department $1.
(89) D500 Department of Administration
(a)Leadership South Carolina $250,000;
(b)Marion County Animal Shelter Infrastructure costs $500,000;
(90) U120 Department of Transportation
(a)City of York Lincoln Road Sidewalk Installation $400,000;
(b)Hampton County - Exit 38 Public Safety Upgrades $200,000;
(c) City of Easley - Congestion Mitigation $500,000;
(91) X220Aid to Subdivisions - State Treasurer
Local Child Fatality Investigations $1./

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 73

Senator HEMBREE proposed the following amendment (SA\ 5150C019.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 581, proviso 118.19, by striking line 6 and inserting:

/ *(a) Closing Fund $150,000,000;*/

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 582, after line 17, by inserting:

/ *(d) County Projects $1,023,281,000;*

(64.1) Each county legislative delegation shall receive $22,245,239.13 for county projects. Each delegation must meet in a public session to determine the itemized appropriation of the funds by weighted voting of its members. An itemized accounting of each appropriation shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee within 15 days of the meeting. Counties must submit a written request for funds appropriated in the county to the Executive Budget Office. Funds in this item may be released to fund an eligible project at the direction of the Executive Budget Office, upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursal, the Executive Budget Office shall report each request for disbursement to the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds./

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 77

Senator HEMBREE proposed the following amendment (SA\ 5150C016.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $300,000,000;* /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19(B), after line 35, by inserting:

/ (81) *F500 Public Employee Benefit Authority*
South Carolina Pension Fund $173,281,000;
(82) Income Tax Reform Fund $500,000,000;
(82.1) There is created the Income Tax Reform Fund in the State Treasury. The fund is separate and distinct from the general fund and all other funds of the State. The fund must be maintained until the General Assembly adopts comprehensive income tax reform./

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 576, by striking proviso 118.19(B)(24) and inserting:

/ *(24) H030 Commission on Higher Education*
(a) AmeriCorps Grant (Four Years of Match) $ 240,000;
(b)Needs Based Scholarships $50,000,000; /

Amend the bill further, Part IB, Section 118, STATEWIDE REVENUE, page 571, line 28, by deleting proviso 118.19(B)(1).

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The amendment was laid on the table.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 1.93 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.93. *(SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make*

use of, or carry out standards, curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate any of the following concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. Nothing contained herein shall be construed as prohibiting any professional development training for teachers related to issues of addressing unconscious bias within the context of teaching certain literary or historical concepts or issues related to the impacts of historical or past discriminatory policies.

Senator MASSEY spoke on the Point of Order.
Senator HUTTO spoke on the Point of Order.
Senator MASSEY spoke on the Point of Order.
Senator HUTTO spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Amendment No. 88A

Senators HEMBREE, CLIMER, CASH, M. JOHNSON and KIMBRELL proposed the following amendment (SA\ 5150C042.JN.SA22.DOCX), which was adopted (#31):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 585, proviso 118.19, after line 2, by inserting:

/ *(D) For purposes of item (77) and all items thereafter, funds shall not be disbursed until verification that receiver's organization is registered as a business, nonprofit, or charitable organization with the S.C. Secretary of State's office. All receiving funds under these sections must provide a financial statement detailing the use of the funds received*

by the end of the fiscal year to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee. The statements shall be available to all members of the General Assembly. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 91A

Senator CASH proposed the following amendment (AM ANDERSON COUNTY YMCA V.2), which was adopted (#32):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, proviso 118.19, item (81) P280 Department of Parks, Recreation and Tourism by adding an appropriately lettered item to read:

/ *( )Anderson County YMCA Project $1;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Amendment No. 92

Senator HUTTO proposed the following amendment (AM NR ITEMS V.2), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, after line 35, by inserting a new item to read:

/ *( ) The following items shall be appropriated for miscellaneous purposes as follows:*

(a) Bamberg County Courthouse Renovation $1;

(b) Williston Town Hall $1;

(c) University of South Carolina Civil Rights Center $1;

(d) Assembly Street Grade Separation Project $1;

(e) Greater Waverly Foundation $1;

(f)Richland County DSS Facilities $1;

(g) Next Generation of Men Nonprofit Organization - operating support $1;

(h) Have Faith - K12 Community School - Mother Geneva Johnson Academy $1;
(i) Minority Woman and Business Enterprise Incubator and Corner Store $1;
(j) College of Charleston Avery Research Center $1;
(k) Learning Citizenship Through History/Reconstruction $1;
(l) Beaufort Sheldon Community and Dale Center Renovation $1;
(m) Jasper Communications Tower and Community Center $1;
(n) City of Sumter/County of Sumter Trailhead and Pedestrian Access Improvement $1;
(o) Rembert Black Cowboy Festival $1;
(p) Town of Forest Acres Richland Retail Center Redevelopment $1;
(q) Black River State Park Project $1;
(r) Williamsburg Tech - Regional Hospital Renovations $1;
(s) Richland County Recreation Community Partners $1;
(t) City of Columbia Harlem Heights and Fairwold Acres Community $1;
(u) South Carolina Federation of Women's and Children's Clubs $1;
(v) West Columbia Economic Development $1;
(w) Johnsonville Community Center $1;
(x) Orangeburg Fire Commission $1;
(y) Nichols American Legion Auxiliary, Post 82 Legionnaires Repairs $1;
(z) Pamplico Development and Resource Center Building Renovations $1;
(aa) Dillon County Parks ad Recreation - County-wide Fencing Lighting $1;
(bb) South Carolina State - Funding for BECT Center $1;
(cc) Facility Enhancements for Disadvantaged Schools $1;
(dd) South Carolina Cancer Alliance $1;
(ee) South Carolina Boys State $1;
(ff) South Carolina Girls State $1;
(gg) South Carolina Historical Society $1; and
(hh) Town of Eastover $1. /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 90

Senator MALLOY proposed the following amendment (SM NEW ATTORNEY AND EMPLOYEE CONTRIBUTION), which was adopted (#34):

Amend the bill, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 170, lines 6-7 by inserting,

	COLUMN 7	COLUMN 8
/	82,000	82,000
	(1.00)	(1.00)/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 170, line 9 by,

	COLUMN 7	COLUMN 8
STRIKING:	/307,041	0/
and		
INSERTING:	/313,418	6,377/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 171, line 19 by,

	COLUMN 7	COLUMN 8
/ STRIKING:	/3,571,789	3,169,058/
and		
INSERTING:	/3,605,412	3,202,681/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Having voted on the prevailing side, Senator HEMBREE moved to reconsider the vote whereby Amendment No. 19 was adopted on April 26, 2022.

The motion was adopted.

On motion of Senator HEMBREE, with unanimous consent, amendment No. 19 was withdrawn.

Amendment No. 49

Senators SETZLER and HEMBREE proposed the following amendment (SM BASIC SKILLS ASSESSMENT PILOT), which was adopted (#35):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ (SDE: Basic Skills Assessment Pilot) For the current fiscal year, the State Board of Education by September 1 will initiate a pilot study to determine whether the basic skills assessment admission to a teacher preparation program/Praxis Core as established in Section 59-26-10 of the 1976 code should be eliminated. The State Board of Education will approve up to five colleges or universities that have teacher preparation programs to participate in the pilot. At a minimum, the colleges or universities participating in the pilot program must identify alternative measures to determine which students can be accepted into a teacher preparation program./

Renumber sections to conform.

Amend sections, totals and title to conform.

Amendment No. 50

Senator TURNER proposed the following amendment (AM PARTICIPATION IN ATHLETICS), which was adopted (#36):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 312, after line 8, by adding an appropriately numbered new proviso to read:

/ *(SDE: Participation in Athletics) Of the funds authorized or appropriated to the department, a student shall be deemed eligible to participate in athletics, at a minimum, on the sub-varsity level upon enrollment in any public school in the State regardless of if the enrollment is the result of a bona fide change of residence, provided that the student meets all other age and academic eligibility requirements for participation. This provision shall not limit the ability of any student attending a charter school or other school of choice, provided the student meets all age and eligibility requirements, to otherwise elect to participate in sub-varsity or varsity athletics at the student's zoned or resident school.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator KIMBRELL proposed the following amendment (5150R013.SP.JK.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA, page 361, after line 19, by adding an appropriately numbered new proviso to read:

/23._ (MUSC: Pediatric Transgender Clinic) No funds appropriated to MUSC pursuant to this act shall be used to fund or support MUSC's pediatric transgender clinic. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMPSON explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

The Senate refused to lay the amendment on the table.

Senator HUTTO explained the amendment.

Senator JACKSON spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator KIMBRELL spoke on the amendment.

On motion of Senator KIMBRELL, with unanimous consent, the amendment was carried over.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, no further amendments were to be placed on the desk after 7:00 P.M. with the exception of the necessary technical correcting and balancing amendment to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 5150.

Amendment No. 58

Senator GOLDFINCH proposed the following amendment (SA\ 5150C025.JN.SA22.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 82, DEPARTMENT OF MOTOR VEHICLES, page 449, after line 35, by adding an appropriately numbered new proviso to read:

/(DMV: Application Fee) *In the current fiscal year, the department shall collect a one-time initial application fee for the processing and issuance of a driver's license for an individual obtaining a license in this State for the first time who previously held a license in another state. The fee is $500.00 per individual. The department shall remit the fees collected to the county treasurer in the county of residency on each driver's license for the purpose of public infrastructure improvements and construction, and conservation efforts of green space. The Department shall retain up to three percent per application for administration costs.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 55

Senators ADAMS, HEMBREE and FANNING proposed the following amendment (SM PORS REQ. WAIVED), which was adopted (#37):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 484, after line 9, by adding an appropriately numbered new proviso to read:

/ *(PEBA: PORS Return to Work)* *If a member of the Police Officer Retirement System chooses to engage in the Return to Work program, their twelve month period spent not engaging in officer duties shall not cause a member to lose their license or be unable to perform the duties of a police officer. Officers participating in the Return to Work program shall be required to meet continuous training and education requirements of the South Carolina Law Enforcement Academy.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Amendment No. 87

Senators TURNER and BENNETT proposed the following amendment (SA\5150C040.JN.SA22.DOCX), which was adopted (#38):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 484, after line 9, by adding an appropriately numbered new proviso to read:

/ *(PEBA: Employer Annuity Accumulation Fund) In the current fiscal year, an employer may contribute to the employer annuity accumulation fund an amount in excess of the contributions required to be made by the employer for the current fiscal year. Such contributions shall be made, and the system shall hold, account for, and apply such contributions against future obligations of the contributing employer in accordance with implementing rules to be issued by the board, such rules also to be consistent with guidance issued by the Government Accounting Standards Board for a "cost-sharing multiple-employer pension plan" as defined in such guidance and as applicable to the system.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TURNER explained the amendment.

Point of Order

Senator VERDIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator BENNETT spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 66

Senators CASH and GROOMS proposed the following amendment (5150R017.SP.RJC.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 486, after line 21, by adding an appropriately numbered new proviso to read:

/109.__ (DOR: Alcohol Consumables) (A) For the purposes of this proviso, 'alcohol consumable' means all products intended for consumption in frozen, gum, gelatin, or other nonliquid form containing alcoholic liquors, alcoholic beverages, wine, beer, ale, porter, or other similar malt or fermented beverages greater than one-half of one percent alcohol by volume.

(B) Alcohol consumables may not be marketed or sold to persons under the age of twenty-one. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Point of Order

Senator RANKIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 67

Senators CASH and GROOMS proposed the following amendment (5150R018.SP.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 486, after line 21, by adding an appropriately numbered new proviso to read:

/109.__ (DOR: Alcohol Consumables) (A) For the purposes of this proviso, 'alcohol consumable' means all products intended for consumption in frozen, gum, gelatin, or other nonliquid form containing alcoholic liquors, alcoholic beverages, wine, beer, ale, porter, or other similar malt or fermented beverages greater than one-half of one percent alcohol by volume.

(B) Mobile alcohol vehicles must register with the Department of Revenue prior to operation. The Department of Revenue must charge a registration fee in the amount of twenty thousand dollars per vehicle. The Department of Revenue may use collected fees for the administration of the program, provided than any unused portion of the collected fees must go to the Department of Alcohol and Other Drug Services./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.
Senator BENNETT spoke on the amendment.
Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 13

AYES

Adams	Allen	Bennett
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Matthews	McElveen	McLeod
Rankin	Reichenbach	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--33

NAYS

Alexander	Campsen	Cash
Corbin	Garrett	Grooms
Harpootlian	Kimpson	Loftis
Massey	Peeler	Rice
Verdin		

Total--13

The amendment was laid on the table.

Amendment No. 68

Senators CASH and GROOMS proposed the following amendment (5150R019.SP.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 486, after line 21, by adding an appropriately numbered new proviso to read:

/109.__ (DOR: Alcohol Consumables) (A) For the purposes of this proviso, 'alcohol consumable' means all products intended for

consumption in frozen, gum, gelatin, or other nonliquid form containing alcoholic liquors, alcoholic beverages, wine, beer, ale, porter, or other similar malt or fermented beverages greater than one-half of one percent alcohol by volume.

(B) Mobile alcohol vehicles must register with the Department of Revenue prior to operation. The Department of Revenue must charge a registration fee in the amount of ten thousand dollars per vehicle. The Department of Revenue may use collected fees for the administration of the program, provided than any unused portion of the collected fees must go to the Department of Alcohol and Other Drug Services./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator GROOMS spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

Ayes 31; Nays 14

AYES

Adams	Allen	Bennett
Climer	Cromer	Davis
Fanning	Goldfinch	Gustafson
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Malloy
Martin	Matthews	McElveen
McLeod	Rankin	Reichenbach
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--31

NAYS

Alexander	Campsen	Cash
Corbin	Gambrell	Garrett
Grooms	Harpootlian	Kimpson

Loftis	Massey	Peeler
Rice	Verdin	

Total--14

The amendment was laid on the table.

Amendment No. 97

Senators CASH and GROOMS proposed the following amendment (5150R021.SP.RJC.DOCX), which was adopted (#39):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 486, after line 21, by adding an appropriately numbered new proviso to read:

/109.__ (DOR: Alcohol Consumables) (A) For the purposes of this proviso, 'alcohol consumable' means all products intended for consumption in frozen, gum, gelatin, or other nonliquid form containing alcoholic liquors, alcoholic beverages, wine, beer, ale, porter, or other similar malt or fermented beverages greater than one-half of one percent alcohol by volume.

(B) Alcohol consumables may not be marketed or sold to persons under the age of twenty-one.

(C) The Department of Alcohol and Other Drug Abuse Services shall partner with local law enforcement to provide notice to the public regarding the age restriction included in subsection (B). /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CASH spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator BENNETT spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 74

Senator SETZLER proposed the following amendment (SM JOB ORDER CONTRACTING), which was adopted (#40):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 548, proviso 117.167, line 36, by striking /*two school districts*/ and inserting /*four school districts*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 53

Senator MASSEY proposed the following amendment (5150R015.SP.ASM.DOCX), which was adopted (#41):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 573, proviso 118.19, lines 20-25, by striking

/*(f) Edgefield County:*

(i) Piedmont Technical College - Center for Advanced Manufacturing $15,000,000;

(ii) Edgefield County Law Enforcement Center $4,000,000;

(iii) Edgefield County School District - Workforce Development Training and Equipment $ 1,600,000;

(iv) Fox Creek High School Athletic Complex $1,000,000;

(v) Bettis Academy Preparatory School Renovation and Construction $ 1;/ and inserting

/ *(f) Edgefield County:*

(i) Piedmont Technical College - Center for Advanced Manufacturing $12,000,000;

(ii) Edgefield County Law Enforcement Center $ 8,600,000;

(iii) Edgefield County School District - Workforce Development Training and Equipment $500,000;

(iv) Fox Creek High School Athletic Complex $500,000;

(v) Bettis Academy Preparatory School Renovation and Construction $ 1;/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 93

Senators HEMBREE, GOLDFINCH and RANKIN proposed the following amendment (DG\5150C042.JN.DG22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, after line 35, by adding a subsection to read:

/ *(C) Of any excess funds collected above the amount identified in subsection (A), and after all the items in subsection (B) are fully funded, there is appropriated $300,000,000 to the Department of Transportation for the Southern Segment Construction I-73.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Gustafson	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Fanning	Goldfinch	Hembree
Rankin		

Total--4

The amendment was laid on the table.

Amendment No. 94

Senator HEMBREE proposed the following amendment (SA\5150C032.JN.SA22.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 583, proviso 118.19(B)(74), after line 14, by inserting:

/ *(c) Southern Segment Construction I-73 $1;* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator PEELER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Scott	Senn	Setzler
Stephens	Turner	Verdin
Young		

Total--31

NAYS

Goldfinch	Gustafson	Hembree
Loftis	McLeod	Rankin
Rice	Sabb	Shealy
Williams		

Total--10

The amendment was laid on the table.

Amendment No. 98

Senator MALLOY proposed the following amendment (AM DOLLAR ITEMS), which was adopted (#42):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 584, proviso 118.19, after line 35, by inserting:

/ *( )The following items shall be appropriated for miscellaneous purposes as follows:*

(a) City of Darlington Fire Suppression $1

(b) Marlboro County Recreation and Economic Development $1/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 95

Senator KIMBRELL proposed the following amendment (5150R020.SP.JK.DOCX), which was adopted (#43):

Amend the bill, as and if amended, Part IB, Section 23, MEDICAL UNIVERSITY OF SOUTH CAROLINA, page 361, after line 19, by adding an appropriately numbered new proviso to read:

/23._ (MUSC: Pediatric Transgender Clinic) No funds appropriated to MUSC pursuant to this act shall be used to fund or support MUSC's pediatric transgender clinic. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Senator HUTTO spoke on the amendment.

Senator MATTHEWS moved to lay the amendment on the table.
The Senate refused to lay the amendment on the table.

Senator MATTHEWS spoke on the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Matthews	McLeod
Rankin	Sabb	Scott
Stephens		

Total--13

The amendment was adopted.

Clerk's Technical and Balancing Amendment
Amendment No. 99

The following technical and balancing amendment (AM BALANCE), was adopted (#44):

Amend the bill, as and if amended, Part IA, Section 91A, LEG. DEPT-THE SENATE, page 223, line 4 by inserting opposite:

	COLUMN 7	COLUMN 8
PRESIDENT OF THE SENATE/	11,000	11,000/

Amend the bill further, as and if amended, Part IA, Section 91A, LEG. DEPT - THE SENATE, page 223, line 5, by striking opposite:

	COLUMN 7	COLUMN 8
PRESIDENT PRO TEMPORE/	11,000	11,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 571, proviso 118.19, line 32, by striking /*$196,085,872*/ and inserting /*$195,475,072*/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

Motion Adopted

Senator PEELER asked unanimous consent to make a motion to give the Bill a second reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5151 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Resolution.

Senator CROMER explained the Resolution.

WEDNESDAY, APRIL 27, 2022

Motion Adopted

Senator CROMER asked unanimous consent to make a motion to give the Bill a second reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Keith Sherlin, 1305 North Blackstock Road, Landrum, SC 29356-9117

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators SETZLER, CROMER, MASSEY, SHEALY and HARPOOTLIAN with unanimous consent, the Senate stood adjourned out of respect to the memory of Officer Andrew "Drew" Barr of Monetta, S.C. Drew was a police officer with the Cayce Police Department's K-9 unit and a captain with the Monetta Volunteer Fire Department. Drew had a passion for serving others. He was a great co-worker and friend to all who knew him. Drew was a loving son and brother who will be dearly missed.

ADJOURNMENT

At 8:23 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Thursday, April 28, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 4:13

In the book of Exodus we read: "But Moses said, 'O Lord, please send someone else to do it.' "

Please join me as we pray: Again and again, dear God, we witness in Scripture that Moses was so frequently hesitant to follow through and do the things You called him to pursue. And in many ways, we understand the reluctance of Your servant, Moses. It surely is not easy to be one of Your faithful followers, O Lord. Many times we, too, must be guilty in Your eyes of failing to honor You through what we say or do. Forgive our weakness, Lord. All the more fill us and this entire Chamber with Your blessed presence, to the end that each Senator, every aide, indeed all of us will always be known as those who have boldly said "yes" to Your call. And may every South Carolinian benefit as the result of our faithfulness to You. In Your wondrous name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 10:04 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

LOCAL APPOINTMENT
Confirmation

Reappointment, Anderson - Oconee County Master-in-Equity, with the term to commence July 1, 2022, and to expire July 1, 2028

Steven C. Kirven, 115 Carter Hall Drive, Anderson, SC 29621

THURSDAY, APRIL 28, 2022

Doctor of the Day

Senator CASH introduced Dr. McAnto Antony of Anderson, S.C., Doctor of the Day.

Expression of Personal Interest

Senator CAMPSEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 1128 Sen. McElveen

RECALLED

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

THURSDAY, APRIL 28, 2022

RECALLED

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1296 -- Senator Allen: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND DOCTOR STEPHEN SAMUEL LOMAX, PASTOR OF NEW LIFE IN CHRIST MISSIONARY BAPTIST CHURCH OF GREENVILLE COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY, HIS DEVOTED CONGREGATION, AND HIS MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1297 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1298 -- Senators Alexander, Shealy and Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH CAROLINA HUMAN TRAFFICKING TASK FORCE UPON THE OCCASION OF ITS TENTH ANNIVERSARY AND TO COMMEND THE TASK FORCE FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.
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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1299--Ordered to a Second and Third Reading

On motion of Senator MARTIN, S. 1299 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 1300 -- Senators Climer, M. Johnson, Peeler and Fanning: A SENATE RESOLUTION TO CONGRATULATE THE CLOVER HIGH SCHOOL PERCUSSION INDOOR DRUMLINE, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2022 WGI SPORT OF THE ARTS PERCUSSION SCHOLASTIC A WORLD CHAMPIONSHIP.
l:\s-res\wc\037clov.kmm.wc.docx
The Senate Resolution was adopted.

S. 1301 -- Senators Climer, Shealy, Davis, Kimbrell, M. Johnson and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-2937 SO AS TO PROVIDE PERSONS CONVICTED OF RECKLESS VEHICULAR

HOMICIDE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ANY OTHER DRUG OR COMBINATION OF DRUGS, OR CONVICTED OF RECKLESS VEHICULAR HOMICIDE AND HAD AT LEAST TWO PRIOR CONVICTIONS FOR DRIVING MOTOR VEHICLES UNDER THE INFLUENCE OF ALCOHOL, ANY OTHER DRUG, OR A COMBINATION OF OTHER DRUGS OR SUBSTANCES, OR DRIVING MOTOR VEHICLES WITH AN UNLAWFUL ALCOHOL CONCENTRATION, OR BOTH, AND WHOSE VICTIMS WERE PARENTS OF MINOR CHILDREN, MUST PAY RESTITUTION IN THE FORM OF CHILD MAINTENANCE TO EACH OF THE VICTIMS' CHILDREN UNTIL EACH CHILD REACHES EIGHTEEN YEARS OF AGE AND HAS GRADUATED FROM HIGH SCHOOL; AND BY ADDING SECTION 50-21-118 SO AS TO PROVIDE PERSONS CONVICTED OF OPERATING MOVING WATER DEVICES WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS WHEN DEATH RESULTS, OR RECKLESS HOMICIDE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS AND WHOSE VICTIMS WERE PARENTS OF MINOR CHILDREN, MUST PAY RESTITUTION IN THE FORM OF CHILD MAINTENANCE TO EACH OF THE VICTIMS' CHILDREN UNTIL EACH CHILD REACHES EIGHTEEN YEARS OF AGE AND HAS GRADUATED FROM HIGH SCHOOL.
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Read the first time and referred to the Committee on Judiciary.

S. 1302 -- Senator Cromer: A BILL TO AMEND SECTION 2-65-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RECOVERY OF INDIRECT COSTS FOR PURPOSES OF OVERSIGHT OF OTHER FUNDS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY TO CERTAIN INSTITUTIONS.
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Read the first time and referred to the Committee on Finance.

H. 5292 -- Reps. Forrest, Taylor, Caskey, Huggins, Calhoon, Ballentine, McCabe, Ott, May, Wooten and Pope: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY OFFICER ROY ANDREW "DREW" BARR OF THE CAYCE POLICE DEPARTMENT WHILE IN THE LINE OF DUTY AND TO EXPRESS TO HIS FAMILY THE DEEPEST

SYMPATHY AND THE MOST PROFOUND APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 1128 -- Senators Shealy and McElveen: A BILL TO AMEND CHAPTER 5, TITLE 52 OF THE 1976 CODE, RELATING TO HORSE RACING, TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE FOR PARI-MUTUEL WAGERING ON APPLICATIONS OPERATED BY A LICENSED ADVANCED DEPOSIT WAGERING ENTITY, TO ESTABLISH SOUTH CAROLINA EQUINE COMMISSION TO REGULATE THE INDUSTRY, TO PROVIDE FOR MEMBERSHIP ON THE COMMISSION, TO PROVIDE FOR THE POWERS, DUTIES, AND OBLIGATIONS OF THE COMMISSION, TO PROVIDE FOR LICENSE FEES, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry polled out H. 3795 favorable:

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF

WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

Poll of the Labor, Commerce and Industry Committee
Polled 17; Ayes 16; Nays 1

AYES

Davis	Setzler	Alexander
Williams	Scott	Bennett
Corbin	K. Johnson	Allen
Sabb	Gambrell	Climer
Senn	Shealy	Rice
Turner		

Total--16

NAYS

Massey

Total--1

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry polled out H. 4519 favorable:

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

THURSDAY, APRIL 28, 2022

Poll of the Labor, Commerce and Industry Committee
Polled 17; Ayes 17; Nays 0

AYES

Davis	Setzler	Alexander
Williams	Massey	Scott
Bennett	Corbin	K. Johnson
Allen	Sabb	Gambrell
Climer	Senn	Shealy
Rice	Turner	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education polled out H. 4608 favorable:

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES

TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

Poll of the Education Committee
Polled 18; Ayes 13; Nays 3; Not Voting 2

AYES

Hembree	Setzler	Rankin
Peeler	Peeler	Grooms
Young	Turner	Rice
Talley	Massey	Cash
Loftis		

Total--13

NAYS

Hutto	Allen	Scott

Total--3

NOT VOTING

Jackson	Malloy

Total--2

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry polled out H. 4889 favorable:

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

THURSDAY, APRIL 28, 2022

Poll of the Labor, Commerce and Industry Committee
Polled 17; Ayes 16; Nays 1

AYES

Davis	Setzler	Alexander
Williams	Massey	Scott
Bennett	Corbin	K. Johnson
Allen	Gambrell	Climer
Senn	Shealy	Rice
Turner		

Total--16

NAYS

Sabb

Total--1

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

Ordered for consideration tomorrow.

Appointments Reported

Senator HEMBREE from the Committee on Education polled a favorable report on:

Statewide Appointment

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2022, and to expire August 1, 2025

At-Large, Governor:

Randall S. Page, Chief of Staff, Bob Jones University, 1700 Wade Hampton Boulevard, Greenville, SC 29614-0001

Received as information.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2020, and to expire July 1, 2023

SC Association of Public School Administrators:

Billy R. Strickland, 202 Sweetgum Street, Laurens, SC 29360-3753 *VICE* Dr. V. Keith Callicutt

Received as information.

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2020, and to expire April 1, 2025

At-Large:

Robert W. Bagley, 3110 Moffitt Creek Road, Blackstock, SC 29014-8606 *VICE* Jerry Michael Griffin (resigned)

Received as information.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2021, and to expire June 30, 2025

6th Congressional District:

Andrea B. McCoy, 334 Teague Park Court, Columbia, SC 29209

Received as information.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

3rd Congressional District:

George E. Jones, Jr., P.O. Box 2205, Greenwood, SC 29646-0205 *VICE* Daniel R. Bracken, Jr.

Received as information.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 19, 2026

6th Congressional District:

Peter A. Smith, 120 Dunnemann Ave., Charleston, SC 29403-3529

Received as information.

Message from the House

Columbia, S.C., April 19, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Anderson and Oconee Counties, with term to commence July 1, 2022, and to expire July 1, 2028:

Seat: Anderson County

The Honorable Steven C. Kirven, 115 Carter Hall Drive, Anderson, S.C. 29621

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO

AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES,

TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 910 -- Senator Grooms: A BILL TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT

LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATING TO APPORTIONING NINE SINGLE-MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND

MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,

Speaker of the House

Received as information.

H. 3729--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 3729 and asked for a Committee of Conference.

Whereupon, Senators CLIMER, MATTHEWS and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1264 -- Senator Hutto: A BILL TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

On motion of Senator HUTTO.

SECOND READING BILL

S. 1292 -- Senator Fanning: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.

S. 1292--Ordered to a Third Reading

On motion of Senator FANNING, S. 1292 was ordered to receive a third reading on Friday, April 29, 2022.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5150, THE GENERAL APPROPRIATIONS BILL.

READ THE THIRD TIME
RETURNED TO THE HOUSE

H 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE

EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator PEELER spoke on the Bill.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Department of Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Fanning	Gustafson	Matthews
McLeod		

Total--4

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1B, Department of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Fanning	Matthews	McLeod
Stephens		

Total--4

Section 1A, Part 1B, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn

Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Martin	Massey	Stephens

Total--3

ABSTAIN

Hembree	*Johnson, Kevin*	Loftis

Total--3

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 6, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Garrett

Total--1

Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8, Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 9, Part 1A and Part 1B, Governor's School for Arts and Humanities.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 9, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 10, Part 1A and Part 1B, Governor's School for Science and Mathematics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 10, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 11, Part 1A and Part 1B, Commission on Higher Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 11, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 12, Part 1A, Higher Education Tuition Grants.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13, Part 1A, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 13, Part 1A, was adopted.

The Senate proceeded to Sect. 14, Part 1A, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total—45

NAYS

Massey

Total--1

Section 14, Part 1A, was adopted.

The Senate proceeded to Sect. 15, Part 1A and Part 1B, Charleston University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total—1

Section 15, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 17, Part 1A, was adopted.

The Senate proceeded to Sect. 18, Part 1A and Part 1B, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 18, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 19, Part 1A, S.C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael Senn

Total--2

Section 19, Part 1A, was adopted.

The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B, University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

ABSTAIN

Davis	Harpootlian	McElveen
Senn		

Total--4

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Martin	Massey

Total--2

ABSTAIN

Senn

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 25, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 26, Part 1A, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 26, Part 1A, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 29, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 30, Part 1A and Part 1B, Confederate Relic Room and Military Museum.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 30, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 32, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 33, Part 1A and Part 1B, Department of Health and Human Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15; Abstain 2

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Williams	

Total--29

NAYS

Adams	Cash	Climer
Corbin	Garrett	Grooms
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Reichenbach
Rice	Talley	Verdin

Total--15

ABSTAIN

Davis	Young

Total--2

Section 33, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 34, Part 1A and Part 1B, Department of Health and Environmental Control (DHEC).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 3; Abstain 7

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--36

NAYS

Hembree	Martin	Massey

Total--3

ABSTAIN

Campsen	Davis	Goldfinch
Hutto	Senn	Setzler
Young		

Total--7

Section 34, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 35, Part 1A and Part 1B, Department of Mental Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Gustafson	Massey

Total--2

Section 35, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 36, Part 1A and Part 1B, Department of Disabilities and Special Needs (DDSN).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Allen

Total--1

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Allen

Total--1

Section 37, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 38, Part 1A and Part 1B, Department of Social Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Allen	Harpootlian	Hutto
Senn	Talley	

Total--5

Section 38, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 39, Part 1A and Part 1B, Commission for the Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 39, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 40, Part 1A and Part 1B, Department on Aging.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 40, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 41, Part 1A and Part 1B, Department of Children's Advocacy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Davis Garrett

Total--2

Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 43, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 44, Part 1A and Part 1B, Department of Agriculture.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Davis Hutto

Total--2

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total—45

NAYS

Massey

Total--1

Section 45, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 46, Part 1A, S. C. State University-PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael Senn

Total—2

Section 46, Part 1A, was adopted.

The Senate proceeded to Sect. 47, Part 1A and Part 1B, Department of Natural Resources.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

Hutto	Jackson	*Johnson, Kevin*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael	Senn

Total--2

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod

Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 48, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 49, Part 1A and Part 1B, Department of Parks, Recreation and Tourism.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 49, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 50, Part 1A and Part 1B, Department of Commerce.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 8; Abstain 2

AYES

Alexander	Allen	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Loftis	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--36

NAYS

Adams	Climer	*Johnson, Michael*
Kimbrell	Martin	Massey
Rice	Talley	

Total--8

ABSTAIN

Davis	Garrett

Total--2

Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total—44

NAYS

Massey

Total--1

ABSTAIN

Climer

Total--1

Section 51, Part 1A, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total—1

ABSTAIN

Campsen

Total--1

Section 52, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 53, Part 1A and Part 1B, S. C. Conservation Bank.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 53, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Davis

Total--1

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

NAYS

Massey

Total--1

ABSTAIN

Allen	Campsen	Hembree
Matthews	Senn	Talley

Total--6

Section 57, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 58, Part 1A and Part 1B, Administrative Law Court.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 1; Abstain 16

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	McLeod	Peeler

Reichenbach	Rice	Scott
Shealy	Stephens	Turner
Verdin	Williams	

Total--29

NAYS

Massey

Total--1

ABSTAIN

Allen	Campsen	Garrett
Goldfinch	Hembree	Hutto
Kimpson	Malloy	Matthews
McElveen	Rankin	Sabb
Senn	Setzler	Talley
Young		

Total--16

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 7

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Scott
Setzler	Shealy	Talley

Turner	Verdin	Williams
Young		

Total--37

NAYS

Massey	Stephens

Total--2

ABSTAIN

Allen	Bennett	Hembree
Kimpson	Malloy	Sabb
Senn		

Total--7

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Scott	Setzler

Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Allen	Hembree	McElveen
Sabb	Senn	

Total--5

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 6

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Hutto
McElveen	Senn	Talley

Total--6

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 4

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

ABSTAIN

Allen	Hutto	Senn
Setzler		

Total--4

Section 62, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 63, Part 1A and Part 1B, Department of Public Safety.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Scott	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Massey

Total--1

ABSTAIN

Allen	Goldfinch	Hutto
Matthews	Sabb	Senn
Setzler		

Total--7

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Massey

Total--1

ABSTAIN

Allen	Hutto	Senn

Total--3

Section 64, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 65, Part 1A and Part 1B, Department of Corrections.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Gustafson	Massey

Total--2

ABSTAIN

Allen	Goldfinch	Harpootlian
Hutto	McElveen	Sabb
Senn		

Total--7

Section 65, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 66, Part 1A and Part 1B, Department of Probation, Parole and Pardon Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 1; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Matthews	McLeod	Peeler
Reichenbach	Rice	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--34

NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Goldfinch
Hembree	Hutto	Malloy
McElveen	Rankin	Sabb
Senn	Young	

Total--11

Section 66, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 67, Part 1A and Part 1B, Department of Juvenile Justice.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Goldfinch	Hutto	Malloy
McElveen	Senn	

Total--5

Section 67, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A and Part 1B, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb

Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Hutto	Rankin

Total--2

Section 72, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Massey

Total--1

ABSTAIN

Davis	Kimpson	Rankin

Total--3

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 1; Abstain 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Kimbrell	Loftis	Martin
McElveen	McLeod	Peeler
Reichenbach	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

Total--30

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hembree	Hutto
Johnson, Michael	Kimpson	Malloy
Matthews	Rankin	Sabb
Setzler	Talley	Young

Total--15

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	Kimbrell
Kimpson	Loftis	Martin
McElveen	McLeod	Peeler
Reichenbach	Rice	Scott
Shealy	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Massey	Stephens

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Hutto	*Johnson, Michael*	Malloy

Matthews	Rankin	Sabb
Senn	Setzler	Young

Total--12

Section 75, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 78, Part 1A and Part 1B, Department of Insurance.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Climer	Hutto	Malloy
Senn	Setzler	

Total--5

Section 78, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 80, Part 1A and Part 1B, Department of Consumer Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Allen Rankin

Total--2

Section 80, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor, Licensing and Regulation (LLR).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Scott	Shealy	Turner
Verdin	Williams	

Total--32

NAYS

Massey	Stephens

Total--2

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hutto	Malloy
Matthews	Sabb	Senn
Setzler	Talley	Young

Total--12

Section 81, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 82, Part 1A and Part 1B, Department of Motor Vehicles.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Goldfinch
Hutto	Malloy	Matthews
McElveen	Young	

Total--8

Section 82, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 83, Part 1A and Part 1B, Department of Employment and Workforce (DEW).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	McElveen
McLeod	Peeler	Reichenbach
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Hutto
Malloy	Matthews	Rankin
Sabb	Young	

Total--8

Section 83, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 84, Part 1A and Part 1B, Department of Transportation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total--1

ABSTAIN

Campsen	Davis	Goldfinch
Hutto	Matthews	Senn
Setzler	Young	

Total--8

Section 84, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 85, Part 1A and Part 1B, Infrastructure Bank Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 85, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 86, Part 1A and Part 1B, County Transportation Funds.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Campsen Senn

Total--2

Section 86, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 88, Part 1B, was adopted.

The Senate proceeded to Sect. 91, A-E, Part 1A and Part 1B, Legislative Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice

Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Hembree

Total--1

Section 91A-E, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92, A and C, Part 1A and Part 1B, Governor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 92A and C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92D, Part 1A and Part 1B, Office of Resilience.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 92D, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 93, Part 1A and Part 1B, Department of Administration.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94, Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96, Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms

Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 96, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 97, Part 1A and Part 1B, Comptroller General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 97, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 98, Part 1A and Part 1B, State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Kimpson Malloy

Total--2

Section 98, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 99, Part 1A, Retirement System Investment Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Kimpson Malloy

Total--2

Section 99, Part 1A, was adopted.

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Veterans Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 101, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 6

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Martin	Matthews

McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Massey	Senn

Total--2

ABSTAIN

Allen	Goldfinch	Hutto
Malloy	Sabb	Stephens

Total--6

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 103, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 103, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accounting Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 13

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer

Davis	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Williams	Young

Total--33

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Reichenbach	Rice	Talley
Verdin		

Total--13

Section 108, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 109, Part 1A and Part 1B, Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Scott	Senn

Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--36

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Goldfinch
Hutto	*Johnson, Kevin*	Malloy
Sabb	Setzler	Young

Total--9

Section 109, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Martin	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total—1

ABSTAIN

Allen	Davis	Hembree
Hutto	Malloy	Rankin
Sabb	Young	

Total--8

Section 110, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 111, Part 1A and Part 1B, Procurement Review Panel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Sabb

Total--1

Section 111, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Gustafson	Massey

Total--2

ABSTAIN

Kimpson

Total--1

Section 113, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 114, Part 1A, Aid to Subdivisions - Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Davis *Johnson, Kevin*

Total--2

Section 114, Part 1A, was adopted.

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey	Stephens

Total--2

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

Turner	Verdin	Williams
Young		

Total--43

NAYS

Goldfinch	Hembree	Massey

Total--3

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Cash	Goldfinch	Hembree
Massey		

Total--4

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Statement by Senator CASH

I voted against the budget because of state taxpayer funding of abortion in the state employee health plan.

ORDERED ENROLLED FOR RATIFICATION

The following Joint Resolution was read the third time and having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5151 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution.

The question then was third reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

Total--46

NAYS

Total--0

The Resolution was read the third time, passed and ordered enrolled for ratification.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Remarks by Senator SETZLER

Please allow me to begin by saying thank you to our new Chairman of the Senate Finance Committee, Senator HARVEY PEELER. Senator PEELER has been in the position as Chairman of the Senate Finance Committee for a total of four months. Four months! The former Chairman of the Senate Finance Committee, Senator Hugh Leatherman, had been there for 21 years. That level of experience combined with the fact that Senator PEELER and Senator Leatherman are different individuals plays a part in this historical transition period under which the Senate is going.

Secondly, there is a difference in being Vice Chairman of Senate Finance Committee or chairman of a subcommittee than having the full absolute responsibility for every number and word in the massive budget document. Added to that responsibility, Senator PEELER serves on the Agency Head Salary Commission that oversees salaries for state employees; he serves on the State Fiscal Accountability Authority; and he serves on Legislative Joint Bond Review Committee.

As the saying goes, he is drinking out of a fire hose and on a learning curve. We all appreciate the hours he has put in and what he has done for the South Carolina Senate and State of South Carolina.

Do we all agree with everything that he has done or will do? No. I commend everybody for their efforts during the transition period. I also commend each of you for the passion that you have displayed, and I believe that is a passion that has been missing in the Senate.

When Senator PEELER was first elected as Chairman of the Senate Finance Committee, I, having served with him for the past 40 years,

suggested to him that he needed to learn to be a little patient. Many of you that have served with him and me know that patience is not a big word in either of our vocabularies.

I commend you, Senator PEELER, on your patience yesterday. You sat there very calmly, you let the debate continue, and you did not try to force individuals. You will grow, and we, as members of the Senate, will grow. We will learn the process, and I believe you will be open to suggestions and improving the process as we go forward.

After only four months, you have done an outstanding job. We appreciate you, and we give you a round of applause for what you have done and undertaken.

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator SETZLER were ordered printed in the Journal.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MALLOY, under Rule 32A, the Senate agreed to vary the order of the day and proceed directly to the Motion Period.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH

CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 12:07 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned tomorrow, that it will adjourn to meet Tuesday, May 3, 2022, at 2:00 P.M.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Anderson - Oconee County Master-in-Equity, with the term to commence July 1, 2022, and to expire July 1, 2028

Steven C. Kirven, 115 Carter Hall Drive, Anderson, SC 29621

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 29, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1292 -- Senator Fanning: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.

On motion of Senator FANNING.

SECOND READING BILL

S. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator MARTIN.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet Tuesday, May 3, 2022, at 2:00 P.M.

***

Tuesday, May 3, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Zephaniah 3:17

Zephaniah called upon his people never to forget that: "The Lord your God is with you, he is mighty to save. He will take great delight in you, he will quiet you with his love, he will rejoice over you with singing."

Bow in prayer with me: Glorious Lord, You clearly desire the very best from all of us, we realize that. And every soul in this State House is fully expected to serve and honor You to the very best of his or her abilities. We are to do so on Your behalf, Lord, but also for the well-being of everyone here in this State. So today, Lord, we call upon You to guide and to strengthen each one of these Senators and every one of their aides. Bless them all; encourage them. And in those moments when we clearly grasp that some real benefits are being achieved for our citizens, may it be that we truly can hear You, O God, singing Your own songs of praise, as Zephaniah foretold. All this we pray in Your wondrous and loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Privilege of the Chamber

On motion of Senator SHEALY, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to the Lexington County Communications Center in order to be honored for being awarded CALEA accreditation for the fifth time.

REGULATION WITHDRAWN

The following was received:

Document No. 5099
Agency: Department of Labor, Licensing and Regulation-Board of Examiners in Optometry
Chapter: 95

Statutory Authority: 1976 Code Sections 40-1-70, 40-37-40(A)(7), and 40-37-320
SUBJECT: Optometrists' Offices
Received by Lieutenant Governor January 11, 2022
Referred to Committee on Medical Affairs
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn April 28, 2022

Doctor of the Day

Senator K. JOHNSON introduced Dr. Victoria Pollard of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 2:42 P.M., Senator McLEOD was granted a leave of absence for today.

Leave of Absence

On motion of Senator HUTTO, at 2:42 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 2:42 P.M., Senators WILLIAMS and SCOTT were granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 2:42 P.M., Senator STEPHENS was granted a leave of absence for today.

Leave of Absence

On motion of Senator HUTTO, at 2:45 P.M., Senator MATTHEWS was granted a leave of absence for today.

RECALLED

H. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 “TERRENCE CARRAWAY MEMORIAL HIGHWAY” AND ERECT

APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1303 -- Senator Harpootlian: A SENATE RESOLUTION TO CONDEMN THE GOVERNMENT OF SOMALIA FOR ITS OPPRESSIVE AND VIOLENT TREATMENT OF WOMEN AND CHRISTIANS UNDER THE PROVISIONS OF SHARIA LAW.
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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1304 -- Senator Rice: A CONCURRENT RESOLUTION TO CONGRATULATE THE PICKENS COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PICKENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1305 -- Senators Alexander, Adams, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF

HENRY CLYDE HARRISON, JR. AND TO EXTEND OUR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1306 -- Senator Hutto: A CONCURRENT RESOLUTION TO RECOGNIZE OLIVER "BUDDY" POUGH, HEAD FOOTBALL COACH OF SOUTH CAROLINA STATE UNIVERSITY, FOR HIS OUTSTANDING COACHING CAREER AND TO CONGRATULATE HIM FOR BEING NAMED AS A SOUTH CAROLINA STATE EMPLOYEE ASSOCIATION HONOREE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1307 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR FRANCES KING HILTON FOR HER MANY CONTRIBUTIONS TO THE C. E. MURRAY COMMUNITY AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1308 -- Senators Alexander, Cromer, Adams, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE ELTON O. SPAIN, SR. UPON THE OCCASION OF HIS RETIREMENT AS A DEPUTY SERGEANT-AT-ARMS OFFICER, TO COMMEND HIM FOR HIS EIGHTEEN YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA STATE SENATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1309 -- Senator Hembree: A SENATE RESOLUTION TO EXPRESS SINCERE GRATITUDE TO ALL SOUTH CAROLINA TEACHERS WHO ENTHUSIASTICALLY DEDICATE THEMSELVES TO THE FUTURE AND WELL-BEING OF OUR STUDENTS, TO RECOGNIZE MAY 2 THROUGH 6, 2022, AS "TEACHER APPRECIATION WEEK" AND TO ENCOURAGE SCHOOLS AND COMMUNITIES IN THE PALMETTO STATE TO HONOR THE NUMEROUS, VITAL CONTRIBUTIONS OF OUR STATE'S OUTSTANDING TEACHERS.
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The Senate Resolution was adopted.

S. 1310 -- Senator Garrett: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE STUDENTS IN HOLLYWOOD ELEMENTARY SCHOOL CLASS 3A AND THEIR TEACHER, MRS. ANGELIA JACKSON, AND TO CONGRATULATE THEM FOR THEIR OUTSTANDING PERFORMANCE IN THE IMAGINE MATH 2022 NATIONAL MARCH MATH MADNESS CHALLENGE.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1311 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE WILLIE MAE MEEKINS OF GREENVILLE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
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The Senate Resolution was adopted.

S. 1312 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEBRA ANN SABB-KEELS FOR HER MANY CONTRIBUTIONS TO THE C. E. MURRAY COMMUNITY AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1314 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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Read the first time and ordered placed on the Calendar without reference.

S. 1315 -- Senators Climer and M. Johnson: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.
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Read the first time and ordered placed on the Calendar without reference.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3106 -- Reps. Bannister, G.R. Smith, Dillard, Elliott, Hosey and Willis: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 4775 favorable:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM

REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Poll of the Agriculture and Natural Resources Committee
Polled 15; Ayes 15; Nays 0; Not Voting 2

AYES

Climer	Verdin	McElveen
Sabb	Fanning	Goldfinch
Talley	Harpootlian	Loftis
Garrett	Gustafson	*Michael Johnson*
Kimbrell	Massey	Reichenbach

Total--15

NAYS

Total--0

NOT VOTING

Williams	Stephens

Total--2

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 5074 favorable:

H. 5074 -- Reps. Haddon, Allison, Burns and Hiott: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE" TO DEVELOP RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

Poll of the Agriculture and Natural Resources Committee
Polled 15; Ayes 15; Nays 0; Not Voting 2

AYES

Climer	Verdin	McElveen
Sabb	Fanning	Goldfinch
Talley	Harpootlian	Loftis

Garrett	Gustafson	*Michael Johnson*
Kimbrell	Massey	Reichenbach

Total--15

NAYS

Total--0

NOT VOTING

Williams	Stephens

Total--2

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

Ordered for consideration tomorrow.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, May 4, 2022 - 11:30am - 1:30pm
Members Only, Luncheon, State House Grounds, by the **CONGRESSIONAL SPORTMAN'S CAUCUS**

Wednesday, May 4, 2022 - 5:00pm - 8:00pm
Members, Staff and Families, Reception, Riverbanks Zoo and Gardens, by the **RIVERBANKS ZOO AND GARDENS**

Wednesday, May 4, 2022 - 6:00pm -8:00pm
Members Only, Reception, Savage Craft Ale Works, by the **SOUTH CAROLINA FISHING & BOATING ALLIANCE**

Thursday, May 5, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

Wednesday, May 11, 2022 - 8:00am - 10:00am
Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION SMART STATE PROGRAM**

Message from the House

Columbia, S.C., May 3, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Wooten, Blackwell and Jefferson to the Committee of Conference on the part of the House on:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS

SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1293 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TALAYSIA COOPER FOR HER OUTSTANDING HIGH SCHOOL CAREER IN BASKETBALL AND TO CONGRATULATE HER UPON SIGNING TO PLAY FOR THE UNIVERSITY OF SOUTH CAROLINA IN THE FALL OF 2022.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

AMENDED, SECOND READING BILL

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS

ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

The Senate proceeded to a consideration of the Bill.

Senators CLIMER and M. JOHNSON proposed the following amendment (ZW\1270C001.CC.ZW22), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 27 through 34 and inserting:

/ "(A)(1) Notwithstanding any other provision of law, beginning with the elections conducted in ~~2014~~ 2022, the five single-member election districts in which five of the seven members of the Board of Trustees of Clover School District No. 2 of York County are required to reside are established and delineated on map number ~~S-91-02-14~~ S-91-02-22 created and maintained by the ~~Office of Research and Statistics of the State Budget and Control Board~~ Revenue and Fiscal Affairs Office. Beginning with the 2022 school district elections, the board seats representing a numbered single-member election district as shown on the school district map that are up for election in 2022 must be elected by the qualified electors of the corresponding numbered election district. A board member representing a numbered single-member election district must be a resident of the school district and the numbered single-member election district from which he is elected, and only those electors residing in the numbered single-member election district are eligible to vote for the trustee who will represent that particular district./

Amend the bill further, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. All local acts pertaining to the election of members from the five single-member election districts delineated on school district map S-91-02-22 inconsistent with the provisions of this act are repealed as of the effective date of this act, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing the election of members from the five single-member election districts to the Clover School District No. 2 of York County Board of Trustees. The provisions of this act must not be construed either to eliminate the two at-large members elected from the district pursuant to Act 473 of 2002, as amended, or to alter the schedule that controls when these at-large seats must offer for election. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 2; Nays 2

AYES

Climer (46.64% wv) *Johnson, Michael (18.27% wv)*

Total--2

NAYS

Fanning (21.20% wv) Peeler (13.89% wv)

Total--2

Based on the weighted vote required by Rule 51, the amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 2; Nays 2

AYES

Climer (46.64% wv) *Johnson, Michael (18.27% wv)*

Total--2

NAYS

Fanning (21.20% wv) Peeler (13.89% wv)

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED

SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (VR\ 458C001.CC.VR22):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-53-110 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) 'Fentanyl-related substances' means, unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

(a) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(c) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(d) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha-methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta-hydroxyfentanyl, Beta-hydroxy-3-methylfentanyl, 3-Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta-Hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl Fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl

fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl."

SECTION 2. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"__. Fentanyl-related substances"

SECTION 3. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) four grams or more of any fentanyl or fentanyl-related substance, as defined in Section 44-53-110, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as 'trafficking in fentanyl' and, upon conviction, must be punished as follows:

(a) four grams of more, but less than fourteen grams:

(1) for a first offense, a term of imprisonment of not less than seven years nor more than twenty-five years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars;

(2) for a second or subsequent offense, a mandatory minimum term of imprisonment of twenty-five years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a mandatory term of imprisonment of twenty-five years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars;

(c) twenty-eight grams or more, a mandatory term of imprisonment of not less than twenty-five years nor more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars."

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

On motion of Senator CORBIN, the Bill was carried over.

AMENDMENT PROPOSED, CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator DAVIS proposed the following amendment (PH\ 4831C001.JN.PH22):

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by, or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time;

provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the Resolution was carried over.

RECOMMITTED

S. 1249 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, RELATING TO SEPARATION NOTICES, DESIGNATED AS

REGULATION DOCUMENT NUMBER 5093, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1250 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1254 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO EMERGENCY LICENSURE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5090, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS, the Resolution was recommitted to the Committee on Medical Affairs.

RECOMMITTED

S. 1255 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, RELATING TO LICENSING PROVISIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5101, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS the Resolution was recommitted to the Committee on Medical Affairs.

TUESDAY, MAY 3, 2022

RECOMMITTED

S. 1256 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF MEDICAL EXAMINERS, RELATING TO CRITERIA FOR PHYSICIAN SUPERVISION OF NURSES IN EXTENDED ROLE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5049, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator DAVIS the Resolution was recommitted to the Committee on Medical Affairs.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\3006C001.RT.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 7, Chapter 63, Title 59 of the 1976 Code is amended by adding:

"Section 59-63-785. (A) A public school or public school district, including a charter school or charter school governing body, may not:

(1) use a debt collection agency to collect or attempt to collect, directly or indirectly, debts due or assessed to be owed for outstanding debts on a school lunch or breakfast account of a student; or

(2) assess or collect any interest, fees, or other such monetary penalties for outstanding debts on student school lunch or breakfast accounts.

(B) For purposes of this section, 'debt collection agency' means any person or entity that collects or attempts to collect, directly or indirectly, debts due or asserted to be owed or due another. 'Debt collection agency' does not include the South Carolina Department of Revenue or the programs they administer or a public school, public school district, charter school, or charter school governing body."

SECTION 2. The provisions of this act apply to debts on student lunch and breakfast accounts outstanding on the effective date of this act and incurred after the effective date of this act.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Talley Turner Verdin
Young

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT AMENDED AND ADOPTED
POINT OF ORDER, OBJECTION

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD3050.010), which was adopted:

Amend the committee report, as and if amended, beginning on page [3050-3], line 14, and ending on page [3050-4], line 31, by striking SECTION 2, and inserting therein:

/ SECTION 2. Sections 23-23-150(A) and (B) of the 1976 Code, as added by Act 215 of 2018, are amended to read:

"(A) For purposes of this section:

(1) 'Academy' means the South Carolina Criminal Justice Academy.

(2) 'Council' means the Law Enforcement Training Council.

(3) 'Misconduct' means:

(a) a conviction, plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year, regardless of the sentence actually imposed, or a crime of moral

turpitude, any of which were committed in this State or any other jurisdiction;

(b) the unlawful use of a controlled substance;

(c) the repeated use of excessive force in dealing with the public or prisoners;

(d) dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a wilful or wanton disregard for the safety of persons or property;

(e) the physical or psychological abuse of members of the public or prisoners;

(f) the wilful failure to intervene when observing another officer physically abusing a person, whether or not the person is in custody, while in the performance of his official duties, if the officer knew the person's rights were being violated, the officer had an opportunity to intervene, and the officer chose not to do so;

(g) the wilful and knowing failure to promptly report another officer, while in the performance of his official duties, abusing a person whether or not the person is in custody;

(h) the misrepresentation of employment-related information;

~~(g)~~(i) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State;

~~(h)~~(j) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not;

~~(i)~~(k) wilfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, report, or form, except when required by departmental policy or by the laws of this State;

~~(j)~~(l) the falsification of any application for certification and training based upon which the officer was admitted for training; or

~~(k)~~(m) wilfully providing false information to the Criminal Justice Academy or the Law Enforcement Training Council.

(B)(1) The sheriff or the chief executive officer of a law enforcement agency or department within the State must report to the academy the occurrence of any act or multiple acts ~~of misconduct~~ by a law enforcement officer, who is currently or was last employed by his agency, he reasonably believes to be misconduct ~~which could result in the withdrawal of the certification of the law enforcement officer who is currently or was last employed by his agency~~. The report shall be made

within fifteen days of the final agency or department action resulting from the internal investigation conducted by the agency or department, and shall be on a form prescribed by the council.

(2) Reported incidences of misconduct shall be prosecuted by the reporting agency before the contested case hearing. The reporting agency shall maintain prosecutorial discretion up to the time of the contested case hearing. If the agency declines to prosecute the allegation or allegations of misconduct, the agency shall provide a written report to the council stating that the case is not being prosecuted.

(3) A wilful failure to report information related to acts of misconduct shall subject the violator to a civil penalty as provided by the council. The council may impose civil fines, in its discretion, not to exceed five hundred dollars per day for each day an agency is out of compliance with this section." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD3050.009), which was adopted:

Amend the bill, as and if amended, strike all after the enacting words and inserting:

/ SECTION 1. Section 23-23-40 of the 1976 Code is amended to read:

"Section 23-23-40. (A) No law enforcement officer employed or appointed on or after July 1, ~~1989~~ 2022, by any public law enforcement agency in this State is authorized to enforce the laws or ordinances of this State or any political subdivision thereof unless he has been certified as qualified by the council, except that any public law enforcement agency in this State may appoint or employ as a law enforcement officer, a person who is not certified if, within one year after the date of employment or appointment, the person secures certification from the council; provided, that if any public law enforcement agency employs or appoints as a law enforcement officer a person who is not certified, the person shall not perform any of the duties of a law enforcement officer involving the control or direction of members of the public or exercising the power of arrest until he has successfully completed a firearms qualification program approved by the council; and provided, further,

that within three working days of employment, the academy must be notified by a public law enforcement agency that a person has been employed by that agency as a law enforcement officer, and within three working days of the notice the firearms qualification program as approved by the director must be provided to the newly hired personnel; and shall only perform his duties as a law enforcement officer while accompanied by a certified law enforcement officer. If the firearms qualification program approved by the director is not available within three working days after receipt of the notice, then the public law enforcement agency making the request for the firearms qualification program may employ the person to perform any of the duties of a law enforcement officer, including those involving the control and direction of members of the public and exercising the ~~powers~~ power of arrest. Should any such person fail to secure certification within one year from his date of employment, he may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until he has been certified. He is not eligible for employment or appointment by any other agency in South Carolina as a law enforcement officer, nor is he eligible for any compensation by any law enforcement agency for services performed as an officer. Exceptions to the one-year rule may be granted by the director in these cases:

(1) military leave or injury occurring during that first year which would preclude the receiving of training within the usual period of time; or

(2) in the event of the timely filing of application for training, which application, under circumstances of time and physical limitations, cannot be honored by the training academy within the prescribed period; or

(3) upon presentation of documentary evidence that the officer-candidate has successfully completed equivalent training in one of the other states which by law regulate and supervise the quality of police training and which require a minimum basic or recruit course of duration and content at least equivalent to that provided in this chapter or by standards set by the council; or

(4) if it is determined by documentary evidence that the training will result in undue hardship to the requesting agency, the requesting agency must propose an alternate training schedule for approval.

(B) Notwithstanding another provision of law, in the case of a candidate for certification who begins one or more periods of state or federal military service within one year after his date of employment or

appointment, the period of time within which he must obtain the certification required to become a law enforcement officer is automatically extended for an additional period equal to the aggregate period of time the candidate performed active duty or active duty for training as a member of the National Guard, the State Guard, or a reserve component of the Armed Forces of the United States, plus ninety days. The director must take all necessary and proper action to ensure that a candidate for certification as a law enforcement officer who performs military service within one year of his employment or appointment is not prejudiced in obtaining certification as a result of having performed state or federal military service."

SECTION 2. Sections 23-23-150(A) and (B) of the 1976 Code, as added by Act 215 of 2018, are amended to read:

"(A) For purposes of this section:

(1) 'Academy' means the South Carolina Criminal Justice Academy.

(2) 'Council' means the Law Enforcement Training Council.

(3) 'Misconduct' means:

(a) a conviction, plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year, regardless of the sentence actually imposed, or a crime of moral turpitude, any of which were committed in this State or any other jurisdiction;

(b) the unlawful use of a controlled substance;

(c) the repeated use of excessive force in dealing with the public or prisoners;

(d) dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a wilful or wanton disregard for the safety of persons or property;

(e) the physical or psychological abuse of members of the public or prisoners;

(f) the failure to intervene when observing another officer physically abusing a member of the public or a prisoner, provided the time or situation permits, or if unable to intervene, the failure to promptly report such abuse;

(g) the misrepresentation of employment-related information;

~~(g)~~(h) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State;

~~(h)~~(i) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not;

~~(i)~~(j) wilfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, report, or form, except when required by departmental policy or by the laws of this State;

~~(j)~~(k) the falsification of any application for certification and training based upon which the officer was admitted for training; or

~~(k)~~(l) wilfully providing false information to the Criminal Justice Academy or the Law Enforcement Training Council.

(B) The sheriff or the chief executive officer of a law enforcement agency or department within the State must report to the academy the occurrence of any act or multiple acts of misconduct by a law enforcement officer which could result in the withdrawal of the certification of the law enforcement officer who is currently or was last employed by his agency. The report shall be made within fifteen days of the final agency or department action resulting from the internal investigation conducted by the agency or department, and shall be on a form prescribed by the council. A law enforcement agency that has made a report under this section shall cooperate fully with any action by the council, to include mandatory attendance by a representative of the agency knowledgeable of the circumstances surrounding the allegation at any scheduled hearing. A wilful failure to report information related to acts of misconduct or the failure to cooperate with any order or action by the council shall subject the violator to a civil penalty as provided by the council. The council may impose civil fines, in its discretion, not to exceed one thousand dollars per day for each day an agency is out of compliance with this section."

SECTION 3. Chapter 1, Title 23 of the 1976 Code is amended by adding:

"Section 23-1-250. (A) The use of a chokehold or carotid hold is limited to circumstances where the use of deadly force would otherwise be authorized and is objectively reasonable.

(B) In addition to any other penalty provided by law, the wilful use of excessive force in an objectively unreasonable manner may be considered misconduct and may serve as grounds for disciplinary action against the law enforcement officer, including dismissal, demotion, suspension, or transfer.

(C) The Law Enforcement Training Council shall develop and implement curricula and standards to address the lawful justifiable use of chokeholds and carotid holds in accordance with this section."

SECTION 4. Chapter 23, Title 23 of the 1976 Code is amended by adding:

"Section 23-23-85. (A) The council shall establish required minimum standards for all law enforcement agencies. The standards must include, but are not limited to, policies regarding:

(1) the use of force and response to resistance by law enforcement officers. The policy must establish standards limiting officers to force that is objectively reasonable based on the totality of the circumstances involved. The policy must prohibit the use of chokeholds and carotid restraints as less lethal force options;

(2) uniform vehicle pursuit standards and the use of lethal options during pursuit;

(3) an officer's duty to intervene in the actions of other observed officers;

(4) hiring and terminating practices;

(5) mandatory and uniform post basic academy field training;

(6) uniform implementation and the use of body worn cameras;

(7) the use of 'no knock' warrants;

(8) the establishment, implementation, or continuation of systems and processes for filing and investigating complaints, including anonymous complaints, against the law enforcement agency or an employee of the law enforcement agency. The council shall require law enforcement agencies to have a written directive, which must be made available to the public, that delineates how complaints can be made, the investigative process of such complaints, and a maximum timeframe for the resolution of the complaint. All substantiated complaints must be reported to the council through standardized forms as promulgated by the council; and

(9) the establishment, implementation, or continuation of an early warning system that identifies, assesses, reviews, and tracks at-risk behavior of employees and requires intervention where appropriate.

(B) For the purposes of this section, 'at-risk behavior' is defined as behavior or action that increases the risk of injury to an employee or to others, that could constitute a civil rights violation, or that could result in the law enforcement agency losing public support and confidence. Examples of 'at-risk behavior' shall include, but are not limited to, repeated uses of force, at-fault traffic accidents, repeated founded complaints, improper vehicle pursuits, repeated violations of agency

policy or procedures, excessive use of leave, excessive Workers' Compensation Claims, or documented substandard performance.

(C) The council shall have the authority to take punitive action against any law enforcement agency that refuses to comply with standards issued pursuant to this section, including civil fines, as described in Section 23-23-100.

(D) Nothing in this section shall be construed to prevent or prohibit law enforcement agencies from adopting policies that exceed the minimum standards adopted by the council."

SECTION 5. Chapter 23, Title 23 of the 1976 Code is amended by adding:

"Section 23-23-160. (A) There is hereby established a Compliance Division under the jurisdiction of the council. The inspectors and such other personnel as may be provided for the division shall be selected by the director.

(B) The division shall be responsible for inspecting, at least once every three years, the relevant policies and procedures for every law enforcement agency in this State to ensure compliance with minimum standards established in Section 23-23-85. For the purposes of this section, 'law enforcement agency' means any agency or entity of the State or any of its political subdivisions that employs or appoints law enforcement officers.

(C) If an inspection under this chapter discloses that a law enforcement agency does not meet the minimum standards established in Section 23-23-85, the council shall notify the law enforcement agency director and hold a meeting of the council to consider the inspection reports. If requested, the inspection personnel shall appear to advise and consult concerning appropriate corrective action. The law enforcement agency shall initiate appropriate corrective action within ninety days or may be subject to additional penalties, as described in Section 23-23-100.

(D) If a law enforcement agency produces evidence satisfactory to the director to prove the agency is currently accredited by either the South Carolina Law Enforcement Accreditation Council or the Commission on Accreditation for Law Enforcement Agencies, the agency shall be exempt from inspections pursuant to this section and shall be deemed to be in compliance with the minimum standards established in Section 23-23-85."

SECTION 6. Section 23-23-100 of the 1976 Code is amended to read:

"Section 23-23-100. (A) ~~Whenever the director finds that any public law enforcement agency is in violation of any provisions of this chapter, the director may issue an order requiring the public law enforcement agency to comply with the provision. The director may bring a civil action for injunctive relief in the appropriate court or may bring a civil enforcement action. Violation of any court order issued pursuant to this section must be considered contempt of the issuing court and punishable as provided by law. The director also may invoke the civil penalties as provided in subsection (B) for violation of the provisions of this chapter, including any order or regulation hereunder. Any public law enforcement agency against which a civil penalty is invoked by the director may appeal the decision to the court of common pleas of the county where the public law enforcement agency is located.~~

~~(B) Any public law enforcement agency which fails to comply with this chapter and regulations promulgated pursuant to this chapter or fails to comply with any order issued by the director is liable for a civil penalty not to exceed one thousand five hundred dollars a violation. When the civil penalty authorized by this subsection is imposed upon a sheriff, the sheriff is responsible for payment of this civil penalty.~~ All public law enforcement agencies are required to comply with the provisions of this chapter and the regulations promulgated pursuant to this chapter. Whenever the director finds that any public law enforcement agency is in violation of any provision of this chapter, or any regulation promulgated pursuant to this chapter, the director shall notify the public law enforcement agency of the violation and of the public law enforcement agency's duty to comply with the provision and/or regulation. This notification shall be sent to the public law enforcement agency head via certified U.S. Mail or delivered by hand. The agency must come into compliance within thirty days.

(B) If after thirty days the public law enforcement agency has failed to come into compliance, the director, at the direction of the council, shall issue an order requiring the public law enforcement agency to comply with the provision or regulation. This order may include a civil penalty not to exceed one thousand dollars per violation per day the agency is not in compliance or is found in violation. Any public law enforcement agency against which a civil penalty is invoked by the director may appeal the decision to the court of common pleas of the county where the public law enforcement agency is located.

(C) If the public law enforcement agency has failed to comply with the director's order, the director shall either bring a civil action for injunctive relief or a civil enforcement action for failure to comply with

the order in the court of common pleas of the county where the public law enforcement agency is located. Violation of any court order issued pursuant to this section must be considered in contempt of the issuing court and punishable as provided by law.

(D) If the imposition of civil fines fails to bring a law enforcement agency into compliance with the provisions of this chapter, regulations promulgated pursuant to this chapter, or an order authorized in this chapter, the council is authorized to temporarily hold in abeyance the law enforcement certification of every law enforcement officer employed or appointed by the noncompliant law enforcement agency until such time as the council deems the agency to be in compliance with the minimum standards or a motion for injunctive relief is settled. An individual whose law enforcement certification has been held in abeyance by the council is not authorized to enforce the laws or ordinances of this State or any political subdivision thereof. An individual who has had his law enforcement certification held in abeyance as a result of a noncompliant law enforcement agency shall not be prohibited from regaining law enforcement certification if he is subsequently employed or appointed by a compliant law enforcement agency, provided he is otherwise qualified to be certified. Further, in the event the council holds law enforcement certifications in abeyance at a noncompliant law enforcement agency, no law enforcement officer shall go without his or her regular pay, compensation, and benefits. Any records for the certification hold for the individual officer must be expunged by the council within thirty days of the termination of the hold after full compliance by the agency or the employment by another agency."

SECTION 7. Section 23-23-60(B)(5) of the 1976 Code is amended to read:

"(5) evidence satisfactory to the director that the candidate is a person of good character. This evidence must include, but is not limited to:

(a) certification by the candidate's employer that a background investigation has been conducted and the employer is of the opinion that the candidate is of good character;

(b) evidence satisfactory to the director that the candidate holds a valid current state driver's license with no record during the previous five years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for

certification as state or local correctional officers may hold a valid current driver's license issued by any jurisdiction of the United States;

(c) evidence satisfactory to the director that a local credit check has been made with favorable results;

(d) evidence satisfactory to the director that the candidate's fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions; and

(e) evidence satisfactory to the director that the candidate has signed an attestation form committing to the practice of ethical policing, which means the discharge of responsibilities, stemming from employment as a law enforcement officer, which is devoid of misconduct and which is carried out in conformance with this chapter, including the duty to safeguard life and the duty to intervene.

In the director's determination of good character, the director shall give consideration to all law violations, including traffic and conservation law convictions, as indicating a lack of good character. The director shall also give consideration to the candidate's prior history, if any, of alcohol and drug abuse in arriving at a determination of good character;"

SECTION 8. Section 16-23-20(1) of the 1976 Code is amended to read:

"(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers ~~employed as private detectives or private investigators~~;"

SECTION 9. This act takes effect upon approval by the Governor; however, SECTION 4 and SECTION 5 take effect on January 1, 2023./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HARPOOTLIAN proposed the following amendment (3050R003.SP.RAH), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 16-23-50(A)(2) of the 1976 Code is amended to read:

"(2) A person violating the provisions of Section 16-23-20 is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both. Bond shall be set by the circuit court.

(3) A person violating the provisions of Section 16-23-30, who is prohibited by state and federal law from possessing a firearm, is guilty of a felony and, upon conviction, must be fined not less than five thousand dollars or imprisoned for not less than one year, but not to exceed five years, or both. Bond shall be set by the circuit court." /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

Senator MALLOY spoke on the amendment.

Point of Order

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MALLOY spoke on the Point of Order.

Senator HARPOOTLIAN spoke on the Point of Order.

Senator CORBIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator MALLOY objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS

SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SA\3144C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 150, Title 59 of the 1976 Code is amended by adding:

"Section 59-150-365. (A)(1) A student who is pursuing a professional certificate, industry-recognized credential (IRC), diploma, or degree from a public South Carolina Technical college, meeting the qualifying criteria, shall receive a South Carolina Workforce Industry Needs Scholarship (SCWINS). The SCWINS scholarship is equal to the cost of tuition, fees, or expenses for required course related materials after applying all other federal or state scholarships or grants, not to exceed five thousand dollars each year for no more than three years of instruction, including the student's freshman year, if the student is enrolled in an associate degree program, or no more than two years of instruction, including the student's freshman year, if enrolled in an IRC, diploma, or professional certificate program.

(2) A qualifying student must:

(a) be a South Carolina resident;

(b) be enrolled in a career education program that meets the eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education (SBTCE); and

(c) meet one of the following criteria:

(i) be employed;

(ii) take a financial literacy course offered at the public technical college; or

(iii) complete one hundred hours of voluntary time contributing to a nonprofit or public service organization approved by the SBTCE.

(B) The SBTCE shall promulgate regulations to define what constitutes a career eligible education program to include the process for determining eligible programs with regional or statewide workforce needs. Additionally, the SBTCE shall communicate and provide to the colleges an annual approved list of eligible programs and identification

of those programs with regional or statewide workforce needs before disbursement of funds and no later than March thirty-first. SBTCE also shall communicate with high school guidance counselors regarding the list of eligible programs in a timely manner.

(C) Credit-seeking recipients of SCWINS shall maintain their scholarship eligibility by showing substantial progress on their coursework and maintaining a grade point average of 2.0 or better on a 4.0 grading scale.

(D) A student may not be eligible to receive the SCWINS scholarship for more than one certificate, IRC, diploma, or degree within any five-year period following the student's last scholarship disbursement unless the additional certificate, diploma, or degree constitutes progress in the same field of study.

(E) South Carolina public technical colleges shall allocate a minimum of five percent of their total SCWINS allocation towards dual enrollment students eligible under this section.

(F) Priority for scholarship awards must be given to students seeking a degree, diploma, professional certificate, or industry-recognized credential (IRC) in an industry sector with regional or statewide workforce needs as identified yearly by SBTCE.

(G) If an eligible program is placed on suspension during the SBTCE's annual program evaluation process, that program no longer qualifies for SCWINS funds at that specific college. Students must be advised on how to complete their program by transferring to another technical college or serving as a transient student at another technical college to complete specified courses.

(H) The SBTCE shall provide an annual report by April fifteenth, to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee detailing the use of funds received in the prior fiscal year. The report must include, at a minimum, a list of programs for each technical college that received funding, the amount spent on each program, the number of students that received scholarships, the average scholarship amount for each student, a list of credential categories completed by scholarship students, the average amount of money received by the scholarship student for each credential category, and job placement rates for scholarship students by credential category.

(I) The SBTCE and the South Carolina Department of Employment and Workforce shall collaborate to inform individuals who are receiving Unemployment Insurance about short-term training programs available at their local technical college through the SCWINS Program."

SECTION 2. This act takes effect on July 1, 2022, and applies to the 2022-2023 School Year. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

TUESDAY, MAY 3, 2022

READ THE SECOND TIME

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

TUESDAY, MAY 3, 2022

READ THE SECOND TIME

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

Senator KIMBRELL objected to consideration of the Bill.

READ THE SECOND TIME

H. 4601 -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN

ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SA\4766C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 13-1-2030(A) and inserting:

/ "Section 13-1-2030.(A) There is established the 'Coordinating Council for Workforce Development' which is created to engage in discussions, collaboration, and information sharing concerning the state's ability to prepare and train workers to meet current and future workforce needs. The coordinating council ~~shall~~ must be comprised of ~~the following members~~:

(1) the Secretary of the Department of Commerce or his designee;

(2) the State Superintendent of Education or his designee;

(3) the Executive Director of the State Board for Technical and Comprehensive Education or his designee;

(4) the Executive Director of the Department of Employment and Workforce or his designee;

(5) the Executive Director of the Commission on Higher Education or his designee;

(6) the president or provost of a research university who ~~shall be~~ is selected by the presidents of the research universities;

(7) the president or provost of a four-year college or university who ~~shall be~~ is selected by the presidents of the four-year universities;

(8) the president of a technical college who shall be appointed by the Chairman of the State Board for Technical and Comprehensive Education;

(9) ~~a person~~ the following members appointed by the State Superintendent of Education who ~~has particularized~~ have expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act:

(a) a school district superintendent;

(b) a school counselor; and

(c) a career and technology education director; ~~and~~

(10) ~~a representative~~ two representatives from the business community appointed by the ~~President of the South Carolina Chamber of Commerce~~ Governor, who have professional expertise in economic development and workforce issues;

(11) a person appointed by the Chairman of the House Education and Public Works Committee and a person appointed by the House minority party leader; and

(12) a person appointed by the Chairman of the Senate Education Committee and a person appointed by the Senate minority party leader./

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

On motion of Senator DAVIS, the Bill was carried over.

READ THE SECOND TIME

H. 4600 -- Reps. West and Bennett: A BILL TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--39

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (4837R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 40-37-320(B) of the 1976 Code is amended to read:

"(B)(1)Mobile units may be used~~; however, the optometrist shall obtain a registration~~ either by a licensed optometrist, optometric practice, or organization using a licensed optometrist to operate the mobile optometric unit if the operator obtains a permit for the mobile unit from the board and complies with the other provisions of this subsection. A mobile unit must be limited to visiting and providing services:

(a) to licensed health care facilities within this State; or

(b) on the site of a Title 1 public school to the students attending the school, provided the services must be rendered as part of a not-for-profit program.

(2) In order to operate a mobile unit in this State, the operator shall submit a permit application and fee in the form and manner set forth by the board.

(3)(a) A mobile unit permit only may be issued following an inspection of the mobile unit by an authorized representative of the board. Upon the completion of a satisfactory inspection, the board shall issue the applicant a mobile unit permit. The applicant must affix the permit in a prominent and conspicuous place within the mobile unit.

(b) A mobile unit permit issued under this subsection annually must be renewed upon the payment of a renewal fee and satisfactorily undergoing an annual inspection.

(c) In addition to the annual inspection, a mobile unit authorized to operate under this subsection is subject to periodic unannounced inspections by an authorized representative of the board. If the mobile unit is a not-for-profit organization operating at a Title 1 school, the periodic unannounced inspection must be conducted after school hours.

(4)(a) The mobile unit shall maintain and furnish to the board both an official business address of record, which may not be a post office box, and an official telephone number of record. A mailing address, if

different than the business address and used on an official basis, also must be provided to the board.

(b) The board must be notified within thirty days of any change in the address or telephone number of record.

(c) All written or printed documents available from or issued by a mobile unit must contain an official address and telephone number of record for the mobile unit.

(d) All records must be maintained and available for inspection and copying upon request by the board, subject to HIPPA and FERPA privacy protections.

(5) The operator in charge of each mobile unit, in addition to the other requirements of this subsection, shall ensure that:

(a) all services provided in the mobile unit follow all statutes, regulations, and board policies that regulate the practice of optometry in this State;

(b) written procedures are implemented for emergency or follow-up care for patients treated in the mobile unit, including making prior arrangements, as may be appropriate, for emergency or follow-up treatment in an optometric unit located in the geographic area where services are being provided;

(c) the mobile unit complies with all applicable federal, state, and local laws, regulations, and ordinances dealing with flammability, construction, sanitation, zoning, infectious waste management, universal precautions, occupational safety, access by persons with disabilities, and federal Centers for Disease Control guidelines;

(d) the operator possesses all applicable county and city licenses or permits, including business licenses, to operate the unit at the location where services are being provided;

(e) the mobile unit is at all times fitted with working carbon monoxide detection devices;

(f) no services are performed on minors without consent of their parent or guardian; and

(g) during or at the conclusion of each patient's visit to the mobile unit, the patient is provided with an information sheet, and if the patient or their parent or guardian has provided consent to an institutional facility to assist in the patient's health records, the institutional facility is provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long-term care facility or school, and an information sheet must include the following:

(i) pertinent contact information as provided by this subsection;

(ii) the name of the optometrist, optician, and other staff who provided services and their license numbers, if applicable;

(iii) a description of the treatment rendered;

(iv) a description of any optometric needs diagnosed during the optometrist's examination; and

(v) a recommendation that the patient see another optometrist if the mobile unit is unable to provide the follow up treatment described in subsubitem (iv).

(6) A mobile unit that accepts a patient and provides preventive treatment, including a screening, eye examination, or prescription for corrective lenses, but does not follow-up with treatment or a referral for treatment when such treatment is clearly indicated, is considered to have abandoned the patient. Appropriate arrangements must be made for treatment services within the patient's geographic area on a follow-up basis. Reasonable attempts to have follow-up treatment when a patient does not reappear for treatment or does not meet a scheduled appointment is not considered abandonment.

(7) In addition to the other requirements of this subsection, every mobile unit must have:

(a) written procedures and necessary equipment to provide services provided to disabled persons; and

(b) access to an adequate supply of potable water, including hot water either at the mobile unit or available at locations served by the mobile unit;

(8)(a) All examinations conducted as part of the operation of a mobile unit must be performed by an optometrist who is licensed to practice optometry in this State. All glasses fitted and dispensed as part of the operation of a mobile unit must be fitted and dispensed by an optician licensed in this State.

(b) The operator of the mobile unit shall identify and advise the board in writing within thirty days of any personnel change relative to all licensed optometrists associated with the mobile unit by providing the full name, address, telephone numbers, and license numbers where applicable.

(c) The operator shall advise the board in writing within thirty days of any change in the written procedure for emergency follow-up care for patients treated in the mobile unit.

(d) An optometrist providing services in the mobile unit prominently shall display his license to practice in this State in plain view of patients.

(9)(a) An operator of a mobile unit shall maintain a confidential written or electronic record detailing each location where services are provided, including:

(i) the street address of the service location;

(ii) the dates and times of each session; and

(iii) the number of patients served.

(b) All confidential written or electronic records required to be maintained by this chapter or applicable regulations shall be made available to the board within ten days of a request by the board, subject to HIPPA and FERPA privacy protections. Costs for such records must be covered by the mobile unit operator.

(10) Optometric services provided on a mobile unit must be in the charge of an optometrist licensed to practice optometry in this State at all times.

(11)(a) Upon cessation of operation by the mobile unit, the operator shall notify the board in writing within thirty days of the last day of operations of the final disposition of patient records and charts.

(b) Upon choosing to discontinue a practice or services in a community, the operator of a mobile unit shall:

(i) notify all of the operator's active patients in writing that the operator intends to discontinue the mobile unit's practice in the community;

(ii) encourage the patients to seek the services of another optometrist; and

(iii) make reasonable arrangements with all active patients for the transfer of the patient's records to the patient or a succeeding practitioner.

(c) As used in this subsection, 'active patient' refers to a person whom the mobile unit has examined, treated, cared for, or otherwise consulted with during the two-year period prior to discontinuation of practice, or moving from or leaving the community.

(12) The board shall adopt rules and regulations regarding the registration, administration, and operation of mobile units as may be necessary to carry out the provisions of this subsection, and may amend, modify, and repeal any rules and regulations from time to time. Failure to comply with any statutes, regulations, or board policies governing the practice of optometry and the operation of a mobile unit may subject the mobile unit and any optometrists providing services through the mobile unit to disciplinary action by the board, including suspension or revocation of the optometrist's license or revocation of the mobile unit permit. However, a licensed optometrist providing services through a

mobile unit shall not be subject to disciplinary action on the sole basis that the licensed optometrist has prescribed eyeglasses without dilating the patient's eye where the following provisions are satisfied:

(a) the operator of the mobile unit is a not-for-profit organization providing services at a Title 1 public school; and

(b) the optometrist practicing in the mobile unit shall:

(i) provide an appropriate eye examination prior to diagnosing, treating, and/or prescribing eyeglasses to the patient;

(ii) when providing an appropriate eye examination pursuant to this subsection that does not necessarily require dilation of the eye, employ technology sufficient to accurately study the health of the eye in order to prescribe eyeglasses to the patient, provided that the prescription for eyeglasses is not based solely on the refractive eye error of the human eye or is generated by a kiosk;

(iii) not prescribe eyeglasses to the patient and provide a referral to another licensed optometrist or ophthalmologist for follow-up care, if the eye examination reveals to the optometrist that a more comprehensive examination is necessary prior to prescribing eyeglasses. Any licensed optometrist performing a comprehensive eye examination of a patient referred under this subsection shall conduct a comprehensive eye exam, including dilation of the eyes; and

(iv) if a patient is referred to the optometrist or ophthalmologist with a prescription issued by another licensed optometrist or physician that has conducted a comprehensive eye examination of the patient, provide eyeglasses to the referred patient according to the prescription issued by the referring licensed optometrist or ophthalmologist." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1290 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO SUITABILITY IN ANNUITY TRANSACTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5065, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator BENNETT, the Resolution was carried over.

CARRIED OVER

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS,

WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator BENNETT, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (4986R001.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 50-5-555 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"( ) No trap may be in the waters of the General Trawling Zone as established by Section 50-5-705 when these waters are open to trawling for shrimp."

SECTION 2. This act takes effect sixty days after signature by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
OBJECTION

S. 1128 -- Senators Shealy and McElveen: A BILL TO AMEND CHAPTER 5, TITLE 52 OF THE 1976 CODE, RELATING TO HORSE RACING, TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE FOR PARI-MUTUEL WAGERING ON APPLICATIONS OPERATED BY A LICENSED ADVANCED DEPOSIT WAGERING ENTITY, TO ESTABLISH SOUTH CAROLINA EQUINE COMMISSION TO REGULATE THE INDUSTRY, TO PROVIDE FOR MEMBERSHIP ON THE COMMISSION, TO PROVIDE FOR THE POWERS,

DUTIES, AND OBLIGATIONS OF THE COMMISSION, TO PROVIDE FOR LICENSE FEES, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (1128R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 6, by striking line 7 and inserting:

/ licenses. The commission may issue additional ADW licenses to any applicant entity conducting live horse racing events in the State for the sole purpose of conducting wagering on such live South Carolina-based events through its own application. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

Senator CAMPSEN objected to further consideration of the Bill.

Recorded Vote

Senator TALLEY desired to be recorded as abstaining on the adoption of the committee amendment.

CARRIED OVER

S. 1297 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator M. JOHNSON, the Resolution was carried over.

AMENDED, READ THE SECOND TIME

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO

TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (3795R001.KMM.TD), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act must be known and may be cited as the "Sign Language Interpreters Act".

SECTION 2. Title 40 of the 1976 Code is amended by adding:

"CHAPTER 84

Sign Language Interpreters

Section 40-84-110. For the purposes of this chapter:

(1) 'Agency' means:

(a) the departments of state government enumerated in Section 1-30-10;

(b) the offices of all statewide constitutional officers;

(c) the Judicial Department;

(d) all public institutions of higher education;

(e) the Commission on Higher Education;

(f) police stations;

(g) county and state detention centers and correctional facilities; and

(h) any other board, commission, or council created by a statute of this State; but

(i) excludes school districts, school boards, charter schools, and special schools.

(2) 'Deaf person' means a person who cannot use his hearing for communication purposes.

(3) 'Interpreting' is the act of conveying meaning between people who use signed and spoken languages, conveying all essential elements of meaning and intent and where such process is offered in exchange for remuneration.

(4) 'Recognized certification' means a certification in sign language interpretation as approved by the South Carolina Association of the Deaf, the South Carolina Registry of Interpreters for the Deaf, or the National Registry of Interpreters for the Deaf.

(5) 'Sign Language' or 'American Sign Language' or 'ASL' means a visual-gestural language that incorporates facial grammatical markers, physical affect markers, spatial linguistic information, and fingerspelling, as well as signs made with the hands. ASL is a distinct language with its own grammar and syntax that is neither based on nor derived from a spoken language.

(6) 'South Carolina Association of the Deaf' or 'association' or 'SCAD' means the state chapter of the National Association of the Deaf acting as a consumer advocacy organization serving the deaf and hard-of-hearing population of South Carolina, as incorporated at the time of enactment, or any successor organization of it.

(7) 'South Carolina Registry of Interpreters for the Deaf' or 'SCRID' means the state affiliate chapter of the Registry of Interpreters for the Deaf, serving as an interpreter-advocacy and professional organization, as incorporated at the time of enactment, or its successor organization.

Section 40-84-120. The requirements of this chapter apply to all:

(1) agencies as defined by Section 40-84-110(1); and

(2) hospitals and health care facilities regulated by the Department of Health and Environmental Control under Title 44.

Section 40-84-130. (A) A person only may provide interpreting services for an agency or hospital if he holds a recognized certification as defined in Section 40-84-110(4).

(B) The provisions in this section do not apply to a person who is interpreting:

(1) in an emergency situation where the parties determine that the delay to obtain a certified interpreter is likely to cause injury or loss; or

(2) as part of a supervised internship or mentorship program if the individual is accompanied by an interpreter with recognized certification.

Section 40-84-140. To the extent that the provisions of this chapter conflict with other minimum competency standards for a sign language interpreter required for use by an entity identified in Section 40-84-120, the more rigorous standards must prevail."

SECTION 3. Article 1, Chapter 33, Title 59 of the 1976 Code is amended by adding:

"Section 59-33-120. In consultation with relevant stakeholders including, but not limited to, the South Carolina Association of the Deaf and the South Carolina Registry of Interpreters for the Deaf, the State Board of Education shall develop and promulgate regulations for the appropriate credentialing of sign language interpreters in the public and special schools of this State. Interpreters for the deaf working in schools and school districts in this State must be required to submit the same background checks as educators pursuant to Section 59-25-115."

SECTION 5. This act takes effect on January 1, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	McElveen

Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--39

NAYS

Massey

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

On motion of Senator CLIMER, the Bill was carried over.

OBJECTION

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

Senator GUSTAFSON objected to consideration of the Bill.

OBJECTION

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA,

1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

Senator WILLIAMS objected to consideration of the Bill.

ADOPTED

H. 4755 -- Reps. B. Newton, McGarry and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 9 BYPASS AND GILLSBROOK ROAD IN THE CITY OF LANCASTER IN LANCASTER COUNTY "C.D. 'BUBBER' GREGORY, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5008 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOLLOW CREEK ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH CLINTON CHURCH ROAD TO THE AIKEN/ORANGEBURG COUNTY LINE "CHIEF GLENN POOLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5250 -- Reps. Pendarvis, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS® FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2022 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Resolution was adopted, ordered returned to the House.

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator JACKSON explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1121 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ALONG WATEREE ROAD IN FAIRFIELD COUNTY WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY

BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator FANNING explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 "REVEREND JESSE L. JACKSON, SR. STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator ALLEN explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY "JOSEPH LEE JACKSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator McELVEEN explained the Resolution.

The Resolution was adopted, ordered sent to the House.

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY

SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:55 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO

PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN

APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Total--0

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

NONCONCURRENCE

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator KIMBRELL explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 40

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

On motion of Senator KIMBRELL, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

CARRIED OVER

S. 910 -- Senator Grooms: A BILL TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATING TO APPORTIONING NINE SINGLE-MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

On motion of Senator VERDIN, the Bill was carried over.

CONCURRENCE

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Talley Turner Verdin
Young

Total--40

NAYS

Total--0

On motion of Senator YOUNG, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDMENT PROPOSED, READ THE SECOND TIME

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 1

Senator CASH proposed the following amendment (4608R002.SP.RJC):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act must be known and may be cited as the "Save Women's Sports Act".

SECTION 2. (A) It is the intent of the General Assembly to maintain opportunities for female athletes to demonstrate their strength, skills, and athletic abilities, and to provide them with opportunities to obtain recognition and accolades, college scholarships, and numerous other long-term benefits that result from participating and competing in athletic endeavors.

(B) The General Assembly finds that:

(1) maintaining the fairness for women's athletic opportunities is an important state interest; and

(2) requiring the designation of separate sex specific athletic teams or sports is necessary to maintain fairness for women's athletic opportunities.

SECTION 3. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

"Section 59-1-500. (A) For purposes of this section, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex at birth if the statement was filed at or near the time of the student's birth.

(B)(1) Interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public elementary or secondary school or public postsecondary institution must be expressly designated as one of the following based on the biological sex at birth of team members:

(a) males, men, or boys;

(b) females, women, or girls; or

(c) coed or mixed, including both males and females.

(2) Athletic teams or sports designated for males, men, or boys shall not be open to students of the female sex, unless no team designated for females in that sport is offered.

(3) Athletic teams or sports designated for females, women, or girls shall not be open to students of the male sex.

(4) A private school or a private institution sponsoring an athletic team or sport in which its students or teams compete against a public

school or institution must also comply with this section for the applicable team or sport.

(C)(1) A student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the school or postsecondary institution as provided in subsection (C)(4).

(2) A student who is subject to retaliation or other adverse action by a school, postsecondary institution, or athletic association or organization as a result of reporting a violation of this section to an employee or representative of the school, institution, or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary institutions in this State, may initiate a cause of action against the school, postsecondary institution, or athletic association or organization as provided in subsection (C)(4).

(3) A school or postsecondary institution that suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the governmental entity, licensing or accrediting organization or athletic association or organization as provided in subsection (C)(4).

(4) An action arising under this section must be commenced within two years after the alleged injury and subject to the South Carolina Tort Claims Act, as provided in Section 15-78-10, et seq."

SECTION 3. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

"Section 59-63-72. A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules or policies of the association, body, or entity recognizes, sanctions, and regulates interscholastic competition of wrestling teams composed exclusively of female students."

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CASH explained the amendment.
Senator MALLOY spoke on the Bill.

Objection

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.
Senator MASSEY objected.

Senator HUTTO spoke on the Bill.

RECESS

At 5:20 P.M., on motion of Senator HUTTO, the Senate receded from business until 5:25 P.M.
At 5:22 P.M., the Senate resumed.

Senator HUTTO spoke on the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent, with Senator HUTTO retaining the floor, to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.
There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

TUESDAY, MAY 3, 2022

ADJOURNMENT

At 5:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, May 4, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 2:1

We read in Genesis: "Thus the heavens and the earth were completed in all their vast array."

Let us pray, friends: Holy God, we would never, ever dare compare our work here in the Senate of South Carolina to Your work. However, unlike all You created, Lord, we are fully aware that not everything this Senate hoped to achieve this term has been accomplished, and at this point many goals likely will not be achieved. Therefore, Lord, we fervently pray that You will grant these leaders the will to use the last days of this 124th Session wisely and well. Guide them as they still strive to use the time that remains this term to bring about positive and meaningful results for all of our citizens, not just a few. And through it all, Lord, allow each of these leaders to feel the power of Your presence at their side as You lead them forward in meaningful fashion. All this we pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 10:05 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Hutto

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Reichenbach	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Anne Hancock, 108 Live Oak Court, Greenwood, SC 29649-8960 *VICE* Thomas R. Love

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

At-Large:

Flavia B. Harton, 110 Pine Forest Drive, Greenville, SC 29601-4422 *VICE* Charles T. Ferillo

Referred to the Committee on Education.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2021, and to expire July 1, 2024

South Carolina Chamber of Commerce recommendation:

Kippy D. Miller, 15 Calumet Court, Greenville, SC 29615-6005

Referred to the Committee on Education.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2022, and to expire June 30, 2028

3rd Congressional District:

Laney S. Spigener III, 2546 Dials Church Road, Gray Court, SC 29645-4844 *VICE* Robert C. Hubbard III

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2021, and to expire April 6, 2027

7th Congressional District:

Todd Christopher Brown, 5010 Big Bear Court, Myrtle Beach, SC 29579-5183 *VICE* Bethany M. Tapp

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2018, and to expire August 15, 2022

At-Large:

Charles David Tuttle, 821 Harborside Lane, Columbia, SC 29229-7431 *VICE* David C. Goodall

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large:

Charles David Tuttle, 821 Harborside Lane, Columbia, SC 29229-7431

Referred to the Committee on Labor, Commerce and Industry.

Local Appointments

Reappointment, Allendale County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028

Walter H. Sanders, Jr., 167 Allendale Fairfax Highway P. O. Box 840, Fairfax, SC 29827

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Whilden V. Baggett, 105 Bonneau Street, Bonneau, SC 29431-8620

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Rad S. Deaton, 1501 Snowy Egret Pointe, Hanahan, SC 29410-8580

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William D. Wilson, Jr., 114 Fairhaven Drive, Goose Creek, SC 29445-8002 *VICE* Judge Mark Stokes

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jeffry Bloom, 143 Buckhead Lane, Swansea, SC 29160-8303

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Cassandra Keller, 165 Blair Road, St. Matthews, SC 29135-8539

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Joseph David Teague, Sr., 255 Boone Lane, Swansea, SC 29160-8246

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Nicholas J. Clekis, 2193 River Road, Johns Island, SC 29455-8870 *VICE* Mr. Jackson Seth Whipper

Initial Appointment, Chesterfield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Kimberly B. Gaskins, 1647 East Jackson Rd., Chesterfield, SC 29709 *VICE* Diane Dyches

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kimberly B. Gaskins, 1647 East Jackson Rd., Chesterfield, SC 29709

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
June C. Briggs, 1052 Perch Dr., Manning, SC 29102-7730

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Janice Coney, 103 Gregory Street, Manning, SC 29102-2611

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Elease H. Fulton, 12647 Raccoon Road, Manning, SC 29102-8882

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Patrick G. Goodwin, P.O. Box 329, Turbeville, SC 29162-0329

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Monica Reed Johnson, 503 Sykes Street, Manning, SC 29102-2131

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
R. Shawn McCord, 537 Sunset Drive, Manning, SC 29102-2208

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Angela Witherspoon, 1215 Sportsman Drive, Manning, SC 29102-4874 *VICE* Nannette Frye

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
P. Shayne Stephens, 4133 Bloomville Rd., Manning, SC 29102

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Harriet A. Bonds, 103 Silverhill Road, Walterboro, SC 29488-3555

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kenneth A. Campbell, Jr., 652 Otis Road, Walterboro, SC 29488

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Elbert O. Duffie III, 1075 Dallas Lane, Walterboro, SC 29488-8190

Initial Appointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Central Williams, 379 Locust Street, Walterboro, SC 29488 *VICE* Keisha Gadsden

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Andrew Bethea, 1062 Highway 917 W., Latta, SC 29565-4731

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Mackie Hayes, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Lutherine Williams, Post Office Box 1016, Dillon, SC 29536-1016

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Laura Saunders, 3 Brookside Way, Greenville, SC 29605-1211

Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Marion C. Fairey, Jr., 4895 Savannah Highway, Hampton, SC 29924-7225 *VICE* Algernon Gibson Solomons

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jennifer Carter, 8328 Coosaw Scenic Drive, Ridgeland, SC 29936-4146 *VICE* Donna Doe Lynch

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jacqueline S. Lee, P. O. Box 639, Ridgeland, SC 29936-2611

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Curtisha Ingram, 3008 Chinaberry Drive, Lancaster, SC 29720-9018

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Van Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058-9130

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Douglas M. Vecchio, 197 Floyd Rd., Kershaw, SC 29067

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kathy Byrd Bass, P. O. Box 8C2, Marion, SC 29574 *VICE* Danny O. Barker II

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Cheryl Graham, 924 South Highway 501, Marion, SC 29571-6006

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022
Charles Frances Bagwell, 318 Woodgrove Trace, Spartanburg, SC 29301-6432

Initial Appointment, Union County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joseph Franklin Hart, 307 Bogan Road, Jonesville, SC 29353-2741 *VICE* Arthur T. Sprouse, Jr.

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Martin Ira Easler, 209 Short Street, Kingstree, SC 29556-3926

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Randy Brice Foxworth, 209 Short Street, Kingstree, SC 29556-3926

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Delores Williams, 209 Short Street, Kingstree, SC 29556-3926

Doctor of the Day

Senator SENN introduced Dr. Mike Finch of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 10:09 A.M., Senator McELVEEN was granted a leave of absence until 12:00 P.M.

Leave of Absence

On motion of Senator FANNING, at 10:45 A.M., Senator McLEOD was granted a leave of absence until 12:00 P.M.

Leave of Absence

On motion of Senator SETZLER, at 10:45 A.M., Senator JACKSON was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator SABB, at 10:45 A.M., Senator SCOTT was granted leave for today.

Leave of Absence

On motion of Senator GROOMS, at 3:04 P.M., Senators CAMPSEN and MASSEY were granted a leave of absence until 3:30 P.M.

Leave of Absence

On motion of Senator HEMBREE, at 5:36 P.M., Senator BENNETT was granted a leave of absence for the balance of the week.

Leave of Absence

On motion of Senator HARPOOTLIAN, at 6:02 P.M., Senators SETZLER and McELVEEN were granted a leave of absence for the balance of the day.

WEDNESDAY, MAY 4, 2022

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1306 Sen. Stephens

RECALLED

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

The Bill was recalled from the Committee on Banking and Insurance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4992 -- Reps. Bailey, Hardee, Hayes, Atkinson and McGinnis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE WACCAMAW SWAMP BRIDGE ALONG SOUTH CAROLINA HIGHWAY 9 IN HORRY COUNTY "SERGEANT GORDON BEST MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1316 -- Senator Gambrell: A CONCURRENT RESOLUTION TO CONGRATULATE THE DAUGHTERS OF THE AMERICAN

REVOLUTION, MT. ARIEL CHAPTER, AT THE DEDICATION OF ITS AMERICA 250 PATRIOTS MARKER AND TO SALUTE THE DAR CHAPTER ON ITS NEW PROGRAM TO COMMEMORATE AMERICAN REVOLUTIONARY WAR PATRIOTS IN CONJUNCTION WITH OUR NATION'S TWO HUNDRED FIFTIETH ANNIVERSARY CELEBRATION IN 2026.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1317 -- Senator Martin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHRIS SHOWALTER FOR HIS EXCEPTIONAL CAREER AS A NASCAR TRUCK CHIEF.
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The Senate Resolution was adopted.

H. 4568 -- Reps. Oremus, McCravy, Allison, Bailey, Bennett, Bryant, Burns, Chumley, B. Cox, Dabney, Erickson, Gagnon, Gilliam, Haddon, Hayes, Hiott, Hixon, Huggins, Hyde, J. E. Johnson, Jones, Jordan, Long, Lucas, Magnuson, Martin, May, McCabe, McGarry, T. Moore, Morgan, D. C. Moss, V. S. Moss, Nutt, G. R. Smith, M. M. Smith, Stringer, Thayer, Trantham, West, Willis, Wooten, Yow, Forrest, Taylor, Caskey, White, Whitmire, Crawford, Fry, W. Newton, Herbkersman, Bradley, Blackwell, Pope and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-90 SO AS TO REQUIRE THE DISCLOSURE OF MEDICAL INFORMATION TO PERSONS WHO MAY RECEIVE A CHEMICALLY INDUCED ABORTION, WITH EXCEPTIONS.

Read the first time and referred to the Committee on Medical Affairs.

H. 5088 -- Rep. Chumley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 417 AND GREEN POND ROAD IN SPARTANBURG COUNTY CONTAINING THE WORDS "UNITED STATES POSTAL SERVICE AIRMAIL DIRECTIONAL ARROW SITE".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5211 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE SALUDA RIVER ALONG HOLLYWOOD SCHOOL ROAD IN SALUDA COUNTY "HARMON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5236 -- Reps. Robinson, G. R. Smith, Bannister, Trantham, Elliott, B. Cox, Willis and Chumley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 291 IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH INTERSTATE HIGHWAY 385 TO ITS INTERSECTION WITH MAULDIN ROAD "CIVIL RIGHTS MOVEMENT WAY" IN HONOR OF DR. BILL AND LOTTIE GIBSON AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THE WORDS "CIVIL RIGHTS MOVEMENT WAY".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5243 -- Rep. Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "W.A. BERRY MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5285 -- Reps. Dabney, J. L. Johnson and Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 1056 EHRENCLOU DRIVE IN THE CITY OF CAMDEN IN KERSHAW COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT MAJOR AND MRS. THOMAS PATRICK PAYNE.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

WEDNESDAY, MAY 4, 2022

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3772 -- Reps. Bernstein, G.M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M.M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY

PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM “HAIR DESIGNER”; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER

LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4321 -- Reps. J.E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS' COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

1st Congressional District:

Mary M. Amonitti, 45 Queens Folly Road, Apartment 651, Hilton Head Island, SC 29928-5189 *VICE* Chery F. C. Ludlam

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

4th Congressional District:

Stephen E. Hall, 6 Lotus Court, Greenville, SC 29609 *VICE* Vacant

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304 *VICE* Vacant

Received as information.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

2nd Congressional District:

Kimberly P. Snipes, 8 Forest Walk Court, Irmo, SC 29063-9308

Received as information.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2021, and to expire June 30, 2025

1st Congressional District:

Calvin Whitfield, 3436 Rivers Ave., Suite 2A, North Charleston, SC 29405-7743 *VICE* Kenneth E. Battle

Received as information.

Reappointment, State Inspector General, with the term to commence May 10, 2021, and to expire May 10, 2025

Brian D. Lamkin, 308 Old Course Loop, Blythewood, SC 29016

Received as information.

WEDNESDAY, MAY 4, 2022

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

Received as information.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2018, and to expire August 15, 2022

At-Large/Chairman:

C. Todd Latiff, 101 Wyntuck Court, Clemson, SC 29631-1987 *VICE* Donald Tomlin, Current acting Chairman Robert D. Mickle, Jr.

Received as information.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large/Chairman:

C. Todd Latiff, 101 Wyntuck Court, Clemson, SC 29631-1987

Received as information.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

Alisa Gale Mosley, 2120 Redland Road, Campobello, SC 29322-9216 *VICE* Sue Ann Shannon

Received as information.

WEDNESDAY, MAY 4, 2022

Message from the House

Columbia, S.C., May 3, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Allendale County Master-in-Equity, with term to commence December 31, 2022, and to expire December 31, 2028:

The Honorable Walter H. Sanders, Jr., 167 Allendale Fairfax Highway, P. O. Box 840, Fairfax, S.C. 29827

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 4, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Matthews, Jones and McGarry to the Committee of Conference on the part of the House on:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Very respectfully,
Speaker of the House

Received as information.

S. 506--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CLIMER, FANNING and KIMBRELL were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 4, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 4, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE,

RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 4, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCES

S. 486 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHWAY 17-A AT ITS CROSSING OF THE CSX MAIN LINE IN MONCKS CORNER "STEVE C. DAVIS VIADUCT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GRANT ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST SEVEN MILE ROAD TO ITS INTERSECTION WITH BASSWOOD ROAD "JUDGE TAFT GUILE, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 787 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME ST. MARK BOWMAN ROAD IN DORCHESTER COUNTY "CAPTAIN JEROME JONES ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1055 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF GIBSON ROAD WHERE HIGHWAY 378 SPLITS TOWARD LAKE MURRAY IN LEXINGTON COUNTY "H.E. 'BUCKY' PHILLIPS, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1230 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN CHESTER COUNTY FROM ITS INTERSECTION WITH PILGRIM ROAD TO THE CHESTER/UNION COUNTY LINE "MAJOR GENERAL GARY T. MCCOY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1245 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION INSTALL APPROPRIATE SIGNS AND MARKERS TO COMMEMORATE THE LADY GAMECOCKS BASKETBALL TEAM WINNING THE 2022 NCAA CHAMPIONSHIP.

Returned with concurrence.

Received as information.

S. 1280 -- Senators Martin and Talley: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE NORTH TYGER RIVER BRIDGE ON HWY 296, ALSO KNOWN AS REIDVILLE ROAD, BETWEEN SHENANDOAH DRIVE AND NICHOLS DRIVE IN SPARTANBURG COUNTY "KEEGAN ISAIAH JOHNSON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Returned with concurrence.

Received as information.

S. 1306 -- Senators Hutto, Shealy and Stephens: A CONCURRENT RESOLUTION TO RECOGNIZE OLIVER "BUDDY" POUGH, HEAD FOOTBALL COACH OF SOUTH CAROLINA STATE UNIVERSITY, FOR HIS OUTSTANDING COACHING CAREER AND TO CONGRATULATE HIM FOR BEING NAMED AS A SOUTH CAROLINA STATE EMPLOYEE ASSOCIATION HONOREE.

Returned with concurrence.

Received as information.

S. 1310 -- Senator Garrett: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE STUDENTS IN HOLLYWOOD ELEMENTARY SCHOOL CLASS 3A AND THEIR TEACHER, MRS. ANGELIA JACKSON, AND TO CONGRATULATE THEM FOR THEIR OUTSTANDING PERFORMANCE IN THE IMAGINE MATH 2022 NATIONAL MARCH MATH MADNESS CHALLENGE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

On motion of Senator CLIMER.

WEDNESDAY, MAY 4, 2022

SECOND READING BILL

S. 1315 -- Senators Climer and M. Johnson: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

On motion of Senator CLIMER.

S. 1315--Ordered to a Third Reading

On motion of Senator CLIMER, S. 1315 was ordered to receive a third reading on Thursday, May 5, 2022.

AMENDMENT PROPOSED, CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (VR\ 458C001.CC.VR22):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-53-110 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) 'Fentanyl-related substances' means, unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

(a) replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(b) substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(c) substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(d) replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(e) replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha-methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta-hydroxyfentanyl, Beta-hydroxy-3-methylfentanyl, 3-Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta-Hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl Fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl."

SECTION 2. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"__. Fentanyl-related substances"

SECTION 3. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) four grams or more of any fentanyl or fentanyl-related substance, as defined in Section 44-53-110, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as 'trafficking in fentanyl' and, upon conviction, must be punished as follows:

(a) four grams of more, but less than fourteen grams:

(1) for a first offense, a term of imprisonment of not less than seven years nor more than twenty-five years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars;

(2) for a second or subsequent offense, a mandatory minimum term of imprisonment of twenty-five years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a mandatory term of imprisonment of twenty-five years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars;

(c) twenty-eight grams or more, a mandatory term of imprisonment of not less than twenty-five years nor more than forty years, no part of which may be suspended nor probation granted, and a fine of two hundred thousand dollars."

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING

SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

On motion of Senator YOUNG, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

CARRIED OVER

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

On motion of Senator DAVIS, the Bill was carried over.

CARRIED OVER

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF

SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

On motion of Senator HUTTO the Bill was carried over.

CARRIED OVER

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

On motion of Senator HEMBREE, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4601 -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

CARRIED OVER

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

On motion of Senator DAVIS, the Bill was carried over.

WEDNESDAY, MAY 4, 2022

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4600 -- Reps. West and Bennett: A BILL TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

CARRIED OVER

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

On motion of Senator DAVIS, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

CARRIED OVER

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED

BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

On motion of Senator DAVIS, the Bill was carried over.

AMENDMENT PROPOSED, CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Resolution.

Senator DAVIS proposed the following amendment (PH\ 4831C001.JN.PH22):

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by, or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time; provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator GROOMS, the Resolution was carried over.

READ THE SECOND TIME

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL

PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND

COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\3588C001.NBD.WAB22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59-149-15(A) and (B) of the 1976 Code are amended to read:

"(A) A resident student who is at least a sophomore attending a four-year public or private institution of higher learning in this State, who is majoring in education, science, or mathematics as defined below, and who is receiving a LIFE Scholarship for the current year, shall receive an additional LIFE Scholarship stipend equal to the cost of attendance after applying all other scholarships or grants, not to exceed two thousand five hundred dollars each year for no more than three additional years of instruction, including his sophomore year, if enrolled in a four-year degree program, or for not more than four additional years of instruction, including his sophomore year, if enrolled in a five-year degree program or a 3 plus 2 program. In addition, during his freshman year, the student majoring in science or mathematics must have successfully completed a total of at least fourteen credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. A year is defined as thirty credit hours of instruction or its equivalent each year. To receive the additional LIFE Scholarship stipend each year, the student must receive the underlying LIFE Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his education, science, or mathematics major. For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student's freshman year, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, science education, math education, and health care and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. The Commission on Higher Education shall by regulation define what constitutes an education major and shall set forth eligibility criteria that the student must meet to receive a LIFE Scholarship stipend but must include a contractual requirement that the education student recipient must upon graduation work in a South Carolina public school for one year for every year the stipend is received. Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors."

SECTION 2. Section 59-104-25(A) and (B) of the 1976 Code are amended to read:

"(A) A resident student who is at least a sophomore attending a four-year public or private institution of higher learning in this State, who is majoring in education, science, or mathematics as defined below, and who is receiving a Palmetto Fellows Scholarship for the current year, shall receive an additional Palmetto Fellows Scholarship stipend equal to the cost of attendance after applying all other scholarships or grants, not to exceed three thousand three hundred dollars each year for no more than three additional years of instruction, including his sophomore year, if the student enrolled in a four-year degree program, or for not more than four additional years of instruction, including his sophomore year, if enrolled in a five-year degree program or a 3 plus 2 program. A year is defined as thirty credit hours of instruction or its equivalent each year. To receive the additional Palmetto Fellows Scholarship stipend each year, the student must receive the underlying Palmetto Fellows Scholarship for that year and must be making acceptable progress each year toward receiving a degree in his education, science, or mathematics major. In addition, during his freshman year, the student majoring in science or mathematics must have successfully completed a total of at least fourteen credit hours of instruction in mathematics courses, or life and physical science courses, or a combination of both. For purposes of meeting the required minimum level of instruction in mathematics and life and physical science courses during a student's freshman year, advanced placement courses in mathematics and life and physical sciences taken in high school on which the student scored high enough

on the advanced placement test to receive credit at his institution and for which he received credit, count toward the fulfillment of this minimum requirement.

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, science education, math education, and health care and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. The Commission on Higher Education shall by regulation define what constitutes an education major and shall set forth eligibility criteria that the student must meet to receive a Palmetto Fellows Scholarship stipend but must include a contractual requirement that the education student recipient must upon graduation work in a South Carolina public school for one year for every year the stipend is received. Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors."

SECTION 3. Section 59-149-50(A) of the 1976 Code is amended to read:

"(A) To be eligible for a LIFE Scholarship, a student must be either a student who has graduated from a high school located in this State, a student who has completed at least three of the final four years of high school within this State, a home school student who has successfully completed a high school home school program in this State in the manner required by law, a student who has graduated from a preparatory high school outside this State, while a dependent of a parent or guardian who is a legal resident of this State and has custody of the dependent, or a student whose parent or guardian has served in or has retired from one of the United States Armed Forces within the last four years, paid income taxes in this State for a majority of the years of service, and is a resident of this State. These students also must meet the requirements of subsection (B) and be eligible for in-state tuition and fees as determined pursuant to Chapter 112, Title 59 and applicable regulations. In addition, the student must have graduated from high school with a minimum of a 3.0 cumulative grade average on a 4.0 scale and have scored 1100 or better on the Scholastic Aptitude Test (SAT) or ~~have the equivalent ACT score~~ 22 on the ACT; provided that, if the student is to attend such a public or independent two-year college or university in this State, including a technical college, the SAT/ACT requirement does not apply. If a student chooses to attend such a public or independent institution of

this State and does not make the required SAT/ACT score or the required high school grade point average, as applicable, the student may earn a LIFE Scholarship after his freshman year if he meets the grade point average and semester credit hour requirements of subsection (B). For the purpose of meeting the rank criteria pursuant to this section, the existing high school rank of a South Carolina resident attending an out-of-state high school may be used provided it is calculated pursuant to a state-approved, standardized grading scale at the respective out-of-state high school. If the Commission on Higher Education determines that a state-approved standardized grading scale substantially deviates from the South Carolina Uniform Grading Scale, the state-approved standardized grading scale shall not be used to meet the eligibility requirements for the LIFE Scholarship."

SECTION 4. In the event that the SAT or ACT changes their respective scoring ranges, the Commission on Higher Education shall adjust the minimum scores required by this chapter in order to ensure equivalency.

SECTION 5. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (3588R001.SP.SRM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 59-104-20(H) of the 1976 Code is amended to read:

"(H) Notwithstanding another provision of law, a student who met the initial eligibility requirements to receive a Palmetto Fellows Scholarship Award as a senior in high school and has met the continuing eligibility requirements shall receive the award. A student who received a Palmetto Fellows Scholarship Award as a senior in high school but declined the award is eligible to reapply for the annual scholarship, providing he meets all of the initial and continuing academic eligibility requirements of the Palmetto Fellows program, if he transfers to a qualifying South Carolina institution of higher learning. The number of semesters or academic years a student attended an out-of-state institution are to be

deducted from the number of semesters or academic years a student is eligible for the scholarship. All funding provided for Palmetto Fellows Scholarships regardless of its source or allocation must be used to implement the provisions of this subsection. A student who uses a Palmetto Fellows Scholarship to attend an eligible two-year institution shall receive a maximum of four continuous semesters, and may continue to use the scholarship to attend an eligible four-year institution, subject to the maximum number of semesters for which the student may be eligible for the scholarship." /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
Peeler	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\3591C001.NBD.WAB22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-26-35(A) and inserting:

/ (A) The South Carolina Commission on Higher Education, with the assistance of the Department of Education, State Board of Education, the Center for Research on Teacher Education (SC-TEACHER), and the Revenue and Fiscal Affairs Office, shall form a commission to conduct a detailed assessment of the current data infrastructure, develop metrics, determine weightings, construct a unified data upload system, and construct public and private facing data reports including, but not limited to, annually publishing before November first an online report card known as the 'South Carolina Educator Preparation Report Card'. The report card must be made available on the State Department of Education and the Commission on Higher Education's websites. The commission shall develop a format that each educator preparation program must use on its website that shows all required information regarding its respective program. The report card shall evaluate the ability of educator

preparation programs, including alternative programs, to prepare new teachers for success in South Carolina's classrooms, as well as describe the school and district contexts in which completers work. The report card must include data on a variety of measures to provide an overall picture of how well each educator preparation program prepares effective educators and meets state goals including, but not limited to, the following:

(1) number of undergraduate and graduate completers;

(2) placement and one, three, and five year retention rates by districts and regions of the State;

(3) performance-based assessments of candidates;

(4) ability of program to recruit a strong, diverse cohort of candidates and prepare them to teach in the content areas of greatest need;

(5) quality of clinical experiences, including access to qualified and trained mentors, time in the field, and opportunities to apply knowledge and skills in the clinical setting;

(6) effectiveness of individuals who completed a provider's program and are employed in a public school classroom. The information must be differentiated by provider and, where applicable, across content areas; and

(7) graduate and employer satisfaction. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator CASH spoke on the Bill.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 20

AYES

Alexander	Allen	Bennett
Climer	Gambrell	Garrett
Goldfinch	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	Kimpson

Malloy	Massey	Peeler
Sabb	Setzler	Talley
Turner	Williams	Young

Total--21

NAYS

Adams	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Grooms	Gustafson
Johnson, Michael	Kimbrell	Loftis
Martin	Matthews	Reichenbach
Rice	Senn	Shealy
Stephens	Verdin	

Total--20

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4161.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 35 and 36, in Section 12-21-2710, as contained in SECTION 1, and inserting therein the following:

/ gaming device manufacturer is a manufacturing entity that is in good standing with the South Carolina Secretary of State's Office, is /

Amend the bill further, page 2, by striking lines 15 and 16, in Section 16-19-50, as contained in SECTION 2, and inserting therein the following:

/ gaming device manufacturer is a manufacturing entity that is in good standing with the South Carolina Secretary of State's Office, is /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 6

AYES

Alexander	Allen	Bennett
Campsen	Climer	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--33

NAYS

Cash	Corbin	Grooms
Loftis	Rice	Young

Total--6

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

WEDNESDAY, MAY 4, 2022

OBJECTION

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

Senator ALEXANDER objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (4597R001.SP.SB), which was adopted:

Amend the bill, as and if amended, on page 6, lines 4 - 43, and on page 7, lines 1 - 7, by striking Section 44-43-1550 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (4519R001.KMM.TD), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator CAMPSEN spoke on the Bill.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (4889R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 25 through 26 and inserting:

/"Section 40-79-215. An alarm business or contractor as defined in this chapter, or an alarm business call center, must not be fined or assessed a civil penalty for false /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

On motion of Senator HUTTO, the Bill was carried over.

WEDNESDAY, MAY 4, 2022

OBJECTION

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

Senator HUTTO objected to consideration of the Bill.

READ THE SECOND TIME

S. 1314 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator GROOMS explained the Resolution.

The question then being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3340C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-20-105(A) and inserting:

/ "Section 12-20-105. (A) Any company subject to a license tax under Section 12-20-100 may claim a credit against its license tax liability for amounts paid in cash to provide infrastructure for an eligible project. A company may enter into a multi-year commitment to provide cash for eligible infrastructure. Where a company has entered into an agreement to pay in cash for infrastructure for an eligible project, and the eligible project is not constructed by the end of the tax year, the company may provide cash in that or a future year to another eligible project and retain the credit. /

Amend the bill further, SECTION 1, by striking Section 12-20-105(C)(7) and inserting:

/ (7) for a qualifying project pursuant to subsection (B)(2) cash payments to a county, political subdivision, or agency of this State for purposes of defraying public debt incurred to pay for infrastructure on the project are allowed. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

Senator SENN objected to further consideration of the Bill.

CARRIED OVER

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY

THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McLeod	Peeler	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 5074 -- Reps. Haddon, Allison, Burns and Hiott: A JOINT RESOLUTION TO CREATE THE “CHILD FOOD AND NUTRITION SERVICES STUDY COMMITTEE” TO DEVELOP

RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

Senator FANNING objected to consideration of the Resolution.

CARRIED OVER

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\5144C001.NBD.DG22):

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 38 - 42 and inserting:

/ <u>(b) Property qualifying for the exemption authorized by subitem (a) includes property used in providing telephone service, as defined in Section 33-46-20, in rural areas, including mixed-use property, without regard to:</u> /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

On motion of Senator VERDIN, the Bill was carried over.

WEDNESDAY, MAY 4, 2022

OBJECTION

S. 1303 -- Senator Harpootlian: A SENATE RESOLUTION TO CONDEMN THE GOVERNMENT OF SOMALIA FOR ITS OPPRESSIVE AND VIOLENT TREATMENT OF WOMEN AND CHRISTIANS UNDER THE PROVISIONS OF SHARIA LAW.

Senator HARPOOTLIAN objected to consideration of the Resolution.

ADOPTED

H. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted ordered returned to the House.

RECESS

At 12:35 P.M., on motion of Senator MASSEY, the Senate receded from business until 1:45 P.M.

At 1:55 P.M., the Senate resumed.

Call of the Senate

Senator MARTIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Objection

Senator WILLIAMS asked unanimous consent for immediate consideration of the local appointments pending on the desk.

Senator MATTHEWS objected.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under Rule 32A to vary the order of the day and proceed directly to the morning hour.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Peeler
Reichenbach	Rice	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Corbin	Martin	Matthews
Sabb	Stephens	

Total--5

The motion to vary the order of the day was adopted.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

WEDNESDAY, MAY 4, 2022

RULE 32B

Pursuant to Rule 32B, Senator MASSEY, as Chairman of the Committee on Rules, called H. 4075 from the Contested Calendar.

The Committee on Rules was polled as follows:

Poll of the Rules Committee
Polled 17; Ayes 15; Nays 0; Not Voting 2

AYES

Massey	Cromer	Malloy
Martin	Campsen	Allen
Corbin	Young	Sabb
Grooms	Hembree	Shealy
Goldfinch	Harpootlian	*M. Johnson*

Total--15

NAYS

Total--0

NOT VOTING

Kimpson	McLeod

Total--0

Ordered for consideration after the Special Orders.

RECALLED

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH

CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

Senator GROOMS explained the Bill.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

MADE SPECIAL ORDER

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH

CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Senator MASSEY moved that the Bill be made a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 14

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Shealy	Talley	Turner
Verdin	Young	

Total--29

NAYS

Allen	Fanning	Harpootlian
Hutto	*Johnson, Kevin*	Kimpson
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Williams	

Total--14

The Bill was made a Special Order.

MOTION ADOPTED

At 2:33 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 910 -- Senator Grooms: A BILL TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATING TO APPORTIONING NINE SINGLE-MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GROOMS explained the amendments.

On motion of Senator GROOMS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

On motion of Senator VERDIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson,

Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 1

Senator CASH proposed the following amendment (4608R002.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act must be known and may be cited as the "Save Women's Sports Act".

SECTION 2. (A) It is the intent of the General Assembly to maintain opportunities for female athletes to demonstrate their strength, skills, and athletic abilities, and to provide them with opportunities to obtain recognition and accolades, college scholarships, and numerous other long-term benefits that result from participating and competing in athletic endeavors.

(B) The General Assembly finds that:

(1) maintaining the fairness for women's athletic opportunities is an important state interest; and

(2) requiring the designation of separate sex specific athletic teams or sports is necessary to maintain fairness for women's athletic opportunities.

SECTION 3. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

"Section 59-1-500. (A) For purposes of this section, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex at birth if the statement was filed at or near the time of the student's birth.

(B)(1) Interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public elementary or secondary school or public postsecondary institution must be expressly designated as one of the following based on the biological sex at birth of team members:

(a) males, men, or boys;

(b) females, women, or girls; or

(c) coed or mixed, including both males and females.

(2) Athletic teams or sports designated for males, men, or boys shall not be open to students of the female sex, unless no team designated for females in that sport is offered.

(3) Athletic teams or sports designated for females, women, or girls shall not be open to students of the male sex.

(4) A private school or a private institution sponsoring an athletic team or sport in which its students or teams compete against a public school or institution must also comply with this section for the applicable team or sport.

(C)(1) A student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the school or postsecondary institution as provided in subsection (C)(4).

(2) A student who is subject to retaliation or other adverse action by a school, postsecondary institution, or athletic association or organization as a result of reporting a violation of this section to an employee or representative of the school, institution, or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary institutions in this State, may initiate a cause of action against the school, postsecondary institution, or athletic association or organization as provided in subsection (C)(4).

(3) A school or postsecondary institution that suffers any direct or indirect harm as a result of a violation of this section may initiate a cause of action against the governmental entity, licensing or accrediting organization or athletic association or organization as provided in subsection (C)(4).

(4) An action arising under this section must be commenced within two years after the alleged injury and subject to the South Carolina Tort Claims Act, as provided in Section 15-78-10, et seq."

SECTION 3. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

"Section 59-63-72. A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules or policies of the association, body, or entity recognizes, sanctions, and regulates interscholastic competition of wrestling teams composed exclusively of female students."

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn

Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Fanning	Harpootlian
Hutto	Kimpson	Matthews
McLeod	Sabb	

Total—8

The amendment was adopted.

Amendment No. 2

Senator CASH proposed the following amendment (4608R003.SP.RJC), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 59-1-500(B)(2) and inserting:

/(2) Athletic teams or sports designated for males, men, or boys shall not be open to students of the female sex, unless no team designated for females in that sport is offered at the school in which the student is enrolled. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator HUTTO proposed the following amendment (WAB\ 4608C005.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-1-500, by adding an appropriately lettered subsection to read:

/ ( ) Public funds may not be expended for the purpose of defending this section against any constitutional challenge or any challenge brought under Title IX of the Education Amendments of 1972, 20 11 U.S.C. s. 1681 et seq., or any other provision of federal law./

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.
Senator CAMPSEN spoke on the amendment.
Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Allen	Fanning	Harpootlian
Hutto	*Johnson, Kevin*	Kimpson
Matthews	McElveen	McLeod
Sabb	Stephens	

Total--11

The amendment was laid on the table.

Amendment No. 4

Senator HUTTO proposed the following amendment (WAB\4608C077.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-1-500(C)(1) and (2) and inserting:

/ (1) A student, including a transgender student, who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this section has a private cause of action for injunctive

relief, damages, and any other relief available under law against the school or public postsecondary institution.

(2) A student, including a transgender student, who is subject to retaliation or other adverse action by a school, public postsecondary institution, or athletic association or organization as a result of reporting a violation of this section to an employee or representative of the school, institution, or athletic association or organization, or to any state or federal agency with oversight of schools or public postsecondary institutions in this State, has a private cause of action for injunctive relief, damages, and any other relief available under law against the school, institution, or athletic association or organization. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was laid on the table.

Amendment No. 5

Senator HUTTO proposed the following amendment (WAB\ 4608C076.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-1-500 by adding an appropriately lettered subsection to read:

/ ( ) The provisions of this section apply to Furman University and its student athletes. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 10

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell

Loftis	Martin	Peeler
Reichenbach	Rice	Sabb
Senn	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--28

NAYS

Allen	Cromer	Fanning
Harpootlian	Hutto	*Johnson, Kevin*
Kimpson	Matthews	McLeod
Stephens		

Total--10

The amendment was laid on the table.

Senator MATTHEWS spoke on the Bill.
Senator HARPOOTLIAN spoke on the Bill.
Senator GUSTAFSON spoke on the Bill.
Senator McLEOD spoke on the Bill.
Senator KIMPSON spoke on the Bill.
Senator HUTTO spoke on the Bill.
Senator K. JOHNSON spoke on the Bill.

The question then was third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 10

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn

Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	Kimpson
Matthews	McLeod	Sabb
Stephens		

Total—10

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

The Senate proceeded to a consideration of the Bill.

Senators HEMBREE, HUTTO and MALLOY proposed the following amendment (JUD4075.006), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 23-3-430 of the 1976 Code is amended to read:

"Section 23-3-430. (A) Any person, regardless of age, residing in the State of South Carolina who in this State has been convicted of, ~~adjudicated delinquent for,~~ pled guilty or nolo contendere to an offense described below, or who has been convicted, ~~adjudicated delinquent,~~

pled guilty or nolo contendere, or found not guilty by reason of insanity in any comparable court in the United States, or a foreign country, or who has been convicted, ~~adjudicated delinquent,~~ pled guilty or nolo contendere, or found not guilty by reason of insanity in the United States federal courts of a similar offense, or who has been convicted of, ~~adjudicated delinquent for,~~ pled guilty or nolo contendere, or found not guilty by reason of insanity to an offense for which the person was required to register in the state where the conviction or plea occurred, shall be required to register pursuant to the provisions of this article. A person who has been found not guilty by reason of insanity shall not be required to register pursuant to the provisions of this article unless and until the person is declared to no longer be insane or is ordered to register by the trial judge. A person who has been convicted, ~~adjudicated delinquent,~~ pled guilty or nolo contendere, or found not guilty by reason of insanity in any court in a foreign country may raise as a defense to a prosecution for failure to register that the offense in the foreign country was not equivalent to any offense in this State for which he would be required to register and may raise as a defense that the conviction, ~~adjudication,~~ plea, or finding in the foreign country was based on a proceeding or trial in which the person was not afforded the due process of law as guaranteed by the Constitution of the United States and this State.

(B) For purposes of this article, a person who remains in this State for a total of thirty days during a twelve-month period is a resident of this State.

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to~~, or been adjudicated delinquent for~~ any of the following offenses shall be referred to as ~~an~~ a Tier I offender:

~~(1) criminal sexual conduct in the first degree (Section 16-3-652);~~

~~(2) criminal sexual conduct in the second degree (Section 16-3-653);~~

~~(3) criminal sexual conduct in the third degree (Section 16-3-654);~~

~~(4) criminal sexual conduct with minors, first degree (Section 16-3-655(A));~~

~~(5) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2) provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years~~

~~of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;~~

~~(6) criminal sexual conduct with minors, third degree (Section 16-3-655(C));~~

~~(7) engaging a child for sexual performance (Section 16-3-810);~~

~~(8) producing, directing, or promoting sexual performance by a child (Section 16-3-820);~~

~~(9) criminal sexual conduct: assaults with intent to commit (Section 16-3-656);~~

~~(10) incest (Section 16-15-20);~~

~~(11) buggery (Section 16-15-120);~~

~~(12) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);~~

~~(13) violations of Article 3, Chapter 15, Title 16 involving a minor;~~

~~(14) a person, regardless of age, who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in this State, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted, adjudicated delinquent, pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that based on the circumstances of the case the convicted person should register as a sex offender;~~

~~(15) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;~~

~~(16) kidnapping (Section 16-3-910) of a person under eighteen years of age except when the offense is committed by a parent;~~

~~(17) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;~~

~~(18) criminal sexual conduct when the victim is a spouse (Section 16-3-658);~~

~~(19) sexual battery of a spouse (Section 16-3-615);~~

~~(20) sexual intercourse with a patient or trainee (Section 44-23-1150);~~

~~(21) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:~~

~~(a) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);~~

~~(b) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or~~

~~(22) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny.~~

~~(23) any other offense specified by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA).~~

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), or

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA).

(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or

(h) violations of Article 3, Chapter 15, Title 16 involving a minor.

(3) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier III offender:

(a) criminal sexual conduct in the first degree (Section 16-3-652);

(b) criminal sexual conduct with minors, first degree (Section 16-3-655(A));

(c) criminal sexual conduct: assaults with intent to commit (Section 16-3-656);

(d) kidnapping (Section 16-3-910) of a person under eighteen years of age except when the offense is committed by a parent;

(e) criminal sexual conduct when the victim is a spouse (Section 16-3-658);

(f) sexual battery of a spouse (Section 16-3-615); or

(g) any offense listed or described in this section committed after the offender becomes a Tier I or Tier II offender.

(D) Upon conviction, ~~adjudication of delinquency,~~ guilty plea, or plea of nolo contendere of a person of an offense not listed in this article, the presiding judge may order as a condition of sentencing that the person be included in the sex offender registry if good cause is shown by the ~~solicitor~~ prosecution.

(E) SLED shall remove a person's name and any other information concerning that person from the sex offender registry immediately upon notification by the Attorney General that the person's adjudication, conviction, guilty plea, or plea of nolo contendere for an offense listed in subsection (C) was reversed, overturned, or vacated on appeal and a final judgment has been rendered.

(F) If an offender receives a pardon for the offense for which he was required to register, the offender must reregister as provided by Section 23-3-460 and may not be removed from the registry except:

(1) as provided by the provisions of subsection (E); or

(2) if the pardon is based on a finding of not guilty specifically stated in the pardon.

(G) If an offender files a petition for a writ of habeas corpus or a motion for a new trial pursuant to Rule 29(b), South Carolina Rules of Criminal Procedure, based on newly discovered evidence, the offender must reregister as provided by Section 23-3-460 and may not be removed from the registry except:

(1) as provided by the provisions of subsection (E); or

(2)(a) if the circuit court grants the offender's petition or motion and orders a new trial; and

(b) a verdict of acquittal is returned at the new trial or entered with the state's consent."

SECTION 2. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-436. (A) A child who is fourteen years of age or older and who has been adjudicated delinquent by a family court in this State for any Tier III offense is required to register in accordance with this article.

(B) A child who is fourteen years of age or older and has been adjudicated delinquent of any other offense listed in Section 23-3-430(C) may be required, in the discretion of the family court, to register in accordance with this article. In making this determination, the court shall consider:

(1) the likelihood the juvenile will reoffend, based on a psychosexual risk assessment and evaluation by a licensed clinical psychologist or licensed psychiatrist employed by the Department of Juvenile Justice. The Circuit Solicitor's Office, Attorney General's Office, or the juvenile also may have an independent psychosexual risk assessment evaluation by a licensed psychologist or psychiatrist;

(2) the age of the juvenile at the time of the offense and adjudication;

(3) mitigating factors;

(4) aggravating factors including, but not limited to, age of victim, use of force, or use of weapons;

(5) prior adjudications; and

(6) other factors the court considers relevant.

(C) A child twelve years of age but less than fourteen years of age who has been adjudicated delinquent by a family court in this State for any Tier III offense may be required to register in the discretion of the Family Court.

(1) In making the determination, the court must consider:

(a) the likelihood the person will reoffend, based on a psychosexual risk assessment and evaluation by a licensed clinical psychologist or licensed psychiatrist as ordered by the court. The Circuit Solicitor's Office, Attorney General's Office, or the juvenile also may have an independent psychosexual risk assessment evaluation by a licensed psychologist or psychiatrist;

(b) the age of the juvenile at the time of the offense and adjudication;

(c) mitigating factors;

(d) aggravating factors including, but not limited to, age of victim, use of force, or use of weapons;

(e) prior adjudications; and

(f) other factors the court considers relevant.

(D) A resident child who is adjudicated delinquent in any other state is required to register in this State subject to the requirements of the sentencing jurisdiction including duration of registration."

SECTION 3. Sections 23-3-460(A) and (C) of the 1976 Code are amended to read:

"(A) A person required to register pursuant to this article is required to register biannually for life subject to the provisions of Section 23-3-462 and Section 23-3-463. For purposes of this article, 'biannually' means each year during the month of his birthday and again during the sixth month following his birth month. The person required to register shall register and must reregister at the sheriff's department in each county where he resides, owns real property, is employed, or attends any public or private school~~,~~ including, but not limited to, a secondary school, adult education school, college or university, and any vocational, technical, or occupational school. A person determined by a court to be a sexually violent predator pursuant to state law is required to verify registration and be photographed every ninety days by the sheriff's department in the county in which he resides unless the person is committed to the custody of the State, and verification will be held in abeyance until his release."

"(C) If a person required to register pursuant to this article changes his address within the same county, that person must send written notice of the change of address to the sheriff within three business days of establishing the new residence. If a person required to register under this article owns or acquires real property or is employed within a county in this State, or attends, is enrolled, volunteers, interns, or carries on a vocation at any public or private school~~,~~ including, but not limited to, a secondary school, adult education school, college or university, and any vocational, technical, or occupational school, he must register with the sheriff in each county where the real property, employment, or the public or private school is located within three business days of acquiring the real property, beginning employment at any school, or attending the public or private school."

SECTION 4. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-462. (A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of

registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after having been registered for at least fifteen years if the offender was required to register based on an adjudication of delinquency or the offender was required to register as a Tier I offender;

(b) after having been registered for at least twenty-five years, if the offender was convicted as an adult, and was required to register as a Tier II offender;

(c) an offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

(7) SLED shall notify the original prosecuting agency, if within the State, within sixty days of the receipt of the application if, after initial investigation, it is determined that there are no automatically disqualifying factors and that there is a likelihood of approval of the

application. The original prosecuting agency, if within the State, may file with SLED an objection including the reasons for the objection; however, the objection must be received prior to the end of the one hundred twenty-day application process. The original prosecuting agency must comply with the victim notice provisions of the Victim's Rights Act. If an objection is filed by the prosecuting agency, the request for termination pursuant to this section must be denied and the applicant must be informed of his right to file for a hearing pursuant to Section 23-3-463.

(B) Upon receipt of the request for termination, SLED shall review documentation provided by the offender and contained in the offender's file and the sex offender registry to determine whether the offender has complied with the requirements of this section. In addition, SLED shall conduct fingerprint-based state and federal criminal history checks to determine whether the offender has been convicted of any additional sexual offenses, as defined in Section 23-3-430.

(C) If all the requirements of this section are verified, SLED shall, within one hundred twenty days of receipt of the request for termination, remove an offender's name from the registry and notify the offender that the offender is no longer required to comply with the registry requirements of this article.

(D) If it is determined that the offender has been convicted of any additional sexual offenses or violent sexual offenses during the applicable period, has not substantially complied with this section, or an objection has been filed by the original prosecuting agency, SLED shall not remove the offender's name from the sex offender registry and shall notify the offender that the offender has not been relieved of the provisions in this article.

(1) If an offender is denied a termination request, the offender may petition again for termination with SLED no sooner than five years after the previous denial.

(2) If an offender is denied a termination request based on conviction of any additional sexual offenses or violent sexual offenses, the offender may not submit a petition to SLED for termination unless the subsequent conviction is overturned or pardon granted.

(E) An offender whose request for termination of registration requirements is denied by SLED is entitled to appeal the denial to the general sessions court pursuant to the requirements of Section 23-3-463 for the county in which the conviction occurred if the conviction occurred within the State, or if not, the county in which the offender resides. Individuals placed on the registry as a juvenile should petition

the family court that adjudicated them delinquent. The SLED official who denied the request for termination of registration requirements may submit an affidavit to the court detailing the reasons the request was denied.

(F) If a person is convicted of multiple offenses requiring registration, and the offenses fall within different tiers, the person only may petition for removal of the registration requirement once the required time passes for the highest tier offense they have been convicted of that requires registration. If a petition based upon this section is denied, the person may not petition again until five years after the date of the final order."

SECTION 5. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-463. (A) An offender may file a motion with the general sessions court to request an order to be removed from the requirements of the sex offender registry act if:

(1) He is a Tier I or Tier II offender or if the offender was required to register based on an adjudication of delinquency whose application for removal under Section 23-3-462 has been denied by SLED.

(2) He is a Tier III offender after thirty years from the date of discharge from incarceration without supervision, or the termination of active supervision of probation, parole, or any other active alternative to incarceration.

(3) If the offender is required to register due to an out-of-state or federal conviction, the equivalent tier under the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109 248), the Sex Offender Registration and Notification Act (SORNA) shall apply.

(B) All motions pursuant to this section must be made no earlier than the appropriate timeframes related to the underlying offense as specified in Section 23-3-462(A)(1) or Section 23-3-463(A)(2). An offender is not eligible for a hearing pursuant to this section if he submitted an application prior to the timeframe specified in Section 23-3-462(A)(1) that was either not accepted or erroneously accepted by SLED.

(C) The motion must be filed in the county in which the underlying conviction occurred if the conviction occurred within the State, or if the conviction occurred outside of the State, the county in which the offender resides.

(D) A person requesting a hearing under this section is entitled to the assistance of counsel, and if the person is indigent, the court must appoint counsel to assist the person.

(E) The court may direct that a qualified evaluator designated by the South Carolina Department of Mental Health conduct an evaluation whether the offender poses a foreseeable risk to reoffend. For any such evaluation, the court must order the offender to comply with all testing and assessments deemed necessary by the evaluator. After the evaluation by the qualified evaluator designated by the department, if the offender or the prosecutor seeks an independent evaluation by an independent qualified evaluator, then that evaluation must be completed within ninety days after receipt of the request by the department evaluator. The court may grant an extension upon the request of the independent qualified evaluator and a showing of extraordinary circumstances. Any qualified evaluator who will be submitted as an expert at a hearing on the motion must submit a written report available to both parties.

(F) The court must make a determination upon a finding by clear and convincing evidence that the offender is no longer a foreseeable risk to reoffend and that it is in the best interest of justice to grant the motion for removal from the requirement of registration.

(G) The State of South Carolina must be named as the respondent to the action and shall be represented by the prosecution office that obtained the underlying conviction for which the offender is required to register, or, if the conviction occurred outside of the State, the Attorney General. All requirements of the Victim's Rights Act, including reasonable notice, must be observed. The following agencies have standing to request to be made a party to the motion:

(1) any original prosecuting solicitor's office for an underlying qualifying conviction if not already representing the State;

(2) the local solicitor's office where the offender resides at the time of the hearing if not already representing the State; or

(3) the Attorney General's Office if not already representing the State.

(H) If a person is convicted of multiple offenses requiring registration, and the offenses fall within different tiers, the person only may petition for removal of the registration requirement once the required time passes for the highest tier offense they have been convicted of that requires registration.

(I) If the motion is denied, the person may not file for removal from the registry pursuant to this section again until five years after the date of the final order."

SECTION 6. Section 23-3-490 of the 1976 Code is amended to read:

"Section 23-3-490. (A) Information collected for the offender registry is open to public inspection, ~~upon request to the county sheriff~~ and must be made available on the Internet or by other electronic means.

(B) A sheriff or SLED must release information regarding persons required to register under this article to a member of the public if the request is made in writing, or via electronic means on a form prescribed or utilized by SLED. The sheriff must provide the person making the request with the full names of the registered sex offenders, any aliases, any other identifying physical characteristics, each offender's date of birth, the home address on file, the offense for which the offender was required to register pursuant to Section 23-3-430, and the date, city, and state of conviction. A photocopy of a current photograph must also be provided. The sheriff ~~must~~ may provide to a newspaper with general circulation within the county a listing of the registry for publication.

A sheriff or SLED who provides the offender registry for publication or a newspaper which publishes the registry, or any portion of it, is not liable and must not be named as a party in an action to recover damages or seek relief for errors or omissions in the publication of the offender registry; however, if the error or omission was done intentionally, with malice, or in bad faith the sheriff or newspaper is not immune from liability.

~~(B)~~(C) A person may request on a form prescribed by SLED a list of registered sex offenders residing in a city, county, or zip code zone or a list of all registered sex offenders within the State from SLED. A person may request information regarding a specific person who is required to register under this article from SLED ~~if the person requesting the information provides the name or address of the person about whom the information is sought~~. SLED shall provide the person making the request with the full names of the requested registered sex offenders, any aliases, any other identifying physical characteristics, each offender's date of birth, the home address on file, the offense for which the offender was required to register pursuant to Section 23-3-430, and the date, city, and state of conviction. The State Law Enforcement Division may charge a reasonable fee to cover the cost of copying and distributing sex offender registry lists as provided for in this section. These funds must be used for the sole purpose of offsetting the cost of providing sex offender registry lists.

~~(C)~~(D) Nothing in subsection (A) prohibits a sheriff from disseminating information contained in subsection (A) regarding persons who are required to register under this article if the sheriff or another law enforcement officer has reason to believe the release of this information

will deter criminal activity or enhance public safety. The sheriff shall notify the principals of public and private schools, and the administrator of child day care centers and family day care centers of any offender whose address is within one-half mile of the school or business.

~~(D)~~(E) For purposes of this article, information on a person adjudicated delinquent in family court for an offense listed in Section ~~23-3-430~~ 23-3-436, and who is required to register under this article, must be made available to the public in accordance with the following provisions:

(1) If a person has been adjudicated delinquent for committing a Tier III offense, ~~any of the following offenses,~~ information must be made available to the public pursuant to subsections (A)~~ and~~, (B), and (C):

~~(a) criminal sexual conduct in the first degree (Section 16-3-652);~~

~~(b) criminal sexual conduct in the second degree (Section 16-3-653);~~

~~(c) criminal sexual conduct with minors, first degree (Section 16-3-655(A));~~

~~(d) criminal sexual conduct with minors, second degree (Section 16-3-655(B));~~

~~(e) engaging a child for sexual performance (Section 16-3-810);~~

~~(f) producing, directing, or promoting sexual performance by a child (Section 16-3-820);~~

~~(g) kidnapping (Section 16-3-910); or~~

~~(h) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense.~~

(2) Information shall only be made available, upon request, to victims of or witnesses to the offense, public or private schools, child day care centers, family day care centers, businesses or organizations that primarily serve children, women, or vulnerable adults, as defined in Section 43-35-10(11), for persons adjudicated delinquent for committing any ~~of the following offenses:~~ other offenses requiring registration.

~~(a) criminal sexual conduct in the third degree (Section 16-3-654);~~

~~(b) criminal sexual conduct: assaults with intent to commit (Section 16-3-656);~~

~~(c) criminal sexual conduct with a minor: assaults with intent to commit (Section 16-3-656);~~

~~(d) criminal sexual conduct with minors, third degree (Section 16-3-655(C));~~

~~(e) peeping (Section 16-17-470);~~

~~(f) incest (Section 16-15-20);~~

~~(g) buggery (Section 16-15-120);~~

~~(h) violations of Article 3, Chapter 15 of Title 16 involving a minor, which violations are felonies; or~~

~~(i)indecent exposure.~~

~~(3) A person who is under twelve years of age at the time of his adjudication, conviction, guilty plea, or plea of nolo contendere for a first offense of any offense listed in Section 23-3-430(C) shall be required to register pursuant to the provisions of this chapter; however, the person's name or any other information collected for the offender registry shall not be made available to the public.~~

~~(4) A person who is under twelve years of age at the time of his adjudication, conviction, guilty plea, or plea of nolo contendere for any offense listed in Section 23-3-430(C) and who has a prior adjudication, conviction, guilty plea, or plea of nolo contendere for any offense listed in Section 23-3-430(C) shall be required to register pursuant to the provisions of this chapter, and all registry information concerning that person shall be made available to the public pursuant to items (1) and (2).~~

~~(5)~~(3) Nothing in this section shall prohibit the dissemination of all registry information to law enforcement.

~~(E)~~(F) For purposes of this section, use of computerized or electronic transmission of data or other electronic or similar means is permitted."

SECTION 7. This act is retroactive and shall apply to any resident of this State who currently is required to register as a sex offender pursuant to the provisions of Article 7, Chapter 3, Title 23, and who meets the requirements set forth in the act.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator GOLDFINCH proposed the following amendment (JUD4075.004), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Article 7, Chapter 3, Title 23 of the 1976 Code is amended by adding:

"Section 23-3-538. (A) As contained in this section:

(1) 'Child-oriented business' means any business whose primary service includes the education, care, or entertainment of children including, but not limited to: a school, daycare center, children's recreational facility, arcade, trampoline park, amusement park, public playground, or mobile food delivery whose primary business is the sale or delivery of ice cream or candy to children.

(2) 'Children's recreational facility' means a facility owned and operated by a city, county, or special purpose district used for the purpose of recreational activity for children under the age of eighteen.

(3) 'Daycare center' means an arrangement where, at any one time, there are three or more preschool-age children, or nine or more school-age children receiving child care.

(B) It is unlawful for a sex offender who has been convicted of any of the following offenses to operate, work for, be employed by, or volunteer for a child-oriented business:

(1) criminal sexual conduct with a minor, first degree;

(2) criminal sexual conduct with a minor, second degree;

(3) assault with intent to commit criminal sexual conduct with a minor;

(4) kidnapping a person under eighteen years of age; or

(5) trafficking in persons of a person under eighteen years of age except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense.

(C) If upon registration of a sex offender, or at any other time, a local law enforcement agency determines that a sex offender is in violation of this section, a law enforcement agency or a probation or parole agent must notify the sex offender of the violation. If a person who is required to register under this chapter continues to operate, be employed by, or volunteer for a child-oriented business after notice, the person, upon conviction, must be punished as follows:

(1) for a first offense, the sex offender is guilty of a misdemeanor and must be imprisoned not more than thirty days, or fined not more than five hundred dollars, or both;

(2) for a second offense, the sex offender is guilty of a misdemeanor and must be imprisoned not more than three years, or fined not more than one thousand dollars, or both;

(3) for a third or subsequent offense, the sex offender is guilty of a felony and must be imprisoned for not more than five years, or fined not more than five thousand dollars, or both.

(D) The owner of any business who knowingly employs a person in violation of this section after receiving notice by a member of law enforcement or other appropriate governmental agency shall be subject to a civil fine of up to one hundred dollars per day." /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

P. Shayne Stephens, 4133 Bloomville Rd., Manning, SC 29102

Reappointment, Allendale County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028

Walter H. Sanders, Jr., 167 Allendale Fairfax Highway, P. O. Box 840, Fairfax, SC 29827

Initial Appointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jennifer Carter, 8328 Coosaw Scenic Drive, Ridgeland, SC 29936-4146 *VICE* Donna Doe Lynch

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Nicholas J. Clekis, 2193 River Road, Johns Island, SC 29455-8870 *VICE* Mr. Jackson Seth Whipper

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Laura Saunders, 3 Brookside Way, Greenville, SC 29605-1211

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Charles Frances Bagwell, 318 Woodgrove Trace, Spartanburg, SC 29301-6432

Initial Appointment, Union County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Joseph Franklin Hart, 307 Bogan Road, Jonesville, SC 29353-2741 *VICE* Arthur T. Sprouse, Jr.

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Curtisha Ingram, 3008 Chinaberry Drive, Lancaster, SC 29720-9018

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Van Richardson, 3611 Kershaw Camden Highway, Heath Springs, SC 29058-9130

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Douglas M. Vecchio, 197 Floyd Rd., Kershaw, SC 29067

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Harriet A. Bonds, 103 Silverhill Road, Walterboro, SC 29488-3555

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jacqueline S. Lee, P. O. Box 639, Ridgeland, SC 29936-2611

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2022
Kimberly B. Gaskins, 1647 East Jackson Rd., Chesterfield, SC 29709

Initial Appointment, Chesterfield County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2026
Kimberly B. Gaskins, 1647 East Jackson Rd., Chesterfield, SC 29709 *VICE* Diane Dyches

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jeffry Bloom, 143 Buckhead Lane, Swansea, SC 29160-8303

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Cassandra Keller, 165 Blair Road, St. Matthews, SC 29135-8539

Reappointment, Calhoun County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Joseph David Teague, Sr., 255 Boone Lane, Swansea, SC 29160-8246
Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Whilden V. Baggett, 105 Bonneau Street, Bonneau, SC 29431-8620

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Rad S. Deaton, 1501 Snowy Egret Pointe, Hanahan, SC 29410-8580

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
William D. Wilson, Jr., 114 Fairhaven Drive, Goose Creek, SC 29445-8002 *VICE* Judge Mark Stokes

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Elbert O. Duffie III, 1075 Dallas Lane, Walterboro, SC 29488-8190

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kenneth A. Campbell, Jr., 652 Otis Road, Walterboro, SC 29488

Initial Appointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Central Williams, 379 Locust Street, Walterboro, SC 29488 *VICE* Keisha Gadsden

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
R. Shawn McCord, 537 Sunset Drive, Manning, SC 29102-2208

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Monica Reed Johnson, 503 Sykes Street, Manning, SC 29102-2131

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Patrick G. Goodwin, P.O. Box 329, Turbeville, SC 29162-0329

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Elease H. Fulton, 12647 Raccoon Road, Manning, SC 29102-8882

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Janice Coney, 103 Gregory Street, Manning, SC 29102-2611

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
June C. Briggs, 1052 Perch Dr., Manning, SC 29102-7730

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Angela Witherspoon, 1215 Sportsman Drive, Manning, SC 29102-4874 *VICE* Nannette Frye

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Martin Ira Easler, 209 Short Street, Kingstree, SC 29556-3926

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Randy Brice Foxworth, 209 Short Street, Kingstree, SC 29556

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Delores Williams, 209 Short Street, Kingstree, SC 29556-3926

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Cheryl Graham, 924 South Highway 501, Marion, SC 29571-6006

Initial Appointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kathy Byrd Bass, P. O. Box 8C2, Marion, SC 29574 *VICE* Danny O. Barker II

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Andrew Bethea, 1062 Highway 917 W., Latta, SC 29565-4731

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Mackie Hayes, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Lutherine Williams, Post Office Box 1016, Dillon, SC 29536-1016

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Marion C. Fairey, Jr., 4895 Savannah Highway, Hampton, SC 29924-7225 *VICE* Algernon Gibson Solomons

ADJOURNMENT

At 6:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 5, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 5:9a

Our Lord Himself declared: " 'Blessed are the peacemakers. . . ' "

Let us pray, my friends: Glorious and ever-loving Lord, how desperately do we yearn for peace in our world today. For we are reminded again and again how non-peaceable life truly is for so many, not only around the globe, but even here in South Carolina as we are sadly reminded in virtually every news report. That is why, O God, we pray this morning that You will touch the hearts of these Senators, that they might join together and do all they possibly can to help establish peace here at home, as well as in every land around the globe. So we once again ask You, Lord, to bless the members of our Armed Forces, serving on behalf of peace in so many places, likewise the members of this Senate. For truly, as You have declared -- blessed are the peacemakers. In Your holy name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Grooms
Harpootlian	Hembree	Hutto
Johnson, Kevin	Martin	Massey
McElveen	Peeler	Rankin

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TALLEY introduced Dr. Jasjot Bhullar of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:07 A.M., Senators ADAMS, KIMBRELL, M. JOHNSON and CLIMER were granted a leave of absence for today.

Leave of Absence

On motion of Senator LOFTIS, at 11:37 A.M., Senator GUSTAFSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON at 11:39 A.M., Senator SCOTT was granted a leave of absence for today.

Leave of Absence

At 12:40 P.M., Senator SABB requested a leave of absence for the balance of the day.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1318 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE CATHY C. HUGHES UPON THE OCCASION OF HER RETIREMENT AS PUBLISHER EMERITUS, TO COMMEND HER FOR HER FIFTY YEARS OF DEDICATED SERVICE TO THE TIMES AND DEMOCRAT, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD. l:\s-res\cbh\018cath.kmm.cbh.docx

The Senate Resolution was adopted.

H. 5339 -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: A BILL TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

Read the first time and ordered placed on the Local and Uncontested Calendar.

K. JOHNSON asked unanimous consent for second reading on the next legislative day.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976,

RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3247 -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF

HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3840 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND

44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education polled out H. 5270 favorable:

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE

TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

Poll of the Education Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Hembree	Setzler	Rankin
Peeler	Jackson	Grooms
Malloy	Hutto	Young
Turner	rice	Talley
Massey	Cash	Allen
Loftis		

Total--16

NAYS

Total--0

NOT VOTING

Scott

Total--1

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2020, and to expire June 9, 2023

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, # 29650, Greer, SC 29650-3422 *VICE* Timothy Slice

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2022, and to expire June 30, 2028

3rd Congressional District:

Laney S. Spigener III, 2546 Dials Church Road, Gray Court, SC 29645-4844 *VICE* Robert C. Hubbard III

Received as information.

Message from the House

Columbia, S.C., May 5, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 5, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS

INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1315 -- Senators Climer and M. Johnson: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE

OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

On motion of Senator MATTHEWS, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD3271.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 33 through line 39, and inserting therein the following:

/ "( ) an affidavit signed by the petitioner which provides that the petitioner is currently a resident of the State of South Carolina and has been a resident of the State for at least six months. The petitioner shall attach to the affidavit proof of residency in South Carolina of at least six

months, which may be as documented on any form of proof of residency deemed acceptable by the South Carolina Department of Motor Vehicles when issuing a driver's license. To protect the petitioner's safety, the court may waive the six months' residency requirement if the petitioner provides evidence that:

(a) the petitioner is a victim of domestic violence, dating violence, stalking, harassment, sexual offenses, trafficking in persons, or other abuse; and

(b) the petitioner is currently in reasonable fear of the petitioner's safety.

Evidence shall include, but not be limited to:

(i) law enforcement, court, or other federal or state agency applications, records, or files;

(ii) documentation from an agency or nonprofit organization that provides specialized assistance or services to victims of domestic violence, dating violence, stalking, harassment, sexual offenses, trafficking in persons, or other abuse; or

(iii) documentation from a religious, medical, or other professional from whom the applicant has sought assistance in connection with the alleged victimization." /

Amend the bill further, as and if amended, page 1, line 40, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 15-49-20 of the 1976 Code is amended by adding an appropriately numbered subsection to read:

"( ) Upon the petitioner's request, after granting the name change, the court shall seal the file if the court finds that the safety of the petitioner seeking the name change or the safety of the petitioner's child or ward warrants sealing the file. In all cases filed under this subsection, where the court orders that the file be sealed, any court record of the name change petition, proceeding, or order shall not be made public."/

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

OBJECTION

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith,

White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

Senator MATTHEWS objected to the consideration of the Bill.

CARRIED OVER

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

On motion of Senator MATTHEWS, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE

CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

CARRIED OVER

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

On motion of Senator MATTHEWS, the Bill was carried over.

HOUSE BILL RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House:

S. 1314 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

OBJECTION

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Senator MATTHEWS objected to the consideration of the Bill.

COMMITTEE AMENDMENT WITHDRAWN
AMENDED, READ THE SECOND TIME

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH

CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3055R001.GEC), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 12 in its entirety.

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was withdrawn.

Senator CAMPSEN proposed the following amendment (3055R003.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 48-22-40 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( ) shall conduct topographic mapping using light detection and ranging (LiDAR) data collections by December 31, 2022, and at least every seven years thereafter. The information must be shared with the South Carolina Department of Natural Resources Flood Mitigation Program to ensure compliance with Federal Emergency Management Agency guidelines and standards for flood risk analysis and mapping activities under the Risk Mapping, Assessment, and Planning Program. The unit is authorized to work with local, state, and federal governmental entities in South Carolina to complete the topographic mapping and share the results of the topographic mapping with these agencies. The unit shall work with the Flood Mitigation Program to publish the results to the public on the Department of Natural Resources' website. The provisions of this item may only be enforced when the General Assembly appropriates the necessary funding for the topographic mapping in the general appropriations act."

SECTION 2. This act takes effect upon approval by the Governor.\

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF

INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Cromer, Bennett, Corbin, Campsen and Peeler: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR

PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

On motion of Senator HUTTO, the Bill was recommitted to the Committee on Education.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator RANKIN, the Resolution was carried over.

RECOMMITTED

S. 1273 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF ARCHITECTURAL EXAMINERS, RELATING TO ARCHITECTURAL EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5082, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1274 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - MANUFACTURED HOUSING BOARD, RELATING TO LICENSE RENEWAL; RETAIL DEALER SALES TRANSACTIONS; INSTALLERS; REPAIRERS; AND CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5089, PURSUANT TO

THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1275 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO ENGINEERS AND LAND SURVEYORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5076, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1276 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - REAL ESTATE APPRAISERS BOARD, RELATING TO REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5100, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1277 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBER EXAMINERS; MOBILE BARBERS; AND SANITARY RULES GOVERNING BARBERS, BARBERSHOPS AND BARBER COLLEGES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5073, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

CARRIED OVER

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator RANKIN, the Bill was carried over.

CARRIED OVER

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

Objection

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

On motion of Senator CROMER, the Bill was carried over.

READ THE SECOND TIME

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN

ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

The Senate proceeded to a consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

Senator MATTHEWS objected to consideration of the Bill.

READ THE SECOND TIME

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF

COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total—37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\5144C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking lines 38 - 42 and inserting:

/ <u>(b) Property qualifying for the exemption authorized by subitem (a) includes property used in providing telephone service, as defined in Section 33-46-20, in rural areas, including mixed-use property, without regard to:</u> /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

H. 3772 -- Reps. Bernstein, G.M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M.M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

Senator GARRETT objected to consideration of the Bill.

POINT OF ORDER

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4321 -- Reps. J.E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS' COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 4992 -- Reps. Bailey, Hardee, Hayes, Atkinson and McGinnis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE WACCAMAW SWAMP BRIDGE ALONG SOUTH CAROLINA HIGHWAY 9 IN HORRY COUNTY "SERGEANT GORDON BEST MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:32 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator McELVEEN explained the House amendments.

Senator McELVEEN proposed the following amendment (968R002.KMM.JTM), which was adopted:

Amend the bill, as and if amended, by striking Section 25-11-85(B) and inserting:

/ (B) Upon request by a South Carolina chapter of a congressionally chartered veterans service organization that provided an honor guard burial detail at the funeral of a qualifying South Carolina veteran, the Secretary of the Department of Veterans' Affairs or his representative may authorize a disbursement from the fund, not exceeding the per funeral cap established annually by the secretary, for the purposes described in this section. Pursuant to his authority provided for in Section 25-11-20(D), the Secretary of the Department of Veterans' Affairs may promulgate regulations necessary to implement the provisions of this section. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

CONCURRENCE

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator TALLEY explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Campsen
Cash	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

On motion of Senator TALLEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator GROOMS explained the Bill.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators ALEXANDER and TURNER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Marian J. Kittredge of Greenville, S.C. Marian lived 98 wonderful years and was the mother of our beloved Judge John Kittredge. She graduated from the University of Denver and relocated to Greenville in 1950. She was a loved and respected member of the community who was involved in the Thursday Club where she helped start the Great Books program in area schools. She participated in Greenville Women Giving and was an award winning bridge player. Marian was a good listener, had a great sense of humor and modeled unconditional love. Marian was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 1:29 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, May 6, 2022
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN.

SECOND READING BILL

The following Bill, having been read the second time, was ordered placed on the third reading Calendar:

H. 5339 -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: A BILL TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER

ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

On motion of Senator K. JOHNSON.

ADJOURNMENT

At 11:06 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, May 10, 2022, at 12:00 P.M.

* * *

Tuesday, May 10, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jeremiah 3:15

Calling upon his people to repent, the Lord says to them: "I will give you shepherds after my own heart, who will feed you with knowledge and understanding."

Bow with me, if you will: O loving Lord, it is indeed a great burden to demonstrate love and concern and to really mean it. It is quite a responsibility, but the citizens of South Carolina truly deserve nothing less. That is why, dear God, we are so very thankful for each one of these Senators who are determined to act as "shepherds." Through the thoughtful decisions they and their aides make here in this Senate and the active caring they show back in their home districts, these leaders make it crystal clear that they accept Your call to act as shepherds. And in that role they not only accomplish great good for our people, dear Lord, but they also show how faithfully they strive to answer Your call, for which we give heartfelt thanksgiving. In Your loving name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SCOTT moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Cromer	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Craig Threatt, 79 Meadow Lane, Bamberg, SC 29003-2423

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robin Locklear, 431 North Brooks Street, Manning, SC 29102-3325

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Sophia T. Henderson, 1145 Oakman Branch Road, Walterboro, SC 29488-7877

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles D. Spivey, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joseph V. Mosley, 1445 Bettis Academy Road, Trenton, SC 29847-2603

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly B. Cox, 215 West Coleman Avenue, Pamplico, SC 29583-3759

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Tommy G. Mourounas, 5719 East Old Marion Hwy., Florence, SC 29506-9311

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Frank White, 3118 Devon Road, Florence, SC 29505-7304

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jonathan D. Anders, 107 South Pliney Circle, Simpsonville, SC 29681-2330

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Mark Edmonds, 131 Montis Drive, Greenville, SC 29617-8101

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Darrell Fisher, 112 Hedge Rose Court, Travelers Rest, SC 29690-7001

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Dean E. Ford, 205 North Maple St., Simpsonville, SC 29681-2312

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Vilvin Garrison, 551 Waterbrook Drive, Greenville, SC 29607-4878

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617-7631

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Matthew B. Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
James E. Hudson, 6 Highview Dr., Greenville, SC 29609-3261

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kenneth Southerlin, 905 East Silverleaf, Greer, SC 29650

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Clare Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Tonja Alexander, P.O. Box 837, Varnville, SC 29944-0837

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Catherine D. Baggett, P. O. Box 2020, Ridgeland, SC 29936-2635

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Fredrick Thomas, P. O. Box 3222, Lancaster, SC 29721-3222

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
John Long, 132 Antioch Dr., McCormick, SC 29835-4235

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Patty Smith, 3145 Upper Mill Road, McCormick, SC 29835-7243

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Christina Thompson, 700 Woodrow Street, Columbia, SC 29205-1757 *VICE* Eleanor Duffy Cleary

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
William Robin Freeman, 3690 Hollywood Rd., Chappells, SC 29037-9436

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Joyce B. Shults, 1437 Old Chappells Ferry Rd., Saluda, SC 29138-8036

Reappointment, Sumter County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028
Michael M. Jordon, 10 Law Range, Sumter, SC 29150

Appointment, Union County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2023
David Kevin Morrow, 134 Chapel Rd., Union, SC 29379-8080

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
William Driggers, 209 Short Street, Kingstree, SC 29556-3926

Initial Appointment, York County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Walton Beck, 782 Ottawa Drive, Rock Hill, SC 29732-9273

Doctor of the Day

Senator McELVEEN introduced Dr. Chris Yeakel of Columbia, S.C., Doctor of the Day.

TUESDAY, MAY 10, 2022

Leave of Absence

On motion of Senator STEPHENS, at 12:21 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator GAMBRELL, at 2:57 P.M., Senator GOLDFINCH was granted a leave of absence until 4:00 P.M.

Leave of Absence

On motion of Senator DAVIS, at 4:54 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

At 6:43 P.M., Senator GROOMS requested a leave of absence for Thursday, May 12, 2022.

RECALLED

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM

MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5212 -- Reps. Lucas and R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD "JAMES 'JIMMY' MCKELVEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4384 -- Reps. Hosey, Rivers, S. Williams, Clyburn and J. Moore: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN THE TOWN OF FAIRFAX IN ALLENDALE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 278 TO ITS INTERSECTION WITH SEVENTEENTH STREET "M.F. 'SONNY' RILEY, JR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator M. JOHNSON asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Judiciary.

The Joint Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1319 -- Senator Alexander: A SENATE RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL PRESIDENT DOUGLAS X. ALEXANDER TO THE PALMETTO STATE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE SPARTANBURG LIONS CLUB AND TO HONOR THE

SPARTANBURG LIONS CLUB FOR A CENTURY OF COMMUNITY SERVICE.
l:\council\bills\cc\16182vr22.docx
The Senate Resolution was adopted.

S. 1320 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE MAY 10, 2022, AS "PEACE, HARMONY, WELLNESS, AND OCCUPATIONAL THERAPY DAY" IN SOUTH CAROLINA.
l:\s-res\msm\011hima.kmm.msm.docx
The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1321 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. IVA B. HUGHES OF ROCK HILL FOR HER MANY ACCOMPLISHMENTS AND WISH HER CONTINUED SUCCESS, HEALTH, AND HAPPINESS FOR MANY YEARS TO COME.
l:\council\bills\rt\17145wab22.docx
The Senate Resolution was adopted.

S. 1322 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND CORDIALLY WELCOME TO THE SOUTH CAROLINA STATE HOUSE THE HONORABLE ELIZABETH SACKEY, MADAM MAYOR OF ACCRA, GHANA.
l:\s-res\msm\010eliz.kmm.msm.docx
The Senate Resolution was adopted.

S. 1323 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE THOMAS "TOM" DELANO BROADWATER, SR., OF COLUMBIA, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
l:\council\bills\jn\3602zw22.docx
The Senate Resolution was adopted.

S. 1324 -- Senator Bennett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JOSEPH R. "JOE" PYE, SUPERINTENDENT OF DORCHESTER SCHOOL DISTRICT TWO, UPON THE OCCASION OF HIS RETIREMENT AFTER A DISTINGUISHED CAREER OF MORE THAN FIFTY-TWO YEARS IN THE FIELD OF EDUCATION AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

ADOPTED

S. 1325 -- Senators Alexander and Malloy: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 12, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON WEDNESDAY, JUNE 15, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON FRIDAY, JUNE 17, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 28, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 30, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON THURSDAY, JUNE 30, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN SUNDAY, NOVEMBER 13, 2022, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.
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Amendment No. 1

Senator HUTTO proposed the following amendment (1325R001.SP.CBH), which was tabled:

Amend the concurrent resolution, as and if amended, by adding appropriately numbered new items to Sections (B), (C), and (D) to read:

/ ( ) consideration of House Bill 3620. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator JACKSON spoke on the amendment.

Senator SABB spoke on the amendment.

Remarks by Senator JACKSON

Thank you, Mr. PRESIDENT. Members of the Senate, this is actually, believe it or not, my 29th *sine die*. Senator HUTTO, when I first came here, I didn't even know what *sine die* meant. And I asked the question of some of the leadership and they said you still don't need to know what it means. Just all you need to know is that you need to vote for it. I think that's what Senator John Matthews told me, okay. I said could you explain to me what it means. He says you don't need to know. All you need to know is to vote yes. And I did. I voted yes and still did not know when I went home that day. I was hoping that someone from the press didn't ask me what does *sine die* mean because it really would have been very difficult to explain it. I would tell you this. I would support Senator HUTTO 100% and I'll tell you why.

There are a couple of mantras that I live by. One is I was told as a young man that there are some victories that cost too much. I was also told that there are some things that are worth falling on the sword for. Some things that are worth blowing up everything for -- not many things -- only a few things. When you find those things that are worth falling on the sword for, make sure -- make sure you explain why. And I will tell you that hate crimes is one of those things. In 1999, Senator RANKIN and I were here. Senator HUTTO was here. Senator MALLOY was here. We passed a Hate Crimes Bill in the South Carolina Senate. We were -- we were commended all over the country by all kinds of groups -- conservative, nonconservative groups for the South Carolina Senate passing a Hate Crimes Bill. Unfortunately, that Bill was never taken up in the South Carolina House. That was 23 years ago. Let me say this again. We passed, Senator HEMBREE, the junior Senator from Horry, former great solicitor, great friend of mine, we passed a Bill. We

debated it, we voted on it in 1999. 23 years later, we cannot even have a debate on it. Think about that again. 23 years ago, Senator SETZLER, we debated it, we amended it, we voted on a Hate Crimes Bill -- 23 years ago. 23 years later, we cannot even have a debate on hate crimes in South Carolina. I don't think that's something that we should be proud of; I really don't think that's something we should be proud of. Regardless of how it turns out, let's debate it. Let's vote up or down on hate crimes. Many of you would ask why use this now? This is perhaps the only tool we have -- Only thing we have left to even get a debate. I have even offered, again, without calling my good friend out -- and we are great friends, he and I go way back, Senator HEMBREE, the junior Senator from Horry, before either one of us were in this Body, Senator, you remember when we first met and we served together. Should I tell it? It was the young democrats of Richland County. Your lovely wife, yourself, and many of us worked on it. He has a Bill, Senator HEMBREE -- had a hate crimes Bill. When we first discussed this Bill, those on this side of the aisle said that Bill doesn't do anything. It's not the strongest Bill. We don't want to consider it. We have made the compromise to say let us bring up that Bill. Let us bring that Bill to the floor, Senator CAMPSEN. Let us debate, Senator SENN -- let us debate that Bill. Let us vote on that Bill. I am even on record of saying -- I said to my colleagues in the House, the representative from Charleston, Representative Gilliard -- I said if the only Bill we can get out this year would be Senator HEMBREE's Bill, that is progress. That is progress. And that is all we are asking for. I remember another issue, Senator DAVIS. You did a masterful job, great job with the Medical Marijuana Bill. You persevered. You worked. You never gave up. All you asked for year after year was a debate. Let us debate it. You said correctly so that if we ever get a chance to debate the Medical Marijuana Bill, we will learn some things and we will discover some things we did not know. We did. It was one of the most informative debates that I've been a part of since I've been here in the Senate. So, yes, I will not allow this opportunity to pass without once again challenging all of us. Let us just put it in the *sine die* Resolution. Let us vote it up or down. If you want to pull the Bill from Judiciary, Senator HEMBREE, the Senator from Horry's Bill, let us debate that Bill. Tell us what you don't like in a Hate Crimes Bill. Let us take out what you don't like in a Hate Crimes Bill. Let us pass something, even and listen -- I am publicly reluctantly say this, even if it's a shell of a Bill that gives us hope that we can come back and do something later that perhaps has more substance to it. So, I support the amendment that Senator HUTTO has, and I would say -- I'd

say to those of you that are on my side of the aisle -- what are you willing to fall on the sword for? What are you willing to lose for something that is right? And I'll remind you of what I was told as a young man a long time ago, some victories cost too much. Yeah, you may get your project. You may get something else. You may miss out of this. But I am willing to lose everything I have in a budget, everything I have in the budget to see that hate crimes is passed. If hate crimes is passed and JACKSON gets stripped of everything in the budget, it would be a very successful time for me because I know in the long run, it benefits more people. Again, only two states -- only two states do not have a hate crime Bill. I commend the House. They passed it. They did a good job -- South Carolina and Wyoming, is that something we are proud of? 23 years later we can't even have a debate on the Bill. So, I support the amendment that Senator HUTTO is trying to add. Thank you.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT. I do not intend to be long. I think I would start by dittoing the remarks from Senator JACKSON and Senator HUTTO. I am going to try not to be repetitive to the extent that I can. I remember when we were going through redistricting and I had the good fortune of traveling around our great State. I was at one of the venues at one of our technical colleges, a member of the Senate was there, and the gentleman said to me jokingly, "First do no harm." He said, "First do no harm," which simply meant that I was the one that was chairing the committee and I was to do no harm. I really took that to heart because I believe in the process. I believe in hearing people out who agree with us -- who disagree with us. I was somewhat admonished in a very kind joking way to do no harm when I was chairing that meeting on your behalf and on behalf of the rest of the members of our committee. I was just suggesting that I took that to heart because we did not know what we would walk into. We did not know whether people would be angry -- whether they would be calm. We just did not know. However, what we knew was our job was to be respectful, to listen to people and ultimately keep everything going. I went in with the attitude that, you know, I am going to be me. I am going to be respectful -- yes, ma'am, no, ma'am -- the way that my grandmother and mom and the rest of them reared me and I believed that we would have a good meeting and thank goodness and thank God that we did. I stand here at another one of those kind of moments as far as I am concerned where there are some fundamental questions that are raised. Fundamental questions of fairness. Fundamental questions as they relate to the right to be heard.

Fundamental questions as they relate to how this body operates. You know I was not born yesterday and believe it or not, I was a math major when I was an undergrad and so I can count. Realizing where the numbers are in this Body and what that says is if you have the numbers, you do what you please, Senator MALLOY. If you have the numbers Senator K. JOHNSON, if you have the numbers, you do not have to yield. You really do not have to listen, nor do you have to consider because you can win. You can win -- you can have your way. So for me, is what we are doing all about winning? Is it about winning? Is it about saying I do not have to listen to you because you do not have the numbers? I do not have to listen to you because you do not have leverage. I could ignore you. I can ignore your voice. In fact, I can limit the amount of time you can talk. That is the power of numbers. Perhaps there will come a day when all this Body is about is numbers. I hasten to see that day because when you are disregarded, when you are tossed aside, when you are put into the corner with regard to a matter of import, then the question is why am I here? If I am just here to be a number, then as far as I am concerned, my presence fails its essential purpose. It has no real meaning. It has no real substance. I do not believe that the foundation upon which this Body sits is a foundation that suggests that voices ought to be minimized -- that opinions and thoughts of what matters ought not to be considered because the numbers are not there to support the voice. The numbers are not there for the individual to bring forth a matter of import. It is a mistake. It is a fundamental mistake if we look at numbers and numbers only. I am urging you to move away from that because voice is important. I do not believe any of us in this Body, and we speak party for a moment, is an island unto him or herself. I do not believe so. I do not believe anybody, and I am speaking of parties, has a panacea on all good ideas and everything that is good for the State of South Carolina. If you disagree with me, then there ought just one party in the Body. I would submit that if we are real colleagues, if we are real colleagues, then this matter would be worthy of consideration. Why? Because it is not just important, it is extremely important. Perhaps that does not matter because perhaps we have not individually had a matter of import that we could not discuss in a real way. I have always said when I go to court, all I want is on opportunity to be heard. I want to follow the rules and a chance to prevail on a fair level playing field. And once that opportunity is given, once I've had the chance to present my case, to have balls and strikes called consistent with the rules, then I hold my head up, I walk out of there whether I win or whether I lose. I have had my chance. Some would maintain that I have been given my due process rights. I submit

this Body ought to be about the business of due process, y'all. We ought to have a full and fair opportunity to be heard -- not just the numbers. This Body cannot be reduced to a numbers game. I read the preamble to the Bill that we just debated. A Bill that in my opinion strike that the preamble in my opinion that was fundamentally flawed. Because it talked about the history of our Nation and it talked about how consciousness was always a part and how it was one of the inalienable rights that we all have. No, it was not. Never was, never will be and that is not RONNIE SABB saying that, that is history telling us that. We have improved upon that I believe. We have progressed. Some would maintain that we have a way to go but we have progressed nonetheless. Therefore, let me wrap up by saying three things. There is something that suggests that when there is no justice, there is no peace, and I would just submit you to all on this Lord's Day that we do not come in idleness. I do not stand here to be seen or just to be heard. I stand here to share. I stand here to share what is a part of my DNA, who I am, why I am and whose I am. I fundamentally believe that if we believe that we are, as some would say, our brothers and sisters' keepers, then when we speak in terms of wellness and how important wellness is -- then we would begin to understand those things that cause violence to our consciousness and one of the things that I have done only twice since I have left this Body, only twice -- I have been disturbed. Once when we passed the Bill that allowed people to be executed by firing squad. I could not get that moment out of my mind. For weeks it just kept coming back and coming back and frankly I have not shook it yet. I grew up watching westerns, and of course, in those days when people were killed by firing squad, it was not real. I knew that and so it did not bother me, but when I started relating that experience to real life, it was troubling. I was glad that the Supreme Court stayed the first firing squad execution. I do not know how I am going to react when I witness that. Frankly, I think the thing that bothers me most, my friend from Horry, is the fact that I did not say anything. The fact that I sat idle. If I had said anything, would it have mattered? Perhaps not -- more likely than not in terms of the votes. I think that holding it in I did violence to my consciousness and so that was the one time that I walked from this Chamber feeling some kind of way. I had that experience one other time but I am not here to talk about those things. I'm here to urge you all to consider, as our leader has I think eloquently asked, that we get an opportunity to have hate crimes be a part of the *Sine Die* Resolution. I think it does two things, y'all. I think one thing it does is it says we heard y'all. We are not guaranteeing that it will be reached. We are not guaranteeing that we vote in favor of it. We

are not even guaranteeing that you get a chance to speak on it. It would say all of those things but it would say we heard you and we are considering not only what 48 other states have considered and have done, we are considering the thought process of our colleagues. We agree to look beyond the numbers. We know we have the numbers to suppress it. We know we have the power. We know we have the authority. The question is whether or not every time we have power and every time we have authority should we use it, should we exercise it or should we show compassion and resolve that the thought process of others, especially our colleagues in this Chamber, matters. I believe it does. I believe y'all know it does. I am urging you to be courageous. I am urging you to be independent. I am urging you to be thoughtful. I am urging you to be considerate.

On motion of Senator FANNING, with unanimous consent, the remarks of Senators JACKSON and SABB, were ordered printed in the Journal.

Senator K. JOHNSON spoke on the amendment.
Senator McLEOD spoke on the amendment.
Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Senn
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Davis	Fanning
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Williams	

Total--20

The amendment was laid on the table.

Amendment No. 2

Senator CASH proposed the following amendment (1325R002.SP.RJC), which was tabled:

Amend the concurrent resolution, as and if amended, by adding appropriately numbered new items to Sections (B) and (C) to read:

/ ( ) consideration of S. 1127. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

The question then was the adoption of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin

Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Cash	Fanning	Hutto
Jackson	Matthews	McLeod
Sabb	Scott	

Total--8

The Resolution was adopted, and ordered sent to the House.

S. 1326 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. STEPHEN CUTLER FOR HIS OUTSTANDING SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA AND THE STATE OF SOUTH CAROLINA AS INTERIM PROVOST FOR THE UNIVERSITY.
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The Senate Resolution was adopted.

S. 1327 -- Senators Grooms, Gambrell, Kimbrell, Climer, Loftis and Adams: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROHIBIT THE PERFORMANCE OR INDUCTION OF ABORTIONS IN THIS STATE, TO PROVIDE LIMITED EXCEPTIONS, TO CLARIFY THAT CONTRACEPTIVES ARE NOT PROHIBITED, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 40-47-110, RELATING TO MISCONDUCT BY PHYSICIANS, TO PROVIDE THAT ABORTIONS PERFORMED OR INDUCED IN VIOLATION OF THE PROHIBITION ON ABORTIONS CONSTITUTES MISCONDUCT SUBJECT TO DISCIPLINE BY THE BOARD OF MEDICAL EXAMINERS, TO PROVIDE THAT A PHYSICIAN DETERMINED TO HAVE PERFORMED OR INDUCED AN ABORTION IN VIOLATION OF THE PROHIBITION MUST HAVE HIS LICENSE REVOKED, AND TO PROVIDE THAT A PHYSICIAN WHOSE LICENSE HAS BEEN

REVOKED FOR PERFORMING A PROHIBITED ABORTION MAY NEVER AGAIN BE LICENSED TO PRACTICE MEDICINE IN SOUTH CAROLINA; AND TO AMEND SECTION 40-47-110, RELATED TO THE UNLICENSED PRACTICE OF MEDICINE, TO PROVIDE A PENALTY FOR A NON-PHYSICIAN WHO PERFORMS OR INDUCES AN ABORTION.
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Read the first time and referred to the Committee on Medical Affairs.

H. 5155 -- Reps. Allison, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2022 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5157 -- Reps. Lucas, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard,

Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE TOMMY PRESTON, JR., ON HIS APPOINTMENT AS VICE PRESIDENT FOR ETHICS AT THE BOEING COMPANY AND TO RECOGNIZE AND HONOR HIS CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5252 -- Reps. Sandifer and G. M. Smith: A JOINT RESOLUTION TO ENCOURAGE ECONOMIC GROWTH IN SOUTH CAROLINA THROUGH THE ESTABLISHMENT OF COMPETITIVE ELECTRIC RATES, TERMS, AND CONDITIONS FOR CERTAIN QUALIFYING COMMERCIAL AND INDUSTRIAL CUSTOMERS SEEKING TO LOCATE IN SOUTH CAROLINA; TO ENABLE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA TO CONSIDER QUANTIFIABLE NET BENEFITS TO UTILITY CUSTOMERS DUE TO ECONOMIC DEVELOPMENT WHEN SETTING JUST AND REASONABLE RATES; AND TO PROVIDE AN EXPEDITIOUS PROCESS FOR AN ELECTRICAL UTILITY TO OFFER PRICING TO THE SOUTH CAROLINA DEPARTMENT OF COMMERCE FOR POTENTIAL ECONOMIC DEVELOPMENT PROSPECTS.

Read the first time and referred to the Committee on Judiciary.

AMENDED

H. 5288 -- Reps. Weeks and G. M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE

SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN proposed the following amendment (ZW\5288C001.AR.ZW22), which was adopted:

Amend the bill, as and if amended, SECTION 1, pages 3-4, by striking subsection 2(A)(3) and inserting:

/ (3) The members of the Sumter School District Board of Trustees must be elected for four-year terms and until their successors are elected and qualify, except that of the nine board members elected in the 2022 school district elections, the five members who receive the five highest vote totals shall serve full four-year terms and until their successors are elected in the 2026 school district elections and qualify, and the four members who receive the four lowest vote totals shall serve initial two-year terms to expire in November 2024, when their successors elected at the 2024 school district elections qualify and take office for full four-year terms. In the event of a vacancy on the Sumter School District Board of Trustees occurring for a reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within one hundred eighty days of a general election at which school district elections are to be conducted. In this case, the vacancy must be filled for the unexpired term through appointment by the Governor. /

Amend the bill further, as and if amended, SECTION 1, pages 4-5, by striking subsection 2(A)(5) and inserting:

/ (5) The Sumter County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the Sumter School District Board of Trustees in the manner governed by the election laws of this State, mutatis mutandis. The county elections board shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The county elections

board shall publish notices of the elections pursuant to Section 7-13-35. The results of the school district elections must be determined by the nonpartisan election and runoff election method pursuant to Section 5-15-62. In order to ensure the continuity of experience on the Sumter School District Board of Trustees following the 2022 school district elections, the nine board members elected in the 2022 school district elections shall take office after December 31, 2022; however, beginning with the 2024 school district elections, the members of the Sumter School District Board of Trustees shall take office one week following certification of their election pursuant to Section 59-19-315. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

Senator McELVEEN asked unanimous consent to adopt the amendment, give the Bill a second reading Wednesday, May 11, 2022, and a third reading Thursday, May 12, 2022.

There was no objection.

H. 5337 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and, on motion of Senator GROOMS, with unanimous consent, H. 5337 was ordered placed on the Calendar without reference.

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, MAY 10, 2022

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4608 -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH

CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS; TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SECONDARY AND POSTSECONDARY SCHOOL SPORTS TEAMS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES MAY BE OPEN TO FEMALE STUDENT PARTICIPANTS; TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES MAY NOT BE OPEN TO MALE PARTICIPANTS; TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS; AND TO PROVIDE REMEDIES TO STUDENTS AND SCHOOLS FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY

EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES;

TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS

23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED

HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST

USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 10, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1316 -- Senator Gambrell: A CONCURRENT RESOLUTION TO CONGRATULATE THE DAUGHTERS OF THE AMERICAN REVOLUTION, MT. ARIEL CHAPTER, AT THE DEDICATION OF ITS AMERICA 250 PATRIOTS MARKER AND TO SALUTE THE DAR CHAPTER ON ITS NEW PROGRAM TO COMMEMORATE AMERICAN REVOLUTIONARY WAR PATRIOTS IN CONJUNCTION WITH OUR NATION'S TWO HUNDRED FIFTIETH ANNIVERSARY CELEBRATION IN 2026.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator GROOMS spoke on the Bill.

Senator GROOMS asked unanimous consent to proceed to Amendment No. 7.

There was no objection.

Amendment No. 7

Senators GROOMS, HUTTO and MALLOY proposed the following amendment (4776R003.SP.LKG), which was adopted:

Amend the bill, as and if amended, on page 7, line 32 by adding:

/ Section 44-139-90. The contract, policy, or other documentation executed between a health care payer and a person that requires the health care payer to pay for or arranges for the payment of any health

care services provided to the person must contain a statement in bold face type providing the person with notice that some health care services may not be provided by the health care payer because the provision of those services violates the health care payer's conscience as defined in Section 44-139-20(1). The notice must further provide that a list of the health care services that the health care payer will not pay for or arrange payment for may be found on the health care payer's website or otherwise be made available to the person upon request. /

Amend the bill further, as and if amended, on page 7, on line 13 by adding an appropriately lettered new subsection to read:

/ (C) If the State Human Affairs Commission does not remedy a complaint, then a health care practitioner, health care institution, or health care payer may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. If the notice provisions of Section 44-139-90 are violated, then the patient may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. /

Amend the bill further, as and if amended, on page 5, by striking line 28 and inserting:

/ chapter may, at his sole discretion and if requested by the patient or legal representative of the patient: /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 9A

Senator MALLOY proposed the following amendment (4776GM1FIN), which was adopted:

Amend the bill, as and if amended, page 5, line 35 by adding an appropriately numbered subitem at the end of Section 44-139-30 to read:

/ ( ) No provision of this chapter shall be construed as to limit an employer's or contractee's authority to make employment, staffing, contracting, disciplinary, credentialing, privileging, or other related decisions. Nothing in this chapter shall be construed to violate any part of Chapter 7 of Title 41. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

ABSTAIN

Gustafson

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5339 -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: A BILL TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

On motion of Senator REICHENBACH.

TUESDAY, MAY 10, 2022

CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

On motion of Senator MALLOY, the Bill was carried over.

AMENDED, CARRIED OVER

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (3037R003.KMM.TC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56-1-80(A) of the 1976 Code is amended to read:

"Section 56-1-80. (A) An application for a driver's license or permit must:

(1) be made upon the form furnished by the department;

(2) be accompanied by the proper fee and acceptable proof of date and place of birth;

(3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;

(4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

(5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

(6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. ~~which~~ The medical condition must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record~~;~~. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless subitem (A)(8) applies;

(7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record; ~~and~~

(8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40-47-20(35)~~.~~; and

(9) include a statement that certain driver's license and driver's record information may be released, upon request, pursuant to subsection (B).

(B)(1) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), must be made available, upon request~~,~~ only to:

(a) ~~to~~ law enforcement, ~~and~~ emergency medical services, and hospital personnel;

(b) the medical advisory board pursuant to Section 56-1-221;

(c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

(d) the person to whom the records of the permanent medical condition applies.

(2) The information contained on a driver's license and in the driver's department ~~and the information and~~ records pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), must be made available, upon request~~,~~: only to:

(a) ~~to~~ law enforcement, emergency medical services and hospital personnel~~,~~; and

(b) the South Carolina Donor Referral Network, as provided for in Section 44-43-910.

(3) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6)or item (A)(8), and pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), may not be sold and is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act."

SECTION 2. A. Section 56-1-3350(A) of the 1976 Code is amended to read:

"Section 56-1-3350. (A) Upon application by a person five years of age or older, who is a resident of South Carolina, the department shall issue a special identification card ~~as long as~~ provided that the:

(1) application is made on a form approved and furnished by the department;

(2) applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth; ~~and~~

(3) applicant, who wishes to obtain a special identification card that indicates the applicant is autistic, complies with subsections (A)(1) and (2) and provides documentation that he is autistic from a physician licensed in this State, as defined in ~~Section 40-47-20(35)~~ Chapter 47, Title 40. The special identification requested must be indicated by a symbol designated by the department on the person's special identification card~~.~~; and

(4) applicant, who wishes to obtain a special identification card that indicates the applicant has voluntarily disclosed a permanent medical condition, complies with subsection (A)(1) and (2), and provides documentation of the medical condition from a physician licensed in this State, as defined in Chapter 47, Title 40. The record of an identification card holder may not contain more than three permanent medical conditions unless subitem (A)(3) applies. The information contained on a special identification card and in the special identification card holder's department records pertaining to his autism, as provided for in item (3), or his permanent medical condition, as provided for in this item, may not be sold, is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act, and may be released upon request only to:

(a) law enforcement, emergency medical services, and hospital personnel;

(b) the medical advisory board pursuant to Section 56-1-221;

(c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

(d) the person to whom the records of the permanent medical condition applies."

SECTION 3. (A) SECTION 1 takes effect July 1, 2022.

(B) SECTION 2 takes effect one year after the approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (WAB\3037C002.RT.WAB22), which was ruled out of order:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Section 56-1-80(A) of the 1976 Code is amended by adding an appropriately numbered item to read:

"( ) include an advisory statement that distracted driving, including driving while holding a mobile electronic device, may be dangerous to the safety of the vehicle operator and/or others in the traveling public."

SECTION __. A. Section 56-5-3890 of the 1976 Code is amended to read:

"Section 56-5-3890. (A) For purposes of this section~~:~~,

~~(1) 'Hands free wireless electronic communication device' means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person without holding the device in either hand by utilizing an internal feature or function of the device, an attachment, or an additional device. A hands free wireless electronic communication device may require the use of either hand to activate or deactivate an internal feature or function of the device.~~ 'Mobile electronic device' means a cellular telephone, portable computer, GPS receiver, electronic game, or any substantially similar stand-alone electronic device used to communicate, display, or record digital content. 'Mobile electronic device' does not include a citizens band radio, amateur radio, ham radio, commercial two way radio or its functional equivalent, subscription-based emergency communication device, or prescribed medical device.

~~(2) 'Text based communication' means a communication using text based information, including, but not limited to, a text message, an SMS message, an instant message, or an electronic mail message.~~

~~(3) 'Wireless electronic communication device' means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person.~~

(B) ~~It is unlawful for a person to use a wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this State.~~ While operating a motor vehicle on any public highway of this State, a person shall not:

(1) hold or support, with any part of the body, a mobile electronic device. This provision does not prohibit the use of an earpiece or device worn on a wrist to conduct voice-based communication;

(2) read, compose, or transmit any text including, but not limited to, a text message, email, application interaction, or website information on a mobile electronic device;

(3) watch motion including, but not limited to, a video, movie, game, or video call on a mobile electronic device.

(C) This section does not apply to a ~~person~~ motor vehicle operator who is:

(1) lawfully parked or stopped;

(2) ~~using a hands-free wireless electronic communication device~~ initiating a voice-based communication that is automatically converted by the device and sent as text, provided that the device is not held by the operator or supported with any part of the body by the operator;

(3) ~~summoning emergency assistance~~ reporting an accident, emergency, or safety hazard to a public safety official;

(4) transmitting or receiving data as part of a digital dispatch system while performing occupational duties;

(5) ~~a public safety official while in the performance of the person's~~ a first responder while performing official duties; ~~or~~

(6) using a ~~global positioning system device or an internal global positioning system feature or function of a wireless electronic communication~~ mobile electronic device for the purpose of:

(a) navigation, listening to audio-based content, or obtaining ~~related~~ traffic and road condition information in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator;

(b) using a mobile electronic device to initiate or end a cellular call in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator; or

(c) unlocking the device for a purpose listed in subitems (a) or (b), provided that the device is not held by the operator or supported with any part of the body by the operator; or

(7) using equipment or services installed by the original manufacturer of the vehicle.

(D)(1) A person who is adjudicated to be in violation of ~~the provisions of~~ this section is guilty of distracted driving and, upon conviction:

(a) for a first offense, must be fined ~~not more than twenty-five~~ one hundred dollars, no part of which may be suspended; and

(b) for a second or subsequent offense, must be fined four hundred dollars, no part of which may be suspended.

(2) Only those offenses which occurred within three years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this subsection. ~~No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A person must not be fined more than fifty dollars for any one incident of one or more violations of the provisions of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56-1-640, a violation of this section must not be:~~

~~(a) included in the offender's motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED; or~~

~~(b) reported to the offender's motor vehicle insurer.~~

~~(2)~~(3) ~~During the first one hundred eighty days after this section's effective date, law enforcement officers shall issue only warnings for violations of this section.~~ The Department of Public Safety must receive twenty-five percent of the fines imposed for violations of this section. Funds provided to the department pursuant to this section must be used to educate the public on the dangers of distracted driving and the provisions of this act.

(E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has ~~probable cause~~ reasonable suspicion that a violation has occurred ~~based on the officer's clear and unobstructed view of a person~~

~~who is using a wireless electronic communication device to compose, send, or read a text based communication while operating a motor vehicle on the public streets and highways of this State~~;

(2) seize, search, view, or require the forfeiture of a ~~wireless electronic communication~~ mobile electronic device because of a violation of this section;

(3) search or request to search a motor vehicle, ~~driver~~ operator, or passenger in a motor vehicle, solely because of a violation of this section; or

(4) make a custodial arrest ~~for~~ solely because of a violation of this section, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine.

(F) The Department of Motor Vehicles shall maintain and provide citation information pursuant to this section to the Department of Public Safety. The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section.

(G) This section preempts ~~local~~ ordinances, regulations, and resolutions adopted by ~~municipalities, counties, and other local governmental entities~~ political subdivisions regarding persons using ~~wireless~~ mobile electronic ~~communication~~ devices while operating motor vehicles on the public ~~streets and~~ highways of this State.

(H) The provisions of this section are not subject to the provisions contained in Section 17-13-10 and Section 17-13-20, both of which are related to what is commonly referred to as 'citizens' arrest."

B. At every interstate highway ingress, the Department of Transportation shall erect a sign advising motorists of this act.

C. During the first ninety days after the effective date of this act, law enforcement officers shall only issue warnings for violations of Section 56-5-3890, as amended by this act.

D. At the end of each fiscal year, the Department of Public Safety shall report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Transportation Committee, and the Chairman of the House Education and Public Works Committee the age, gender, and race of every driver issued a citation, as well as every instance that a citation is not issued following a traffic stop made pursuant to this act. The data must be reported at least by statewide totals for local law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies. The statewide total for local law enforcement agencies shall combine the data collected by county and the municipal law enforcement agencies. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

Point of Order

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator YOUNG spoke on the Point of Order.
Senator MALLOY spoke on the Point of Order.
Senator GROOMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

On motion of Senator MALLOY, the Bill was carried over.

HOUSE BILL RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND

HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5057 -- Reps. Simrill, Pope, Erickson and W. Newton: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO

ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY

NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4832 -- Reps. Sandifer and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE

FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

H. 4983 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE

REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

CARRIED OVER

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator SENN, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

AMENDED, READ THE SECOND TIME

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (614R001.KMM.TDC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act shall be referred to and cited as the "Second Amendment Protection Act".

SECTION 2. The General Assembly finds that this act ensures that the South Carolina unorganized militia is "a well regulated militia" pursuant to Section 20, Article I of the South Carolina Constitution and the United States Constitution and further ensures that the unorganized militia is imbued with the rights and privileges guaranteed to the militia and its members in the South Carolina Constitution and the United States Constitution.

SECTION 3. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

"Section 25-1-80. (A) For the purposes of this section, 'firearm' shall include, but is not limited to, a rifle; shotgun; handgun; and magazines, clips, components, parts, accessories, or ammunition required for, fitted to, or useable with an authorized rifle, shotgun, or handgun that meets the criteria established in subsection (D)(2).

(B) Pursuant to the provisions of Section 25-1-60, an able-bodied citizen of this State who is at least eighteen years of age and who can legally purchase a firearm is deemed a member of the unorganized militia, unless he is already a member of the National Guard or the organized militia not in National Guard service.

(C) The unorganized militia will be responsive to the Governor, as provided in Section 3, Article XIII of the South Carolina Constitution, and to the Adjutant General and shall be regulated through the actions of the General Assembly.

(D) The rights, powers, duties, and immunities of the unorganized militia and its members include the following:

(1) the unorganized militia may be ordered to active duty pursuant to the provisions of Section 25-1-1890;

(2) an unorganized militia member, at his own expense, has the right to furnish himself with, and maintain at all times in his own possession, or subject to his control:

(a) any firearm that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2020; and

(b) any firearm protected by the Second Amendment to the United States Constitution including, but not limited to, any firearm that has some reasonable relationship to the preservation or efficiency of a well-regulated militia, that is any part of ordinary military equipment, or that could contribute to the common defense;

(3) the unorganized militia is not subject to any law or regulation, or to the jurisdiction of any person or entity, outside of South Carolina, except that:

(a) as an instrumentality of this State, the unorganized militia, and its members, are entitled to each exemption, exception, or exclusion for a state and its political subdivisions provided for in the laws of the United States that, in any manner, regulates the manufacture, repair, sale, purchase, possession, transfer, or receipt of a firearm; and

(b) the unorganized militia may be employed in the service of the United States to enforce any statute enacted pursuant to the congressional authority to provide for calling forth the militia to execute the laws of the United States, suppress insurrections, and repel invasions pursuant to Article I, Section 8, Clauses 15 and 16 of the United States Constitution; and

(4) a member of the unorganized militia who has a conscientious objection to the personal possession of a firearm is exempt from the provisions contained in subsection (D)(2)."

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO

DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Senator CASH objected to consideration of the Bill.

CARRIED OVER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

On motion of Senator CROMER, the Bill was carried over.

CARRIED OVER

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator RANKIN, the Resolution was carried over.

TUESDAY, MAY 10, 2022

CARRIED OVER

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator RANKIN, the Resolution was carried over.

READ THE SECOND TIME

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Climer	Corbin

Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (4220R001.SP.CBH), which was adopted:

Amend the bill, as and if amended, on page 1, SECTION 1, by striking lines 34- 37 and inserting:

/(1) if the owner is living, mailing a certified letter to the last known address on record of the insured or policy owner. If the owner is deceased, mailing a certified letter to the beneficiary and the deceased's estate, notifying the estate, insured, policy owner, or beneficiary, as

appropriate, that the insurer is seeking a mutual rescission of the policy. The letter /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

TUESDAY, MAY 10, 2022

AMENDED, READ THE SECOND TIME

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (4889R002.KMM.CBH), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Chapter 79, Title 40 of the 1976 Code is amended by adding:

"Section 40-79-215. An alarm business or contractor as defined in this chapter, or an alarm business call center, must not be fined or assessed a penalty by a local government for false alarms which are not attributed to improper installation, defective equipment, or operational error by the alarm business contractor." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Adams	Alexander	Allen
Campsen	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Bennett	Climer	Gustafson

Total--3

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

Senator SENN spoke on the Bill.

The question then being second reading of the Bill.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, READ THE SECOND TIME

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

The Senate proceeded to a consideration of the Bill.

Senators LOFTIS and CORBIN proposed the following amendment (3291R001.KMM.DAL), which was withdrawn:

Amend the bill, as and if amended, by striking Section 16-11-600(B)(2).

/ (2) by marking boundaries with a clearly visible purple-painted marking, consisting of one vertical line not less than eight inches in length and four inches in width, and the bottom of the mark not less than three nor more than six feet from the ground or normal water surface. These marks must be affixed to immovable, permanent objects that are not more than one hundred fifty feet apart and readily visible from multiple angles to any person approaching the property. Any boundary at a corner must be marked by three circular rings around the immovable or permanent object. /

Renumber sections to conform.

Amend title to conform.

Senator LOFTIS explained the amendment.

The amendment was withdrawn.

Senators HUTTO and CAMPSEN proposed the following amendment (JUD3291.001):

Amend the bill, as and if amended, page 1, by striking lines 24 through 37, in Section 16-11-600, as contained in SECTION 1, and inserting therein the following:

/ "Section 16-11-600. (A) Every entry upon the lands of another ~~where any horse, mule, cow, hog, or any other livestock is pastured, or any other lands of another~~, after notice from the owner or tenant has been posted or given prohibiting such entry, ~~shall be~~ is a misdemeanor and must be punished by a fine of not ~~to exceed~~ more than one hundred dollars~~,~~ or by imprisonment ~~with hard labor on the public works of the county for~~ not ~~exceeding~~ more than thirty days. ~~When any owner or tenant of any lands shall post a notice in four conspicuous places on the borders of such land prohibiting entry thereon, a proof of the posting shall be deemed and taken as notice conclusive against the person making entry, as aforesaid, for the purpose of trespassing.~~

(B) The owner or tenant of any lands may accomplish the posting of notice as follows: /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then being second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE

COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

The Senate proceeded to a consideration of the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

TUESDAY, MAY 10, 2022

OBJECTION

H. 3772 -- Reps. Bernstein, G.M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M.M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

Senator HARPOOTLIAN objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SA\ 3775C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

"Section 38-71-144. (A) For purposes of this section:

(1) 'Health benefit plan' means all individual and group health insurance policies and health maintenance organizations issued, delivered or renewed in this State, to include the State Health Plan, but otherwise not to include the administrative services performed on behalf of a self-funded plan subject to the Employee Retirement Income

Security Act (ERISA) of 1974 or other plans exempted by Section 38-71-1920(9).

(2) 'Stage four advanced, metastatic cancer' means cancer that has spread from the primary or original site of the cancer to nearby tissues, lymph nodes, or other areas or parts of the body.

(3) 'Recognized diagnostic imaging service' means a diagnostic imaging service for the diagnosis and treatment of stage four advanced, metastatic cancer for which the National Comprehensive Cancer Network Clinical Practice Guidelines in Oncology provide a uniform consensus that the proposed use of the diagnostic imaging service is appropriate and is supported by peer-reviewed literature.

(B) If a health benefit plan that covers the treatment of stage four advanced, metastatic cancer denies a prior authorization request or a claim for a recognized diagnostic imaging service for a covered person's stage four advanced metastatic cancer based upon an adverse medical necessity determination, then the covered person shall have a right to an expedited external review in accordance with Section 38-71-1980."

SECTION 2. This act takes effect upon approval by the Governor, and applies to health benefit plans issued, renewed, delivered, or entered into on or after the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4048.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Chapter 11, Title 1 of the 1976 Code is amended by adding:

"Section 1-11-445. (A) The State of South Carolina, by and through its agencies, departments, and instrumentalities, must defend the state agency, department, or instrumentality, and the members of a governing board of the state agency, department, or instrumentality, as applicable, against an uninsured claim or suit that arises out of or by virtue of the performance of official duties on behalf of the state agency, department, or instrumentality, and must indemnify them for an uninsured loss or judgment incurred by them as a result of the claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both. The State also must defend directors, officers, and employees of the entity, and legislative employees performing duties for the entity, against an uninsured claim or suit that arises out of or by virtue of the performance of official duties unless the director, officer, employee, or legislative employee was acting in bad faith including, but not limited to, acting outside the scope of his official duties, or that the actions constituted actual fraud, actual malice, intent to harm, or a crime involving moral turpitude. The State shall indemnify these directors, officers, employees, and legislative employees for a loss or judgment incurred by them as a result of such uninsured claim or suit, without regard to whether the claim or suit is brought against them in their individual or official capacities, or both. This commitment to defend and indemnify extends to members of the entity, the entity's officers, the entity's director, the entity's employees, and legislative employees after they have left their employment with the entity or the General Assembly, as applicable, if the uninsured claim or suit arises out of or by virtue of their performance of official duties on behalf of their employer.

(B) The term 'instrumentality' as used in this section includes an entity where a specific duty or function is imposed on the entity by law and includes any function where the entity must exercise a portion of the state's sovereignty. Entities to which this provision applies include, but are not limited to, the State Fiscal Accountability Authority, the Judicial Merit Selection Commission, the Public Utilities Review Committee, the Retirement Systems Investment Panel, and all joint special legislative committees.

(C) The provisions of subsection (A) also apply to employees and officers while acting within the scope of their employment when administering any South Carolina statute which has not been held to be unconstitutional or unlawful by a final decision of a court of competent jurisdiction. For purposes of this section, a final decision is the decision of a court declaring the South Carolina statute unconstitutional or otherwise unlawful, and from which the appropriate officials of this State may not or do not take an appeal or request a rehearing.

(D) This section does not waive any defense, immunity, limitation, or jurisdictional bar including, but not limited to, the Tort Claims Act. This section does not affect the terms or conditions of any applicable policy of insurance."

SECTION 2. Sections 1-11-440 and 12-4-325 are repealed on the effective date of this act.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

Senator MARTIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
OBJECTION

H. 4321 -- Reps. J.E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS' COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4321.004), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Sections 42-1-560(b) and (c) of the 1976 Code are amended to read:

"(b) The injured employee or, in the event of his death, his dependents, shall be entitled to receive the compensation and other benefits provided by this title and to enforce by appropriate proceedings his or their rights against the third party; provided, that action against the third party must be commenced not later than one year prior to the expiration of the time in which such action may be brought, and provided ~~after~~ the carrier has ~~accepts~~ accepted liability for the payment of compensation or ~~makes~~ made payment pursuant to an award under this title, except as hereinafter provided. In such case the carrier shall have a lien on the proceeds of any recovery from the third party whether by judgment, settlement, or otherwise, to the extent of the total amount of compensation, including medical and other expenses, paid, or to be paid by such carrier, less the reasonable and necessary expenses, including attorneys' fees, incurred in effecting the recovery, and to the extent the recovery shall be deemed to be for the benefit of the carrier. Attorneys' fees owed and payable by the carrier to the attorneys effecting the recovery shall be set by the commission but shall not exceed one-third of the total claim amount paid by the carrier to the injured employee. Such fees shall be paid from the funds recovered by the carrier. Any balance remaining after payment of necessary expenses and satisfaction of the carrier's lien shall be applied as a credit against future compensation benefits for the same injury or death and shall be distributed as provided in subsection (g). Notice of the commencement of the action shall be given within thirty days thereafter to the Workers' Compensation Commission, the employer and carrier upon a form prescribed by the Workers' Compensation Commission; provided, however, that failure to notify the Workers' Compensation Commission, the employer, and the carrier upon a form prescribed by the Workers' Compensation Commission does not constitute an election of remedy.

(c) When there is less than one year remaining prior to the expiration of the time in which an action against a third party must be commenced, and provided the carrier has accepted liability for the payment of compensation or made payment pursuant to an award under this title, ~~If, prior to the expiration of the one-year period referred to in subsection (b), or within thirty days prior to the expiration of the time in which such~~

~~action may be brought,~~ and the injured employee, or, in event of his death, the person entitled to sue therefor shall not have commenced action against or settled with the third party, the right of action of the injured employee, or, in event of his death, the person entitled to sue therefor shall pass by assignment to the carrier; provided, that the assignment shall not occur less than twenty days after the carrier has notified the injured employee or, in the event of his death, his personal representative or other person entitled to sue therefor in writing, by personal service or by registered or certified mail that failure to commence such action will operate as an assignment of the cause of action to the carrier. Prior to the expiration of ninety days after the assignment, the carrier shall give the Workers' Compensation Commission, the injured employee, or, in event of his death, his dependents and any other person entitled to sue therefor notice, upon a form prescribed by the Workers' Compensation Commission, that action has been or will be commenced against the third party. Failure to give this notice, or to commence the action at least thirty days prior to the expiration of the time within which such action may be brought, shall operate as a reassignment of the right of action to the injured employee, or, in event of his death, his personal representative or other person entitled to sue therefor, and the rights and obligations of the parties shall be as provided by subsection (b) of this section.

If the carrier as assignee recovers in an action:

(1) for injury, an amount in excess of the sum of the total of benefits paid or provided the injured employee and the reasonable expenses, including attorneys' fees, incurred in making such recovery; or

(2) for death, an amount on behalf of the dependents of the employee in excess of the benefits paid the dependents, and the reasonable expenses, including attorneys' fees, incurred in making the recovery, the excess shall be applied as a credit against future compensation and other benefits for the same injury or death and shall be distributed in accordance with subsection (g)."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

On motion of Senator DAVIS, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (3166R001.KMM.DBV), which was adopted:

Amend the bill, as and if amended, on page 3, by striking line 7 and inserting:

/ treatment, to include pain management; and /
Renumber sections to conform.
Amend title to conform.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3247 -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO

AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3247C002.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect upon approval by the Governor and first applies to tax years beginning after 2026. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO

ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN spoke on the Bill.

The Committee on Medical Affairs proposed the following amendment (DG\3325C002.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A.Section 44-63-74(A)(4) of the 1976 Code is amended to read:

"(4) Death certificates must be transmitted electronically between the funeral home, or funeral home director, and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, ~~physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year are~~ is exempt from the requirement to file electronically but must comply with the requirements of items (2) or (3), as applicable."

B. Section 44-63-74(A)(1) of the 1976 Code is amended to read:

"(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death. Within five days of receipt, the Bureau of Vital Statistics shall notify the State Election Commission of the decedent's death who shall subsequently notify the County Board of Voter Registration and Elections in which the decedent was a resident of the decedent's death for purposes of removing the decedent from the voter roll."

SECTION 2. This act takes effect July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Senator CORBIN proposed the following amendment (DG\ 3325C003.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1.B. and inserting:

/ B. Section 44-63-74(A)(1) of the 1976 Code is amended to read:

"(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death. As prescribed by law, the Bureau of Vital Statistics shall notify the State Election Commission of the decedent's death who shall subsequently notify the County Board of Voter Registration and Elections in which the decedent was a resident of the decedent's death for purposes of removing the decedent from the voter roll." /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

Senator GUSTAFSON spoke on the Bill.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3840 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE

EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION

MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (DG\ 4999C001.NBD.DG22), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. A.Chapter 1, Title 48 of the 1976 Code is amended by adding:

"Section 48-1-92. (A) The department is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. Pursuant to the program:

(1) pre-production plastics are those products, to include pellets, powders, and flakes, that are utilized in the production of plastic products;

(2) post-production plastics are those products created by activities including the melting, shaping, and molding of pre-production plastics;

(3) the department shall promulgate regulations to add an additional category of industrial activity so that the operators of facilities that are primarily engaged in the transportation, transloading, packaging, wholesale, or storing of pre-production plastics are subject to regulation by the program. The operators of facilities that transport, transload, package, wholesale, or store post-production plastics shall not be included; and

(4) pre-production plastic shall be classified as 'other refuse' for the purposes of the Water Classifications and Standards.

(B) The department shall promulgate regulations to implement best practice requirements for facilities that are brought under regulation pursuant to this section, including:

(1) the installation of containment systems at all storm drain discharge locations at a facility that are down-gradient of an area where pre-production plastic is handled;

(2) measures to contain pre-production plastic during the storage, handling, or transfer of the pre-production plastic, including the use of:

(a) sealed containers that will not rupture under typical loading or unloading activities;

(b) capture devices under all transfer valves and devices used in loading, unloading, or otherwise transferring pre-production plastic; and

(c) vacuums or vacuum-type systems for the quick cleanup of fugitive pre-production plastic; and

(3) new best management practices reflecting updates in science and technology, or advances in detection and treatment technologies, as appropriate.

(C) The department may promulgate regulations necessary to implement the program and to provide additional requirements regarding the regulation of releases of pre-production plastic from facilities into the waters or onto the land of this State.

(D) A facility that violates a provision of this section shall be subject to the department's enforcement procedures, and such a facility shall further:

(1) for a first violation during a five-year period, be fined up to twenty-five thousand dollars;

(2) for a second violation during a five-year period, be fined up to fifty thousand dollars; and

(3) for a third or subsequent violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years."

B.The Department of Health and Environmental Control shall implement the program pursuant to Section 48-1-92, as added by this act, no later than January 1, 2022."

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Point of Order

Senator GROOMS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator SENN spoke on the Point of Order.
Senator GROOMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The question then being second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.
There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.
The Senate proceeded to a consideration of the Bill.

Senator CORBIN explained the Bill.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis

Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Turner	Verdin
Williams	Young	

Total--38

NAYS

Matthews	McLeod	Sabb
Stephens	Talley	

Total--5

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\5182C001.NBD.DG22), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 5, by striking Section 11-58-70(B) through (F) and inserting:

/ (B) The South Carolina Opioid Recovery Fund Board shall be comprised of twelve members, who shall be appointed as follows:

(1) the Governor shall appoint one member, who shall serve as chairperson;

(2) the President of the Senate shall appoint one member;

(3) the Speaker of the House of Representatives shall appoint one member;

(4) the Governor shall appoint three members, the Speaker one member, and the President of the Senate one member from a list provided by the South Carolina Association of Counties, with at least one member selected from each of the South Carolina public health regions as defined by the South Carolina Department of Health and Environmental Control;

(5) the Governor shall appoint two members from a list provided by the Municipal Association of South Carolina;

(6) the Chairman of the Senate Finance Committee shall appoint one member; and

(7) the Chairman of the House Ways and Means Committee shall appoint one member.

The members appointed by the Governor, other than the chairperson, shall select one of themselves to serve as vice chairperson.

(C)(1) All members of the South Carolina Opioid Recovery Fund Board shall be academic, medical, licensed health, or other professionals with significant experience in opioid prevention, treatment, or intervention or who can represent the interest of the victims and families of victims of opioid overuse or misuse. Members of the board must not have been convicted of a felony or a crime of moral turpitude.

(2) In making appointments, race, gender, national origin, and other demographic factors should be considered by the appointing authority to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(D) Members of the South Carolina Opioid Recovery Fund Board shall not be compensated for their services except as provided in Section 11-58-80(C).

(E) All members of the South Carolina Opioid Recovery Fund Board shall be appointed within thirty days of the board's creation.

(F) The terms of appointment as a member of the South Carolina Opioid Recovery Fund Board shall be as follows:

(1) for the initial term of the chairperson and the five members selected from the list provided by the South Carolina Association of Counties, six years;

(2) for the initial term of all other members of the board, four years; and

(3) for all subsequent members of the board, four years.

All terms of members are deemed to commence on May first of the appointing year and expire on April thirtieth of the ending year.

Members of the board may continue to serve upon the expiration of their terms until either reappointed or a new appointment is made.

Any vacancy on the board caused by the death, incapacity, or resignation of a member shall be filled for the unexpired term in the same manner as the original appointment. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--36

NAYS

Total--0

ABSTAIN

Davis	Matthews	McElveen
Senn	Young	

Total--5

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF

THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

On motion of Senator MASSEY, the Resolution was carried over.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

Senator MASSEY from the Rules Committee polled out H. 5198 to be set for Special Order:

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

TUESDAY, MAY 10, 2022

Poll of the Rules Committee
Polled 17; Ayes 12; Nays 4; Abstain 0; Not Voting 1

AYES

Massey	Cromer	Malloy
Martin	Allen	Corbin
Young	Grooms	Hembree
Goldfinch	Harpootlian	M. Johnson

Total--12

NAYS

Campsen	Sabb	McLeod
Shealy		

Total--4

NOT VOTING

Kimpson

Total--0

The Bill was made a Special Order.

MOTION ADOPTED

At 6:14 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

H. 4408 -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

On motion of Senator SETZLER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

H. 5075 -- Reps. G.M. Smith and West: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A

STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Bennett	Talley

Total--2

On motion of Senator SETZLER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered

that the title be changed to that of an Act and the Act enrolled for Ratification.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day and proceed to the morning hour.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christina Thompson, 700 Woodrow Street, Columbia, SC 29205-1757 *VICE* Eleanor Duffy Cleary

Reappointment, Sumter County Master-in-Equity, with the term to commence December 31, 2022, and to expire December 31, 2028

Michael M. Jordon, 10 Law Range, Sumter, SC 29150

Reappointment, Bamberg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Craig Threatt, 79 Meadow Lane, Bamberg, SC 29003-2423

Reappointment, Clarendon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robin Locklear, 431 North Brooks Street, Manning, SC 29102-3325

Reappointment, Colleton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Sophia T. Henderson, 1145 Oakman Branch Road, Walterboro, SC 29488-7877

Reappointment, Dillon County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles D. Spivey, P. O. Box 1204, Dillon, SC 29536-1204

Reappointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Joseph V. Mosley, 1445 Bettis Academy Road, Trenton, SC 29847-2603

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly B. Cox, 215 West Coleman Avenue, Pamplico, SC 29583-3759

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tommy G. Mourounas, 5719 East Old Marion Hwy., Florence, SC 29506-9311

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Frank White, 3118 Devon Road, Florence, SC 29505-7304

Recorded Vote

Senator REICHENBACH desired to be recorded as voting against confirmation of the Magistrate.

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jonathan D. Anders, 107 South Pliney Circle, Simpsonville, SC 29681-2330

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Mark Edmonds, 131 Montis Drive, Greenville, SC 29617-8101

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Dean E. Ford, 205 North Maple St., Simpsonville, SC 29681-2312

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Leila Foster, 21 Susan Dr., Piedmont, SC 29673-7002

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Darrell Fisher, 112 Hedge Rose Court, Travelers Rest , SC 29690-7001

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Vilvin Garrison, 551 Waterbrook Drive, Greenville, SC 29607-4878

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jonathan A. Horne, 50 Tindal Rd., Greenville, SC 29617-7631

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Matthew B. Hubbard, 9 Montford Court, Travelers Rest, SC 29690-2262

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
James E. Hudson, 6 Highview Dr., Greenville, SC 29609-3261

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Kenneth Southerlin, 905 East Silverleaf, Greer, SC 29650

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Letonya T. Simmons, 202 Twilight Place, Simpsonville, SC 29681

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Bradley Stepp, 1 Chasta Avenue, Greenville, SC 29615-1109

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Clare Thompson, 103 Beechwood Court, Mauldin, SC 29662-1601

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Tonja Alexander, P.O. Box 837, Varnville, SC 29944-0837

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Catherine D. Baggett, P. O. Box 2020, Ridgeland, SC 29936-2635

Reappointment, Lancaster County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Fredrick Thomas, P. O. Box 3222, Lancaster, SC 29721-3222

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
John Long, 132 Antioch Dr., McCormick, SC 29835-4235

Reappointment, McCormick County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Patty Smith, 3145 Upper Mill Road, McCormick, SC 29835-7243

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
William Robin Freeman, 3690 Hollywood Rd., Chappells, SC 29037-9436

Reappointment, Saluda County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Joyce B. Shults, 1437 Old Chappells Ferry Rd., Saluda, SC 29138-8036

Appointment, Union County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2023
David Kevin Morrow, 134 Chapel Rd., Union , SC 29379-8080

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
William Driggers, 209 Short Street, Kingstree, SC 29556-3926

Initial Appointment, York County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Walton Beck, 782 Ottawa Drive, Rock Hill, SC 29732-9273

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jonathan Michael Tucker of Greenville, S.C. Jonathan was an alumnus of Lander University where he received a degree in Marketing Management. He served as Pledge Educator for Alpha Tau Omega. He was president and owner of America's Swimming Pool Company in Greenville, S.C. Jonathan enjoyed golfing, fishing, coaching baseball, traveling and spending time with family and friends. Jonathan was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jimmy Young of Georgetown, S.C. Jimmy was retired from the Georgetown Steel Mill and was an Air Force Veteran. Jimmy was a loving husband and devoted father who will be dearly missed.

TUESDAY, MAY 10, 2022

ADJOURNMENT

At 6:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, May 11, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I John 2:7

In the writings of John the Apostle we read: "Beloved, I am writing you no new commandment, but an old commandment that you had from the beginning. The old commandment is the word that you have heard."

Let us pray: Dear God, it truly seems to be commonplace that there is hardly anything really new under the sun. We think of Your commandments, of the lessons from history that we still haven't learned, of the many truths which we blithely take for granted and then ignore. Life's signposts from previous eras ought to prove beneficial to us. Yet we often gloss right over them all. So Lord, we pray today asking Your forgiveness for our human arrogance. We plea for You to grant us afresh Your vision of how life yet can be for all of Your children. And we urge You to fill each of these Senators with a determination to face today's challenges and to lead our citizens into the bold new age before us. May it be so, Lord, may it be so. In Your name and with hearts of hope we pray this. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews

McElveen	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, South Carolina Department of Transportation Commission, with the term to commence February 15, 2022, and to expire February 15, 2026

4th Congressional District:

Maxson K. Metcalf, 1128 Edwards Road, Greenville, SC 29615-1638 *VICE* Woodrow Wilson Willard, Jr.

Referred to the Committee on Transportation.

Doctor of the Day

Senator TURNER introduced Dr. Christian Mabry of Greenville, S.C., Doctor of the Day.

Doctor of the Day

Senator CASH introduced Dr. Amanda Davis of Anderson, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator STEPHENS, at 10:16 A.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

At 11:59 A.M., Senator SETZLER requested a leave of absence from 6:00 P.M. - 7:00 P.M.

WEDNESDAY, MAY 11, 2022

Leave of Absence

On motion of Senator VERDIN, at 5:40 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 5:40 P.M., Senators McLEOD and STEPHENS were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 5:40 P.M., Senator KIMBRELL was granted a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator McELVEEN, at 6:32 P.M., Senator SCOTT was granted a leave of absence until 8:00 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 108 Sen. Scott

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 1087 Sen. Gustafson

RECALLED

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN LAURENS COUNTY "BILL RAMEY WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

WEDNESDAY, MAY 11, 2022

RECALLED

H. 5285 -- Reps. Dabney, J.L. Johnson and Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 1056 EHRENCLOU DRIVE IN THE CITY OF CAMDEN IN KERSHAW COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT MAJOR AND MRS. THOMAS PATRICK PAYNE.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1328 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE LEXINGTON HIGH SCHOOL'S VARSITY COLOR GUARD, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR PLACING IN THE TOP TWENTY OVERALL IN THE WORLD AT THE COLOR GUARD WORLD CHAMPIONSHIPS.
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The Senate Resolution was adopted.

S. 1329 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DR. RONALD E. "RONNIE" CHRESTMAN UPON THE OCCASION OF HIS RETIREMENT AS STATISTICIAN AND LEAD RESEARCH ANALYST IN THE DEPARTMENT FOR INSTITUTIONAL RESEARCH, TO COMMEND HIM FOR HIS THIRTY-FIVE YEARS OF DEDICATED SERVICE TO CLEMSON UNIVERSITY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1330 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE ETHEL S. MCGILL UPON THE OCCASION OF HER RETIREMENT AS CLERK OF THE WILLIAMSBURG COUNTY TAX COLLECTOR'S OFFICE, TO COMMEND HER FOR HER TWENTY-THREE YEARS OF DEDICATED SERVICE TO WILLIAMSBURG, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Reappointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

Veterans Service Organization:

Jimmy E. Hawk, P. O. Box 349, Irmo, SC 29063-0349

Received as information.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Sumter County Master in Equity, with term to commence December 31, 2022, and to expire December 31, 2028:

The Honorable Michael M. Jordan, 10 Law Range, Sumter, S.C., 29150

Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1304 -- Senator Rice: A CONCURRENT RESOLUTION TO CONGRATULATE THE PICKENS COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS UPON THE OCCASION OF

ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PICKENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1325 -- Senators Alexander and Malloy: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 12, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON WEDNESDAY, JUNE 15, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON FRIDAY, JUNE 17, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 28, 2022, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 30, 2022, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON THURSDAY, JUNE 30, 2022, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN SUNDAY, NOVEMBER 13, 2022, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

On motion of Senator HEMBREE, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

CARRIED OVER

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON

COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator SENN, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Recorded Vote

Senator MARTIN desired to be recorded as voting in favor of the third reading of the Bill.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3833 -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,

1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 5

AYES

Adams	Alexander	Allen
Cash	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Bennett	Campsen	Climer
Gustafson	Massey	

Total--5

The Bill was read the third time, passed and ordered returned to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 17

AYES

Adams	Alexander	Allen
Bennett	Campsen	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Senn	Stephens
Turner	Williams	

Total--26

NAYS

Cash	Climer	Corbin
Cromer	Gustafson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach

Rice	Shealy	Talley
Verdin	Young	

Total—17

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

AMENDED, CARRIED OVER

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and CAMPSEN proposed the following amendment (JUD3291.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 24 through 37, in Section 16-11-600, as contained in SECTION 1, and inserting therein the following:

/ "Section 16-11-600. (A) Every entry upon the lands of another ~~where any horse, mule, cow, hog, or any other livestock is pastured, or any other lands of another~~, after notice from the owner or tenant has been posted or given prohibiting such entry, ~~shall be~~ is a misdemeanor and must be punished by a fine of not ~~to exceed~~ more than one hundred dollars~~,~~ or by imprisonment ~~with hard labor on the public works of the county for~~ not ~~exceeding~~ more than thirty days. ~~When any owner or tenant of any lands shall post a notice in four conspicuous places on the borders of such land prohibiting entry thereon, a proof of the posting shall be deemed and taken as notice conclusive against the person making entry, as aforesaid, for the purpose of trespassing.~~

(B) The owner or tenant of any lands may accomplish the posting of notice as follows: /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3599 -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT

ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

AMENDMENTS WITHDRAWN
ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3247 -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

Having voted on the prevailing side, Senator PEELER moved to reconsider the vote whereby the report of the Committee on Finance was adopted on May 10, 2022.

The motion was adopted.

Senator PEELER moved to withdraw the committee amendment.

The committee amendment was withdrawn.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler

Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the third time and ordered enrolled for Ratification.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3840 -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE

ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

CARRIED OVER

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

On motion of Senator SENN, the Bill was carried over.

CARRIED OVER

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

On motion of Senator MATTHEWS, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A

BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Davis	Matthews	McElveen
Senn	Young	

Total--5

The Bill was read the third time, passed and ordered returned to the House.

CARRIED OVER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

On motion of Senator CROMER, the Bill was carried over.

READ THE SECOND TIME

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE;

AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (PH\ 4831C001.JN.PH22), which was withdrawn:

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time; provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. In compliance with federal and state law, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senators DAVIS and YOUNG proposed the following amendment (WAB\4831C001.RT.WAB22), which was withdrawn:

Amend the joint resolution, as and if amended, by striking SECTION 5, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B. For the purposes of this act unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C. (A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D. (A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission-approved tariffs in effect at the time;

provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real-time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E. (1) The construction of a proposed renewable energy facility by or on behalf of a qualifying customer to support electric power generation at its economic development location or expansion must comply with federal, state, and local laws and ordinances.

(2) In compliance with federal, state, and local laws and ordinances, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion where high-quality and reliable electric service are not adversely impacted.

F. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

The question then being second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, READ THE SECOND TIME

H. 3788 -- Reps. G.M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

Senator HARPOOTLIAN proposed the following amendment (3788R001.SP.RAH):

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. A.Section 1-7-920 of the 1976 Code is amended to read:

"Section 1-7-920. (A) The commission is composed of the following persons for terms as indicated:

(1) the Chairmen of the Senate and House Judiciary Committees for the terms for which they are elected or their legislative designees;

(2) the Attorney General for the term for which he is elected or his designee;

(3) the Chief of the South Carolina Law Enforcement Division for the term for which he is appointed;

~~(3)~~(4) the Director of the Department of Public Safety shall serve during the term for which he is appointed;

~~(4)~~(5) a Director of a Judicial Circuit Pretrial Intervention Program appointed by the Governor for a term of two years;

~~(5)~~(6) a Judicial Circuit Victim-Witness Assistance Advocate appointed by the Governor for a term of two years;

~~(6)~~(7) five judicial circuit solicitors appointed by the Governor for a term of four years. ~~However, upon initial appointment, the Governor shall select one for a two-year term, two for a three-year term, and two for a four-year term.~~ If a solicitor appointed to the commission is not re-elected, a vacancy occurs and it must be filled pursuant to the provisions of Section 1-7-930.

(B) The Attorney General shall serve as the chairman of the commission."

B.Section 1-7-950 of the 1976 Code is amended to read:

"Section 1-7-950. ~~The~~ The Attorney General shall serve as the chairman of the commission ~~must be elected by a majority vote of the membership of the commission for a two-year term~~. A majority of the entire membership constitutes a quorum. Other officers as needed by the commission must be elected in the same manner." /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

The question then being second reading of the Bill, as amended.

Motion Adopted

Senator HARPOOTLIAN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD4062.002), which was adopted:

Amend the bill, as and if amended, beginning on page 1, line 24, and ending on page 3, line 8, by striking SECTION 1 and SECTION 2 in their entirety.

Amend the bill further, as and if amended, page 3, by striking lines 26-28 and inserting:

/ Section 58-3-22. Members of the Public Service Commission may meet together to receive technical and legal advice from the commission's staff on matters pending on the commission's docket, provided that the:

(1) advice is to aid the members in carrying out their responsibilities on the commission;

(2) advice is provided in a manner consistent with the South Carolina Code of Judicial Conduct; and

(3) members who attend such a meeting are not authorized to make recommendations to or transact any business for the Public Service Commission.

A meeting between the members of the Public Service Commission and commission staff pursuant to this section does not constitute a 'public meeting' for purposes of the Freedom of Information Act." /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (JUD4062.004), which was adopted:

Amend the bill, as and if amended, page 5, line 31, by striking SECTION 5 in its entirety, which contains the effective date provisions, and inserting:

/ SECTION 5. A.The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and opportunities for employment;

(2) the cost of electricity and the availability of renewable energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate or expand their existing establishments in South Carolina;

(3) competitive electric rates, terms, and conditions and the ability to utilize renewable energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State;

(4) the Public Service Commission of South Carolina should weigh and consider any quantifiable net benefits that may result from economic development opportunities resulting from prospective commercial or industrial entities in determining whether rates, terms, and conditions proposed by an electrical utility as defined by Section 58-27-10(7) are reasonable, prudent, and in the best interest of the electrical utility's general body of retail customers; and

(5) rates proposed by electrical utilities for prospective commercial or industrial entities that are at or greater than the electrical utility's marginal cost should be presumed reasonable.

B.For the purposes of SECTION 5 unless otherwise specified:

(1) "Commission" means Public Service Commission of South Carolina.

(2) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(3) "Prospective manufacturing entity" means a commercial or industrial entity that proposes to:

(a) request new, permanent electric service to a new establishment or location in an electrical utility's service territory;

(b) expand an existing establishment in an electrical utility's service territory that has existing permanent electric service and which expansion will result in additional electrical load on the electrical utility's system; or

(c) locate in an existing establishment and establish a new customer service account with the electrical utility for which expansion will result in additional electrical load on the electrical utility's system;

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective manufacturing entity.

(6) "Contracts" shall have the same meaning as the term is used in Section 58-27-980.

(7) "Qualifying customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina; or expand its existing establishment; and such location or expansion results in the addition of a minimum of:

(a) 500 kilowatts at one point of delivery;

(b) one hundred new employees; and

(c) capital investment of four hundred thousand dollars following the electrical utility's approval for service.

(8) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electric power generation from a renewable energy source for its economic development location or expansion.

C.(A) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective manufacturing entity with a rate proposal containing terms and conditions that would incentivize and encourage the prospective manufacturing entity to employ additional workforce and to make capital investments in the electrical utility's service territory. The rate proposal

provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer.

(B) The electrical utility shall file the rate proposal with the commission for review and acceptance. The rate proposal is determined to be presumptively reasonable if the rates, terms, and conditions are equal to or greater than the electrical utility's marginal cost.

D.(A) Nothing in this act shall restrict the commission's authority to regulate rates and charges or review contracts entered into by or supervise the operations of electrical utilities.

(B) An electrical utility may offer economic development rates to a qualifying customer that may be lower than the rate or rates that the qualifying customer otherwise would be or is subject to under the electrical utility's commission approved tariffs in effect at the time; provided, however, that the economic development rate must not be lower than the electrical utility's marginal cost of providing service to the qualifying customer.

(C) An electrical utility may negotiate and enter into agreements that contain economic development rates with a qualifying customer, which agreements and rates shall be subject to commission approval, and which shall be for a term not exceeding ten years. The electrical utility may offer the qualifying customer real time pricing options or riders for other clean energy attributes which may support the qualifying customer's sustainability goals.

(D) In the commission's determination of the public interest for any economic development rate or contract, the electrical utility bears the burden of proof to establish that:

(1) the rates or charges assessed to the electrical utility's other customers do not subsidize the cost of providing economic development rates to a qualifying customer;

(2) the rates of other electrical utility operations do not increase; and

(3) other customers of the electrical utility do not experience a rate increase due to a rate or rates offered to a qualifying customer.

E.(1) The construction of a proposed renewable energy facility by or on behalf of a qualifying customer to support electric power generation at its economic development location or expansion must comply with federal, state, and local laws and ordinances.

(2) In compliance with federal, state, and local laws and ordinances, the utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying customer to support electric power generation at its economic development location or expansion

where high quality and reliable electric service are not adversely impacted.

F. The provisions of SECTION 5 must be liberally construed to effectuate the purposes of this SECTION.

SECTION 6. This act takes effect upon approval by the Governor. The provisions of SECTION 5 expire on July 1, 2026. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3106 -- Reps. Bannister, G.R. Smith, Dillard, Elliott, Hosey and Willis: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question then being second reading of the Bill.

Motion Adopted

Senator BENNETT asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5036 -- Reps. Sandifer, West, Thigpen, Hardee, Jordan, Anderson, Bailey, Gagnon, Simrill, Thayer, White and Atkinson: A BILL TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 31, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDINGS UNFIT FOR HABITATION IN COUNTIES, SO AS TO EXTEND THE PROVISIONS OF THE CHAPTER TO BUILDINGS UNFIT FOR OCCUPATION, TO ADD A CAUSE FOR WHICH POLICE POWERS MAY BE USED REGARDING RUBBISH, AND TO DELETE AN APPROVAL REQUIREMENT.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (JUD3998.001), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-53-190(B) of the 1976 Code is amended by adding appropriately numbered new items at the end to read:

"__. Fentanyl related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

a. replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

c. substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

d. replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

e. replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta hydroxyfentanyl, Beta hydroxy 3 methylfentanyl, 3 Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta hydroxythiofentanyl, Lofentanil,

Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl.

__. Benzamidazole-compounds to include:

a. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: butonitazene);

b. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: etodesnitazene, etazene);

c. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: flunitazene);

d. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metodesnitazene);

e. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metonitazene);

f. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: N-pyrrolidino etonitazene, etonitazepyne);

g. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: protonitazene)."

SECTION 2. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered new item at the end to read:

"( ) four grams or more of any fentanyl or fentanyl-related substance, or benzimidazole compound, as described in Section 44-53-190 or 44-53-210, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, or a benzimidazole compound, is guilty of a felony which is known as 'trafficking in fentanyl' and, upon conviction, must be punished as follows:

(a) for a first offense, a term of imprisonment of not more than twenty years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars; or

(b) for a second or subsequent offense, a term of imprisonment of not more than thirty years, no part of which may be suspended or probation granted, and a fine of one hundred thousand dollars."

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Motion Adopted

Senator SENN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The question then being second reading of the Bill, as amended.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

WEDNESDAY, MAY 11, 2022

RECOMMITTED

H. 5337 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator GROOMS, the Resolution was recommitted to Committee on Transportation.

READ THE SECOND TIME

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator M. JOHNSON explained the Resolution.

The question then being second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE

UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

On motion of Senator MASSEY, the Resolution was carried over.

ADOPTED

H. 4384 -- Reps. Hosey, Rivers, S. Williams, Clyburn and J. Moore: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN THE TOWN OF FAIRFAX IN ALLENDALE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 278 TO ITS INTERSECTION WITH SEVENTEENTH STREET "M.F. 'SONNY' RILEY, JR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

AMENDED AND ADOPTED

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator GUSTAFSON proposed the following amendment (4757R001.KMM.PG), which was adopted:

Amend the concurrent resolution, as and if amended, by striking all after the title and inserting:

/ Whereas, the Honorable James Melvin "Jimmy" Neal of Kershaw was born in Lancaster on April 30, 1943, and departed his earthly life on August 26, 2020. He was the son of the late James Melvin Neal and Annie Mae Horton Neal Smith, and the stepson of the late William Bryant Smith; and

Whereas, Mr. Neal received his undergraduate degree from Clemson University in 1965 and earned a master's degree in education from Winthrop College in 1978; and

Whereas, he served as a teacher, coach, and principal in the Lancaster County School District for more than thirty years; and

Whereas, for fourteen years our former colleague served Lancaster County House District 44 with distinction as a member of the South Carolina House of Representatives; and

Whereas, he also was a board member of the Catawba Regional Council of Governments and the Lancaster Water and Sewer District. He was inducted into the Lancaster County Education Hall of Fame in 2006; and

Whereas, in 1968 he married Harriett Hawkins, who preceded him in death. He leaves to cherish his memories two sons, five grandchildren, and a great-granddaughter; and

Whereas, it would be fitting and proper to pay tribute to Jimmy Neal's memory by naming a portion of United States Highway 521 in Lancaster County in his honor. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly request the Department of Transportation rename the portion of United States Highway 521 from Andrew Jackson High School in Lancaster County to its intersection with United States Highway 601 "Representative Jimmy Neal Memorial Highway" and erect appropriate markers or signs along this highway containing these words.

Be it further resolved that a copy of this resolution be forwarded to the Department of Transportation. /

Renumber sections to conform.

Amend title to conform.

Senator GUSTAFSON explained the amendment.

The amendment was adopted.

The Resolution was adopted, ordered returned to the House.

AMENDED AND ADOPTED

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN

CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator GUSTAFSON proposed the following amendment (5069R001.KMM.PG), which was adopted:

Amend the concurrent resolution, as and if amended, by striking all and inserting:

/Whereas, hailing from modest beginnings in Kershaw County, Dr. Joseph Kershaw Newsom went on to become a beloved doctor, community servant, and aviation enthusiast; and

Whereas, born August 2, 1931, the only child of Roger Acra Newsom and Lula Belle McKinnon, Dr. Newsom was raised on the family farm in Lee County. He attended public schools in Bishopville where he played baseball and football and drove a school bus. Following graduation from The Citadel, he married Martha Elizabeth Young of Mayesville. While stationed in Germany, the couple welcomed a son, J.K. "Shaw" Newsom, Jr., to the family; and

Whereas, the young couple later moved to New Orleans while Dr. Newsom attended Tulane School of Medicine. Daughters Shannon Elizabeth and Patricia Seyborn were born into the family while they were there; and

Whereas, upon completing the medical requirements to become a physician, Dr. Newsom returned to South Carolina, establishing the family home in Cheraw. He practiced family medicine for more than fifty years, establishing the first helipad in Chesterfield County, and founding the first urgent care facility; and

Whereas, a later marriage to Barbara Epstein of Cheraw added sons Jacob Andrew and William Alexander to the family. Following her death, he was united in marriage to Nancy Stubbs, also of Cheraw, for twenty-three years until his death; and

Whereas, even in retirement Dr. Newsom continued to make house calls. He never forgot the babies he delivered, following them through school and into adulthood. Oftentimes, he would send a letter and a dollar or two to those children making all A's; and

Whereas, in addition to his patients and his love of medicine, Dr. Newsom's greatest passions were flying and his collection of aircrafts,

which included Angel's Playmate, a fighter bomber used in World War II and the Korean War and one of less than 175 operating P-51 Mustangs in the world. He shared his love of flying with others, supporting community events, and working to establish aviation as an important economic driver in the Cheraw community; and

Whereas, an active member of Cheraw First Presbyterian Church, Dr. Newsom also served on numerous local and state boards and commissions throughout his life; and

Whereas, it would be fitting and proper that the life and legacy of Dr. Joseph Kershaw Newsom be memorialized by naming a portion of highway in the Town of Cheraw in his honor. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the General Assembly request the Department of Transportation name the portion of South Carolina Highway 9 in the Town of Cheraw in Chesterfield County from its intersection with Town and Country Road (S-13-602) to its intersection with Windsor Drive "Dr. Joseph Kershaw Newsom Memorial Highway" and erect appropriate markers or signs along this portion of highway containing these words.

Be it further resolved that a copy of this resolution be forwarded to the Department of Transportation. /

Renumber sections to conform.

Amend title to conform.

Senator GUSTAFSON explained the amendment.

The amendment was adopted.

The Resolution was adopted, ordered returned to the House.

CARRIED OVER

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

On motion of Senator MARTIN, the Resolution was carried over.

ADOPTED

H. 5212 -- Reps. Lucas and R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CASHUA FERRY ROAD IN DARLINGTON COUNTY FROM WILSON CLINIC TO ITS INTERSECTION WITH COGGESHALL ROAD "JAMES 'JIMMY' MCKELVEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, under the provisions of Rule 32B, called H. 3681 from the Contested Calendar.

Poll of the Rules Committee
Polled 17; Ayes 11; Nays 5; Not Voting 1:

AYES

Massey	Cromer	Malloy
Martin	Allen	Corbin
Young	Grooms	Hembree
Goldfinch	Harpootlian	

Total--11

NAYS

Campsen	Sabb	McLeod
Shealy	*M. Johnson*	

Total--5

NOT VOTING

Kimpson

Total--1

The motion was adopted and H. 3681 was called from the Contested Calendar.

MOTION ADOPTED

At 12:16 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

RECESS

At 12:20 P.M., on motion of Senator MASSEY, the Senate receded from business until 1:30 P.M.

At 1:35 P.M., the Senate resumed.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator RANKIN explained the amendments.

On motion of Senator RANKIN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 108 -- Senators Campsen, Senn and Scott: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS

AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CAMPSEN explained the House amendments.

Senators CAMPSEN, DAVIS and SCOTT proposed the following amendment (JUD0108.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein:

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

"Section 7-13-25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of voter registration and elections must establish at least one early voting center and may establish up to seven early voting centers. Each early voting center must be supervised by employees of the county board of voter registration and elections or the State Election Commission.

(E) The early voting period shall be from Monday through Saturday for the two-week period immediately preceding an election.

(F) The county board of voter registration and elections shall provide the hours of operation for the early voting center or centers in accordance with the following:

(1) for statewide general elections, the early voting centers must be open from 8:30 a.m. until 6:00 p.m. on each day of the early voting period;

(2) for any election that is not a statewide general election or runoff election, the early voting centers must be open Monday through Friday from 8:30 a.m. until 5:00 p.m. during the early voting period;

(3) for any runoff election, the early voting centers must be open on the Wednesday through Friday immediately preceding the election and must be open from 8:30 a.m. until 5:00 p.m.; and

(4) for any election, the early voting centers must not be open on Sundays or on legal holidays.

(G)(1) Each county board of voter registration and elections must determine locations for its early voting centers. In selecting locations for early voting centers, the county board of voter registration and elections must consider geography, population, and ADA compliant accessibility. The county board of voter registration and elections must distribute the locations throughout the county to maximize accessibility for all voters in the county to the greatest extent possible.

(2) Each county board of voter registration and elections must identify locations it intends to utilize as early voting centers for a statewide primary and a statewide general election by March 10 before that primary election.

(3) The Executive Director of the State Election Commission must approve the addition or relocation of early voting centers after March 10, and may, at his discretion, direct the move of early voting centers to ensure proper distribution throughout each county.

(H) The county board of voter registration and elections must publish the location and hours of each early voting center at least fourteen days before the early voting period begins. Publication of the schedule must be made, at a minimum, to a website or webpage managed by, or on behalf of, each respective county board of voter registration and elections.

(I) Each early voting center must have available every ballot style in use in the particular county for that election.

(J) Upon the daily closure of each early voting center, all ballots must be transported to the county board of voter registration and elections and stored in a secure location.

(K) A sign must be posted prominently in each early voting center and shall have printed on it: 'VOTING MORE THAN ONCE IS A FELONY AND, UPON CONVICTION, A PERSON MUST BE FINED NOT LESS THAN ONE THOUSAND DOLLARS NOR MORE THAN FIVE THOUSAND DOLLARS AND IMPRISONED NOT MORE THAN FIVE YEARS'.

(L) The provisions of this section do not apply to presidential preference primaries held pursuant to Section 7-11-20."

SECTION 2. A. Section 7-11-10 of the 1976 Code is amended to read:

"Section 7-11-10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition; however, a person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ must not have his name placed on the ballot for the ensuing general or special election, except that this section does not prevent a defeated candidate from later becoming his party's nominee for that office in that election if the candidate first selected as the party's nominee dies, resigns, is disqualified, or otherwise ceases to become the party's nominee for that office before the election is held.

(B) A candidate must not file more than one statement of intention of candidacy for a single office for the same election.

(C) A candidate must not be nominated by more than one political party for a single office for the same election."

B. Section 7-13-320(D) of the 1976 Code is amended to read:

"(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate's name must not appear on the ballot more than once for any single office for the same election."

SECTION 3. Section 7-15-220(A) of the 1976 Code is amended to read:

"(A) The oath, a copy of which is required by Section 7-15-200(2) to be sent each absentee ballot applicant and which is required by Section 7-15-230 to be returned with the absentee ballot applicant's ballot, shall be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The oath shall be in the following form:

'I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots with which this oath is enclosed is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.'

_____

Signature of Voter

Dated on this _____ day of _____ 20 __

_____ _____

Signature of Witness Printed Name of Witness

_____

Address of Witness"

SECTION 4. Section 7-15-320 of the 1976 Code is amended to read:

"Section 7-15-320. (A) Qualified electors in ~~any of~~ the following categories who are unable to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open on election day, must be permitted to vote by absentee ballot in ~~all elections~~ an election ~~when they are absent from their county of residence on election day during the hours the polls are open , to an extent that it prevents them from voting in person~~:

(1) persons with employment obligations who present written certification of the obligations to the county board of voter registration and elections ~~students, their spouses, and dependents residing with them~~;

(2) persons who will be attending sick or physically disabled persons ~~serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them~~;

(3) persons confined to a jail or pretrial facility pending disposition of arrest or trial ~~governmental employees, their spouses, and dependents residing with them~~; or

(4) persons who are going to be absent from their county of residence ~~on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(5) overseas citizens~~.

(B) Qualified electors in the following categories must be permitted to vote by absentee ballot in an election, regardless of whether the elector is able to vote during early voting hours for the duration of the early voting period, and during the hours the polls are open ~~all elections, whether or not they are absent from their county of residence~~ on election day:

(1) physically disabled persons;

(2) persons sixty-five years of age or older ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county board of voter registration and elections~~;

(3) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them ~~certified poll watchers, poll managers, county board of voter registration and~~

~~elections members and staff, county and state election commission members and staff working on election day~~; or

(4) ~~attending sick or physically disabled persons~~

~~(5)~~ persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election, as provided in Section 7-15-330;

~~(6) persons with a death or funeral in the family within a three-day period before the election;~~

~~(7) persons who will be serving as jurors in a state or federal court on election day;~~

~~(8) persons sixty-five years of age or older;~~

~~(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or~~

~~(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them~~.

SECTION 5. Section 7-15-330 of the 1976 Code, as last amended by Act 133 of 2020, is amended to read:

"Section 7-15-330. (A) To vote by absentee ballot~~,~~:

(1) a qualified elector or a member of his immediate family, as defined in Section 7-15-310(8), must request an application to vote by absentee ballot in person, by telephone, or by mail from the county board of voter registration and elections, or at an extension office of the county board of voter registration and elections as established by the county governing body, for the county of the voter's residence~~.~~ ;or

(2) A person requesting an application for a qualified elector as the qualified elector's authorized representative must request an application to vote by absentee ballot in person or by mail only and must himself be a registered voter and must sign an oath to the effect that he fits the statutory definition of an authorized representative. ~~This~~ The signed oath must be kept on file with the county board of voter registration and elections until the end of the calendar year or until all contests concerning a particular election have been finally determined, whichever is later. A candidate, ~~or~~ a member of a candidate's paid campaign staff, or a ~~including~~ campaign volunteer ~~volunteers reimbursed for time expended on campaign activity~~, is not allowed to request applications for absentee voting for any person designated in this section unless the person is a member of the immediate family.

(B)(1) A request for an application to vote by absentee ballot may be made anytime during the calendar year in which the election in which the qualified elector desires to be permitted to vote by absentee ballot is being held.

(2) A person who makes a request for an application to vote by absentee ballot, either for himself or on behalf of another elector as permitted by this section, must provide the following:

(a) for the elector for whom the request is being made, the elector's:

(i) name;

(ii) date of birth; and

(iii) last four digits of his social security number; and

(b) if someone is making a request on behalf of an elector, the requestor's:

(i) name;

(ii) address;

(iii) date of birth; and

(iv) relation to the elector, as required by subsection (A).

(3) The county board of voter registration and elections must verify the information required in this section for the elector for whom the absentee ballot is being requested, and must record the information provided for the individual who makes a request on behalf of an elector before providing an absentee ballot application.

(4) A person must not request absentee applications for more than five qualified electors per election, in addition to himself.

(C) ~~However, completed~~ Completed applications must be returned ~~to the county board of voter registration and elections~~ in person, by either the elector, a member of the elector's immediate family, or the elector's authorized representative, or by mail, by the elector, to the county board of voter registration and elections no later than ~~before~~ 5:00 p.m. on the ~~fourth~~ eleventh day before the day of the election to vote by absentee ballot. ~~Applications must be accepted by the county board of voter registration and elections until 5:00 p.m. on the day immediately preceding the election for those who appear in person and are qualified to vote absentee pursuant to Section 7-15-320.~~

(D) ~~A member of the immediate family of~~ Notwithstanding the provisions of subsection (C), if an elector is ~~a person who is~~ admitted to a hospital as an emergency patient on the day of an election or within a four-day period before the election, then a member of the elector's immediate family may obtain an application from the board on the day of an election, complete it, receive the ballot, deliver it personally to the patient who shall vote, and personally carry the ballot back to the county board of voter registration and elections.

(E) The county board of voter registration and elections shall serially number each absentee ballot application form and keep a record book in

which must be recorded the number of the form, the name, home address, and absentee mailing address of the person for whom the absentee ballot application form is requested; the name, address, voter registration number, and relationship of the person requesting the form, if other than the applicant; the date upon which the form is requested; the date upon which the form is issued; and the date and method upon which the absentee ballot is returned. This information becomes a public record at 9:00 a.m. on the day immediately preceding the election, except that forms issued for emergency hospital patients must be made public by 9:00 a.m. on the day following an election.

(F) A person who violates the provisions of this section is subject to the penalties provided in Section 7-25-170."

SECTION 6. Section 7-15-380(A) of the 1976 Code is amended to read:

"(A) The oath, which is required by Section 7-15-370 to be imprinted on the return-addressed envelope, furnished each absentee ballot applicant, must be signed by the absentee ballot applicant and witnessed by a person who is at least eighteen years of age. The address, printed name, and signature of the witness shall appear on the oath. In the event the voter cannot write because of a physical handicap or illiteracy, the voter must make his mark and have the mark witnessed by someone designated by the voter. The oath must be in the following form:

'I hereby swear (or affirm) that I am duly qualified to vote at this election according to the Constitution of the State of South Carolina, that I have not voted during this election, that the ballot or ballots contained in this envelope is my ballot and that I have received no assistance in voting my ballot that I would not have been entitled to receive had I voted in person at my voting precinct.'

_____
Signature of Voter
Dated on this _____ day of _____ 20 ___

_____ _____
Signature of Witness Printed Name of Witness

_____
Address of Witness"

SECTION 7. Section 7-15-385 of the 1976 Code is amended to read:

"Section 7-15-385. (A) Upon receipt of the ballot or ballots, the absentee ballot applicant must mark each ballot on which he wishes to vote and place each ballot in the single envelope marked 'Ballot Herein' which in turn must be placed in the return-addressed envelope. The

applicant must ~~then~~ return the return-addressed envelope ~~to the board of voter registration and elections~~ only by:

(1) mail~~,~~ to the main office of the county board of voter registration and elections;

(2) ~~by~~ personal delivery~~,~~ to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center; or

(3) ~~by~~ authorizing ~~another person~~ a member of the applicant's immediate family, as defined in Section 7-15-310(8), or an authorized representative, to return the return-addressed envelope for him to an election official during office hours at the main office of the county board of voter registration and elections or to an election official during office hours at an early voting center.

(B) An applicant who authorizes a member of his immediate family or an authorized representative to return the return-addressed envelope for him pursuant to this section must complete an ~~The~~ authorization ~~must be given in writing on a~~ form prescribed by the State Election Commission ~~and~~ that must be turned in ~~to the board of voter registration and elections~~ by the immediate family member or authorized representative at the time the return-addressed envelope is returned. The ~~voter~~ applicant must sign the form, or in the event the ~~voter~~ applicant cannot write because of a physical handicap or illiteracy, then the ~~voter~~ applicant must make his mark and have the mark witnessed by someone designated by the ~~voter~~ applicant.

(C) The authorization form prescribed by the State Election Commission must include a designated space in which an election official must record the specific form of government-issued photo identification presented by the immediate family member or authorized representative who is authorized by the applicant to deliver the return-addressed envelope. The authorization form must be preserved as part of the record of the election, and the county board of voter registration and elections must note the time and date of receipt of the authorization form, ~~and~~ the name of the ~~authorized returnee~~, immediate family member or authorized representative, his relationship to the applicant, and the immediate family member's or authorized representative's form of government-issued photo identification in the record book required by Section 7-15-330.

(D)(1) When an applicant, or an applicant's authorized immediate family member or authorized representative, presents himself to deliver a return-addressed envelope pursuant to this section, he must produce a valid and current:

(a) driver's license issued by a state within the United States;

(b) another form of identification containing a photograph issued by the Department of Motor Vehicles or its equivalent by a state within the United States;

(c) passport;

(d) military identification containing a photograph issued by the federal government; or

(e) South Carolina voter registration card containing a photograph of the voter.

(2) An election official must verify that the name and photograph on the identification is the applicant, or the applicant's authorized immediate family member or authorized representative, as applicable.

(E) An election official must not accept a return-addressed envelope until the provisions of this section have been met.

(F) ~~A candidate or a member of a candidate's paid campaign staff including volunteers reimbursed for time expended on campaign activity is not permitted to serve as an authorized returnee for any person unless the person is a member of the voter's immediate family as defined in Section 7-15-310. The oath set forth in Section 7-15-380 must be signed and witnessed on each returned envelope. The board of voter registration and elections must record in the record book required by Section 7-15-330 the date the return-addressed envelope with witnessed oath and enclosed ballot or ballots is received by the board.~~ The county board of voter registration and elections must securely store ~~the~~ return-addressed envelopes in ~~a~~ locked ~~box~~ boxes within the main office of the county board of voter registration and elections as prescribed by the State Election Commission.

(G) It is unlawful for a person to return more than five return-addressed envelopes in an election, in addition to his own. A person who violates this subsection, upon conviction, must be punished as provided in Section 7-25-190."

SECTION 8. Section 7-15-420 of the 1976 Code, as last amended by Act 133 of 2020, is amended to read:

"Section 7-15-420. (A) The county board of voter registration and elections, municipal election commission, or executive committee of each municipal party in the case of municipal primary elections is responsible for the tabulation and reporting of absentee ballots.

(B) ~~At 9:00 a.m.~~ Beginning no earlier than 7:00 a.m. on the second day immediately preceding election day, the managers appointed pursuant to Section 7-13-72 ~~7-5-10, and in the presence of any watchers who have been appointed pursuant to Section 7-13-860,~~ may begin the

process of examining the return-addressed envelopes that have been received by the county board of voter registration and elections making certain that each oath has been properly signed and witnessed and includes the printed name, signature, and address of the witness. All return-addressed envelopes received by the county board of voter registration and elections before the time for closing the polls must be examined in this manner. A ballot may not be counted unless the oath is properly signed and witnessed nor may any ballot be counted which is received by the county board of voter registration and elections after time for closing of the polls. The printed instructions required by Section 7-15-370(2) to be sent each absentee ballot applicant must notify him that his vote will not be counted in either of these events. If a ballot is not challenged, the sealed return-addressed envelope must be opened by the managers, and the enclosed envelope marked 'Ballot Herein' removed, ~~and~~ placed in a locked box or boxes, and kept secure.

(C) After all return-addressed envelopes have been emptied ~~in this manner~~, but no earlier than 7:00 a.m. on election day, the managers shall remove the ballots contained in the envelopes marked 'Ballot Herein', placing each one in the ballot box provided for the applicable contest.

(D) Beginning no earlier than ~~at 9:00~~ 7:00 a.m. on election day, the absentee ballots may be tabulated, including any absentee ballots received on election day before the polls are closed. If any ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

(F) The processes of examining the return-addressed envelopes, opening the sealed return-addressed envelopes to remove the 'Ballot Herein' envelopes, and removing the ballots from the 'Ballot Herein' envelopes for tabulation must be conducted in the presence of any candidate who elects to be present, and of any watchers who have been appointed pursuant to Section 7-13-860. Provided, any candidates or watchers present must be located a reasonable distance in order to maintain both the right to observe and the secrecy of the ballots."

SECTION 9. Section 7-15-430 of the 1976 Code is amended to read:

"Section 7-15-430. (A) Prior to the distribution of voter registration lists to the various precincts, the county board of voter registration and elections shall note, opposite the name of each registered voter, who is provided an absentee ballot and who has returned an absentee ballot ~~has voted by absentee ballot the fact of such voting or that an absentee ballot has been issued to a voter, as the case may be~~.

(B) No voter whose name is so marked on the registration list as having returned an absentee ballot ~~voted~~ shall be permitted to vote in person in his resident precinct or at an early voting center in his county. ~~and no~~ A voter who is provided an absentee ballot, but who has not returned an ~~been issued an~~ absentee ballot, may cast a provisional ballot at his resident precinct or at an early voting center in his county. The provisional ballot must only be counted if the absentee ballot is not received by the time for the closing of the polls on election day ~~vote whether such ballot has been cast or not, unless he shall furnish to the officials of his resident precinct a certificate from the county board of voter registration and elections that his absentee ballot has been returned to the board unmarked~~.

(C) Should any voter be issued an absentee ballot, or should any voter return an absentee ballot, after the board has released the registration books to be used in the election to the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll managers, the board of voter registration and elections shall immediately notify in writing the county board of voter registration and elections, municipal election commission, county committee, executive committee of any municipal party, or poll manager, as the case may be, of the name, address, and certificate number of each voter who has since been issued an absentee ballot, or who has since returned an absentee ballot, and the registration books must be appropriately marked that the voter has been issued an absentee ballot, or has returned an absentee ballot."

SECTION 10. Section 7-5-170 of the 1976 Code is amended to read:

"Section 7-5-170. (1) Written application required. — A person may not be registered to vote except upon written application or electronic application pursuant to Section 7-5-185, which shall become a part of the permanent records of the board to which it is presented and which must be open to public inspection. However, the social security number contained in the application must not be open to public inspection.

(2) Form of application. — The application must be on a form prescribed and provided by the executive director and shall contain the following information: name, sex, race, social security number, date of birth, residence address, mailing address, telephone number of the applicant, and location of prior voter registration. The applicant must affirm that he is not under a court order declaring him mentally incompetent, confined in any public prison, has never been convicted of a felony or offense against the election laws, or if previously convicted that he has served his entire sentence, including probation and parole time, or has received a pardon for the conviction. Additionally, the applicant must take the following oath: 'I, do solemnly swear (or affirm) that I am a citizen of the United States and that on the date of the next ensuing election, I will have attained the age of eighteen years and am a resident of South Carolina, this county, and of my precinct. I further swear (or affirm) that the present residence address listed herein is my sole legal place of residence, ~~and~~ that I claim no other place as my legal residence, and that, to my knowledge, I am neither registered nor intend to register to vote in another state or county.' Any applicant convicted of fraudulently applying for registration is guilty of perjury and is subject to the penalty for that offense.

(3) Date stamp voter registration applications. — The county board of voter registration and elections shall date stamp all voter registration applications delivered in person, electronically, or by mail as of the date received.

~~(3)~~(4) Administration of oaths. — Any member of the county board of voter registration and elections, deputy registrar, or any registration clerk must be qualified to administer oaths in connection with the application.

~~(4)~~(5) Decisions on applications. — Any member of the county board of voter registration and elections, deputy registrar, or registration clerk may pass on the qualifications of the prospective voter. In case of a question of an applicant being refused registration, at least one member of the board shall pass on the qualifications of the voter. A concise statement of the reasons for the refusal must be written on the application."

SECTION 11. Section 7-13-320(A) of the 1976 Code is amended to read:

"(A) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to

authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall be of such size and color as directed by the State Election Commission. If more than one ballot is to be used in any election, each such ballot shall be printed upon different colored paper;"

SECTION 12. Section 7-13-610(C) of the 1976 Code is amended to read:

"(C) Other than ballots delivered electronically to qualified electors who are entitled to vote by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. Section 20301, et seq., the ballots shall incorporate features which can be used to authenticate the ballot as an official ballot but which do not make the ballot identifiable to a particular elector. The ballot must be printed on paper of a thickness so that the printing cannot be distinguished from the back and must be of a size and color as directed by the State Election Commission. If more than one ballot is to be used in a primary, each ballot must be printed on different colored paper. The ballot must contain a voting square opposite the name of each candidate, and the voter shall vote by putting a mark in the voting square opposite the name of the candidate of his choice. The State Election Commission may establish, under Chapter 23 of Title 1, such rules and regulations as are necessary for the proper administration of this section."

SECTION 13. Section 7-13-1330 of the 1976 Code is amended to read:

"Section 7-13-1330. (A) Before a decision is made to procure a statewide voting system, the State Election Commission must provide a public comment period of not less than thirty days. The input must be considered in the procurement of a statewide voting system.

(B) Before any kind of optical scan voting system is used at any election, it must be approved by the State Election Commission, which shall examine the optical scan voting system and make and file in the commission's office a report, attested by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of optical scan voting system examined may be accurately and efficiently used by electors at elections, as provided by law. An optical scan voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended

less than thirty-six months prior to an election, then the State Election Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards.

~~(B)~~(C) No kind of vote recorder not approved pursuant to this section shall be used at any election and if, upon the reexamination of any type vote recorder previously approved, it appears that the vote recorder so reexamined can no longer be accurately and efficiently used by electors at elections as provided by law, the approval of the vote recorder must immediately be revoked by the State Election Commission, and no such type vote recorder shall thereafter be purchased for use or used in this State.

~~(C)~~(D) If a vote recorder, including an optical scan voting system, which was approved for use before July 1, 1999, is improved or otherwise changed in a way since its approval that does not impair its accuracy, efficiency, or capacity, the vote recorder may be used in elections. However, if the software, hardware, or firmware of the system is improved or otherwise changed, the system must comply with the requirements of subsection ~~(A)~~ (B).

~~(D)~~(E) Any person or company who requests an examination of any type of vote recorder or optical scan voting system shall pay a nonrefundable examination fee of one thousand dollars for a new voting system and a nonrefundable examination fee of five hundred dollars for an upgrade to any existing system to the State Election Commission. The State Election Commission may at any time, in its discretion, reexamine any vote recorder or optical scan voting system when evidence is presented to the commission that the accuracy or the ability of the system to be used satisfactorily in the conduct of elections is in question.

~~(E)~~(F) Any person or company who seeks approval for any vote recorder or optical scan voting system in this State must file with the State Election Commission a list of all states or jurisdictions in which the system has been approved for use. This list must state how long the system has been used in the state; contain the name, address, and telephone number of that state or jurisdiction's chief election official; and must disclose any reports compiled by state or local government concerning the performance of the system. The vendor is responsible for filing this information on an ongoing basis.

~~(F)~~(G) Any person or company who seeks approval for any vote recorder or optical scan voting system must file with the State Election Commission copies of all contracts and maintenance agreements used in connection with the sale of the voting system. All changes to standard contracts and maintenance agreements must be filed with the State Election Commission.

~~(G)~~(H) Any person or company who seeks approval for any vote recorder or optical scan voting system must conduct, under the supervision of the State Election Commission and any county board of voter registration and elections, a field test for any new voting system, as part of the certification process. The field test shall involve South Carolina voters and election officials and must be conducted as part of a scheduled primary, general, or special election. This test must be held in two or more precincts, and all costs relating to the voting system must be borne by the vendor. The test must be designed to gauge voter reaction to the system, problems that voters have with the system, and the number of voting units required for the efficient operation of an election. The test must also demonstrate the accuracy of votes cast and reported on the system.

~~(H)~~(I) Before an optical scan voting system may be used in elections in the State, all source codes for the system must be placed in escrow by the manufacturer, at the manufacturer's expense, with the authority approved by the Federal Election Assistance Commission. These source codes must be available to the State Election Commission in case the company goes out of business, pursuant to court order, or if the State Election Commission determines that an examination of these source codes is necessary. The manufacturer shall place all updates of these source codes in escrow, and notify the State Election Commission that this requirement has been met.

~~(I)~~(J) After a vote recorder or optical scan voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section; however, this requirement does not apply to the technical capability of a general purpose computer ~~or reader to electronically count and record votes~~ or ~~to a~~ printer to accurately reproduce vote totals.

~~(J)~~(K) If the State Election Commission determines that a vote recorder or optical scan voting system that was approved no longer meets the requirements set forth in subsections ~~(A)~~ (B) and ~~(C)~~ (D) or Section 7-13-1340, the commission may decertify that system. A decertified system shall not be used in elections unless the system is reapproved by the commission under subsections ~~(A)~~ (B) and ~~(C)~~ (D).

~~(K)~~(L) Neither a member of the State Election Commission, any county board of voter registration and elections or custodian, nor a member of a county governing body shall have any pecuniary interest in any vote recorder, or in the manufacture or sale of the vote recorder.

(M) An optical scan voting system must maintain an image of each ballot that is cast in a manner that protects the integrity of the data and the anonymity of each voter.

(N) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election."

SECTION 14. Section 7-13-1340(k) of the 1976 Code is amended to read:

"(k) ~~if approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1330 (C), is able to electronically transmit vote totals for all elections to the State Election Commission in a format and timeframe specified by the commission~~ disables, at all times while utilized in a current election, the following:

(1) a connection to the Internet or an external network;

(2) the capability to establish a wireless connection to an external network;

(3) the establishment of a connection to an external network through a cable, a wireless modem or any other mechanism or process; and

(4) automatic resolution functionality for ballots flagged for further review."

SECTION 15. Sections 7-13-1620(A) and (G) of the 1976 Code are amended to read:

"(A) Before any kind of voting system, including an electronic voting system, is used at an election, it must be approved by the State Election Commission, which shall examine the voting system and make and file in the commission's office a report, attested to by the signature of the commission's executive director, stating whether, in the commission's opinion, the kind of voting system examined may be accurately and efficiently used by electors at elections, as provided by law. A voting system may not be approved for use in the State unless certified by a testing laboratory accredited by the Federal Election Assistance Commission as meeting or exceeding the minimum requirements of the latest federal voting system standards and guidelines. If the federal voting system standards and guidelines have been amended less than thirty-six months prior to an election, then the State Election

Commission may approve and certify a voting system that meets the prior standards after determining:

(1) the effect that such approval would have on the integrity and security of elections; and

(2) the procedure and cost involved to bring the voting system into compliance with the amended standards."

"(G) After a voting system is approved, an improvement or change in the system must be submitted to the State Election Commission for approval pursuant to this section. This requirement does not apply to the technical capability of a general purpose computer, reader, or printer used for election preparation or ballot ~~tallying~~ tally reporting."

SECTION 16. Section 7-13-1640(C) of the 1976 Code is amended to read:

"(C) If approved after July 1, 1999, or if an upgrade in software, hardware, or firmware is submitted for approval as required by Section 7-13-1620(B), the voting system must be able to electronically transmit vote totals for all elections from the county board of voter registration and elections to the State Election Commission in a format and time frame specified by the commission.

(D) Anytime a voter is eligible to cast a ballot, the voting machine and any counting device must have disabled:

(1) a connection to the Internet or an external network;

(2) the capability of establishing a wireless connection;

(3) the establishment of a connection to an external network through a cable, a wireless modem, or any other mechanism or process; and

(4) automatic resolution functionality for ballots flagged for further review."

(E) All electronic records for a statewide election must be preserved for not less than twenty-four months following the election."

SECTION 17. Section 7-13-440 of the 1976 Code is repealed.

SECTION 18. Section 7-3-40 of the 1976 Code is amended to read:

"Section 7-3-40. The Bureau of Vital Statistics must furnish the executive director a monthly report of all persons eighteen years of age or older who have died in the State and all individuals eighteen years of age or older who have died out-of-state ~~since making the previous report~~. All reports must contain the name of the deceased, county of residence, his social security or other identification number, and his date and place of birth. ~~The bureau must provide this information at no charge.~~"

SECTION 19. Section 7-5-186 of the 1976 Code is amended to read:

"Section 7-5-186. (A)~~(1)~~ The State Election Commission shall establish and maintain a statewide voter registration database that must be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law. The executive director must conduct an annual general registration list maintenance program to maintain accurate voter registration records in the statewide voter registration system.

~~(2)(a)~~(B) State agencies~~,~~ including, but not limited to, the Department of Health and Environmental Control, Office of Vital Statistics, Department of Motor Vehicles, Department of Employment and Workforce, and the Department of Corrections, shall provide information and data to the State Election Commission that the commission considers necessary in order to maintain the statewide voter registration database established pursuant to this section, except where prohibited by federal law or regulation. The State Election Commission shall ensure that any information or data provided to the State Election Commission, which is confidential in the possession of the entity providing the data, remains confidential while in the possession of the State Election Commission.

~~(b) Information provided under this division for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector only must be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both.~~

~~(c) A county board of voter registration and elections shall contact a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if information provided under subsection (A)(2)(a) of this section identifies a discrepancy between the information regarding that elector that is maintained in the statewide voter registration database and maintained by a state agency.~~

~~(3)~~(C) The State Election Commission may enter into agreements to share information or data with other states or groups of states, as the commission considers necessary, in order to maintain the statewide voter registration database established pursuant to this section. Except as otherwise provided in this subsection, the commission shall ensure that any information or data provided to the commission that is confidential in the possession of the state providing the data remains confidential while in the possession of the commission. The commission may provide such otherwise confidential information or data to persons or

organizations that are engaging in legitimate governmental purposes related to the maintenance of the statewide voter registration database.

(D) A county board of voter registration and elections shall send a notice, as described in Section 7-5-330(F)(2), to a registered elector by mail at the address on file with the board to verify the accuracy of the information in the statewide voter registration database regarding that elector if a discrepancy exists between information provided under this section and information that is maintained in the statewide voter registration database.

(E) Information provided under this section for maintenance of the statewide voter registration database must not be used to update the name or address of a registered elector. The name or address of a registered elector must only be updated as a result of the elector's actions in filing a notice of change of name, change of address, or both."

SECTION 20. Section 7-5-330 of the 1976 Code is amended to read:

"Section 7-5-330. (A) In the case of registration with a motor vehicle application under Section 7-5-320, the valid voter registration form of the applicant must be completed at the Department of Motor Vehicles no later than thirty days before the date of the election.

(B) In the case of registration by mail under Section 7-5-155, the valid voter registration form of the applicant must be postmarked no later than thirty days before the date of the election.

(C) In the case of registration at a voter registration agency, the valid voter registration form of the applicant must be completed at the voter registration agency no later than thirty days before the date of the election.

(D) In any other case, the valid voter registration form of the applicant must be received by the county board of voter registration and elections no later than thirty days before the date of the election.

(E)(1) The county board of voter registration and elections shall:

(a) send notice to each applicant of the disposition of the application; and

(b) ensure that the identity of the voter registration agency through which a particular voter is registered is not disclosed to the public.

(2) If the notice sent pursuant to the provisions of subitem (a) of ~~this item~~ item (1) is returned to the county board of voter registration and elections as undeliverable, the elector to whom it was sent must be reported by the board to the State Election Commission. The State Election Commission must place the elector in an inactive status on the

master file within seven days after receipt of the report from the county board of voter registration and elections and ~~may~~ shall remove this elector upon compliance with the provisions of Section 7-5-330(F).

(F)(1) The State Election Commission may not remove the name of a qualified elector from the official list of eligible voters on the ground that the qualified elector has changed residence unless the qualified elector:

(a) confirms in writing that the qualified elector has changed residence to a place outside the county in which the qualified elector is registered; or

(b)(i) has failed to respond to a notice described in item (2); and

(ii) has not voted or appeared to vote and, if necessary, correct the county board of voter registration and elections record of the qualified elector's address, in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice.

(2) 'Notice', as used in this item, means a postage prepaid and preaddressed return card, sent by forwardable mail, on which the qualified elector may state his current address, together with a statement to the following effect:

(a) if the qualified elector did not change his residence, or changed residence but remained in the same county, the qualified elector shall return the card no later than thirty days before the date of the election. If the card is not returned, affirmation or confirmation of the qualified elector's address may be required before the qualified elector is permitted to vote during the period beginning on the date of the notice and ending on the day after the date of the second general election that occurs after the date of the notice, and if the qualified elector does not vote in an election during that period, the qualified elector's name must be removed from the official list of eligible voters;

(b) if the qualified elector has changed residence to a place outside the county in which the qualified elector is registered, information as to how the qualified elector can re-register to vote.

(3) The county board of voter registration and elections shall correct ~~an~~ the official list of eligible voters in accordance with change of residence information obtained pursuant to the provisions of this subsection.

(4) The program required pursuant to the provisions of subsection (F) of this section must be completed no later than ninety days before the date of a statewide primary or general election."

SECTION 21. Section 7-5-340 of the 1976 Code is amended to read:

Section 7-5-340. (A) The State Election Commission shall:

(1) ensure that the name of a qualified elector ~~may not be~~ is removed from the official list of eligible voters ~~except~~ within seven days of receipt of information confirming:

(a) ~~at~~ the request of the qualified elector to be removed;

(b) ~~if~~ the elector is adjudicated mentally incompetent by a court of competent jurisdiction; ~~or~~

(c) ~~as provided under item (2);~~

~~(2) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of:~~

~~(a)~~ the death of the qualified elector; ~~or~~

(d) the elector is not a citizen of the United States; or

~~(b)~~(e) a change in the residence ~~of the qualified elector~~ to a place outside the county in which the qualified elector is registered when such confirmation is received from the qualified elector in writing;

~~(3)~~(2) inform applicants under Sections 7-5-155, 7-5-310, and 7-5-320 of:

(a) voter eligibility requirements; and

(b) penalties provided by law for submission of a false voter registration application;

~~(4)~~(3) complete, no later than ninety days before the date of a statewide primary or general election, a program to systematically remove the names of ineligible voters from the official ~~lists~~ list of eligible voters in compliance with the provisions of Section 7-5-330(F); this ~~subitem~~ item may not be construed to preclude:

(a) the removal of names from the official ~~lists~~ list of eligible voters on a basis described in ~~items~~ item (1) ~~and (2)~~; or

(b) correction of registration records pursuant to this article."

SECTION 22. Chapter 25, Title 7 of the 1976 Code is amended by adding:

"Section 7-25-30. The State Law Enforcement Division shall establish a public reporting hotline telephone number and email address for receiving reports of possible election fraud or other violations of the election laws of this State. It shall promptly review all reported violations and take action as it determines appropriate."

SECTION 23. Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-350. The State Election Commission shall report to the General Assembly annually regarding the commission's actions taken to maintain the accuracy of the statewide voter registration database and

voter registration list maintenance. This report shall include, but is not limited to, the number of: (1) voters removed from the voter registration list and the reason for the removal; (2) voters placed on inactive status; (3) voters placed on archive status; (4) new voter registrations; and (5) voter registration updates, including elector address changes. This annual report must be delivered to the President of the Senate and the Speaker of the House of Representatives by January fifteenth of each year."

SECTION 24. Chapter 1, Title 7 of the 1976 Code is amended by adding:

"Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) A request to intervene or the participation of the President of the Senate, on behalf of the Senate, or the Speaker of the House of Representatives, on behalf of the House of Representatives, as a party or otherwise, in an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted does not constitute a waiver of:

(1) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff member; or

(2) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(E) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(F) In an action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(G) The Senate and the House of Representatives may employ attorneys other than the Attorney General to defend any action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(H) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to bring an action in mandamus in the original jurisdiction of the Supreme Court to compel an election official to faithfully apply, enforce, and defend the election laws of the State."

SECTION 25. Section 7-3-20(C) of the 1976 Code is amended by adding appropriately numbered items to read:

"( ) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. Once completed, audit reports must be published on the commission's website;"

SECTION 26. A. Section 7-25-20 of the 1976 Code is amended to read:

"Section 7-25-20. It is unlawful for a person to fraudulently:

(1) procure the registration of a name on the books of registration;

(2) offer or attempt to vote that name;

(3) offer or attempt to vote in violation of this title or under any false pretense as to circumstances affecting his qualifications to vote; or

(4) aid, counsel, or abet another in fraudulent registration or fraudulent offer or attempt to vote.

A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not less than one ~~hundred~~ thousand dollars nor more than five ~~hundred~~ thousand dollars ~~or~~ and imprisoned not more than ~~one year, or both~~ five years."

B. Section 7-25-110 of the 1976 Code is amended to read:

"Section 7-25-110. It is unlawful for a person qualified to vote at any general, special, or primary election for an office whether local, state, or federal to vote more than once at such election, for the same office. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined ~~in the discretion of the court or~~ not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than ~~three~~ five years."

C. Section 7-25-120 of the 1976 Code is amended to read:

"Section 7-25-120. It is unlawful for a person to impersonate or attempt to impersonate another person for the purpose of voting in a general, special, or primary election, whether municipal or State. A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be imprisoned not more than ~~three~~ five years ~~or~~ and fined not less than ~~three hundred~~ one thousand dollars nor more than ~~twelve hundred~~ five thousand dollars~~, or both~~. When a person who violates the provisions of this section is placed under bond, the bond may not be less than six hundred dollars nor more than twelve hundred dollars."

D. Section 7-25-160 of the 1976 Code is amended to read:

"Section 7-25-160. A manager at any general, special, or primary election in this State who wilfully violates any of the duties devolved by law upon such position is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years. A manager who commits fraud or corruption in the management of such election is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years~~, or both~~."

E. Section 7-25-170 of the 1976 Code is amended to read:

"Section 7-25-170. An officer, other than a manager at any election, on whom a duty is imposed by this title, except under Section 7-13-1170, Articles 1 and 3 of Chapter 17 and Chapters 19 and 23 of this title, who wilfully neglects such duty or engages in corrupt conduct in executing it is guilty of a ~~misdemeanor~~ felony and, upon conviction, must be fined

not ~~more~~ less than ~~five hundred~~ one thousand dollars ~~or~~ nor more than five thousand dollars and imprisoned not more than ~~three~~ five years."

SECTION 27. A. Section 7-3-10 of the 1976 Code is amended to read:

"Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been ~~elected~~ appointed and qualify~~, except of those first appointed three shall serve for terms of two years~~. Any vacancy on the ~~Commission~~ commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

~~(b)~~(B) The Governor shall appoint one of the members to serve as chairman and one of the members to serve as vice chairman. The terms of chairman and vice chairman shall be for ~~a term of~~ two years and until ~~his successor has been appointed and qualifies~~ their successors are appointed and qualify. The ~~Commission~~ commission shall select such other officers from among its members as it may deem necessary.

~~(c)~~(C) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.

~~(d)~~(D) The ~~Commission~~ commission shall have the powers and duties as enumerated in this title.

~~(e)~~(E)(1) No person shall be eligible to be appointed to the commission who:

(a) has not been a registered voter in this State for the five years immediately preceding the term of appointment;

(b) is a member of a candidate's paid campaign staff, or a campaign volunteer;

(c) held an elective public office, was a candidate for an elective public office, or was a lobbyist within the year preceding the start of the term of appointment; or

(d) was an officer of a local or national committee of a political party or an officer in a partisan political club or organization within the year preceding the start of the term of appointment.

(2) No person shall be eligible to continue to serve on the commission who, during the person's term of appointment:

(a) is a candidate for an elective public office, a member of a candidate's paid campaign staff, or a campaign volunteer;

(b) is an officer of a local or national committee of a political party or an officer in a partisan political club or organization;

(c) is a lobbyist;

(d) makes a contribution to a candidate or knowingly attends a fundraiser held for the benefit of a candidate;

(e) takes an official action that contravenes a state election law;

(f) makes a written or oral statement intended for general distribution or dissemination to the public at large discrediting the merit of a state election law; or

(g) fails to supervise and instruct the executive director regarding the execution of the executive director's duties.

(3) A person serving on the commission who was not eligible to be appointed pursuant to item (1), or a person serving on the commission who is no longer eligible to continue to serve pursuant to item (2), is subject to removal:

(a) by the Governor; or

(b) through an action filed in the original jurisdiction of the Supreme Court by the President of the Senate, on behalf of the Senate, or by the Speaker of the House of Representatives, on behalf of the House of Representatives, for a determination of the right of the person to continue to serve on the commission.

~~No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.~~

(F) The commission shall promulgate regulations to establish standardized processes for the administration of elections and voter registration that must be followed by the county boards of voter registration and elections. The regulations must take into account unique circumstances around the State, including, but not limited to, population and geographic disparities among the various counties. The commission is prohibited from promulgating emergency regulations pursuant to Section 1-23-130.

(G) The commission shall provide for the supervision of the executive director to ensure that the State Election Commission and the county boards of voter registration and elections comply with applicable state and federal election law."

B. Notwithstanding Section 7-3-10(A), as amended by this act, the expiration dates for the terms of the current members of the commission shall be staggered as follows:

(1) for members with terms expiring on September 15, 2022, the terms will now expire on June 30, 2023; and

(2) for members with terms expiring on September 15, 2024, the terms will now expire on June 30, 2025.

C. Notwithstanding Section 7-3-10(B), as amended by this act, the initial term of the vice chairman must run concurrently with the existing term of the chairman.

D. The provisions of Section 7-3-10(E)(1), as added by the act, applies to a candidate for appointment to the State Election Commission on and after the effective date of this act.

SECTION 28. A. Section 7-3-20 of the 1976 Code is amended to read:

"Section 7-3-20. (A) The State Election Commission shall ~~elect~~ appoint an executive director, upon the advice and consent of the Senate, who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission. The term of the executive director is for four years, and he may be reappointed, upon the advice and consent of the Senate, for succeeding terms. In the event of a vacancy in the position of executive director, an interim director must be appointed by the State Election Commission and an appointment for a permanent executive director must be submitted to the Senate as soon as practicable. If a person is appointed by the State Election Commission to be executive director and he is not confirmed by the Senate by the date for the sine die adjournment of the General Assembly following the submission of the appointment, then the person must not serve as an interim or permanent executive director.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C)(1) No person shall be eligible to be appointed as the executive director who:

(a) does not possess at least three years' experience in election administration;

(b) is a member of a candidate's paid campaign staff, or a campaign volunteer;

(c) held an elective public office, was a candidate for an elective public office, or was a lobbyist within the year preceding the start of the term of appointment; or

(d) was an officer of a local or national committee of a political party or an officer in a partisan political club or organization within the year preceding the start of the term of appointment.

(2) No person shall be eligible to continue to serve as the executive director who, during the person's term of appointment:

(a) is a candidate for an elective public office, a member of a candidate's paid campaign staff, or a campaign volunteer;

(b) is an officer of a local or national committee of a political party or an officer in a partisan political club or organization;

(c) is a lobbyist;

(d) makes a contribution to a candidate or knowingly attends a fundraiser held for the benefit of a candidate;

(e) takes an official action that contravenes a state election law;

(f) makes a written or oral statement intended for general distribution or dissemination to the public at large discrediting the merit of a state election law; or

(g) fails to supervise and instruct the county boards of voter registration and elections regarding compliance with state and federal election laws.

(3) A person serving as the executive director who was not eligible to be appointed pursuant to item (1), or a person serving as the executive director who is no longer eligible to continue to serve pursuant to item (2), is subject to removal through an action filed in the original jurisdiction of the Supreme Court by the President of the Senate, on behalf of the Senate, or by the Speaker of the House of Representatives, on behalf of the House of Representatives, for a determination of the right of the person to continue to serve as the executive director.

(D) The executive director shall:

(1) direct and supervise the implementation of the standardized processes established by the commission pursuant to Section 7-3-10(F);

(2) supervise the conduct of the county ~~board~~ boards of ~~elections and~~ voter registration and elections, as established pursuant to Article 1, Chapter 5, which administers elections and voter registration in the State, and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(2)~~(3) conduct reviews, audits, or other postelection analysis of the county ~~board~~ boards of ~~elections and~~ voter registration and elections, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(3)~~(4) maintain a complete master file of all qualified electors by county and by precincts;

~~(4)~~(5) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(5)~~(6) enter names on the master file as they are reported by the county boards of voter registration and elections;

~~(6)~~(7) furnish each county board of voter registration and elections with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(7)~~(8) maintain all information furnished to his office relating to the inclusion or deletion of names from the master file for four years;

~~(8)~~(9) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(9)~~(10) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(10)~~(11) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(11)~~(12) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(12)~~(13) furnish at reasonable price any precinct lists to a qualified elector requesting them;

~~(13)~~(14) serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the National Voter Registration Act of 1993;

~~(14)~~(15) serve as the chief state election official responsible for implementing and enforcing the state's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.; ~~and~~

~~(15)~~(16) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law~~.~~;

(17) promulgate regulations for voter registrations performed by private entities; and

(18) enter into the master file a separate designation for each voter casting an absentee ballot or an early ballot in an election.

~~(D)~~(E) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election."

B. The provisions of Section 7-3-20(C)(1), as added by this act, do not apply to a person who holds the position of executive director on the effective date of this act.

C. Notwithstanding Section 7-3-20(A), as amended by this act, the commission must provide an initial appointment for executive director to the Senate for advice and consent no later than January 10, 2023. The appointment must be made even if there is not a vacancy in the position at that time and the commission desires that the executive director continue to serve as the agency's executive director. The term of the initial appointment expires June 30, 2027.

SECTION 29. Section 7-3-25 of the 1976 Code is amended to read:

"Section 7-3-25. (A) In the event that the State Election Commission, acting through its executive director, determines that a county board of ~~elections and~~ voter registration and elections has failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of the election or voter registration process, the State Election Commission, acting through its executive director or other designee, must supervise,

pursuant to Section 7-3-20~~(C)~~(D)(1) and (2), the county board to the extent necessary to:

(1) identify the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes;

(2) establish a plan to correct the failure; and

(3) implement the plan to correct the failure. The officials and employees of the State Election Commission and the county board must work together, in good faith, to remedy the failure of the county board to adhere to state or federal law or State Election Commission policies, procedures, or standardized processes. In the event of a difference of policy or opinion between a county election official or employee and the State Election Commission or its designee, pertaining to the manner in which particular functions must be performed, the policy or opinion of the State Election Commission shall control.

(B) If a county board of voter registration and elections does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set for certification by applicable law, the responsibility to determine and certify the results is devolved upon the State Election Commission.

(C) If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the election or voter registration process or fails to comply with or cooperate with the corrective plan established by the State Election Commission or its designee under the provisions of subsection (A), the commission may order the decertification of that official or employee and if decertified the commission shall require that official to participate in a retraining program approved by the commission prior to recertification. If the commission finds that the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes by an official is wilful, it shall recommend the termination of that official to the Governor or it shall recommend termination of a staff member to the director of the appropriate county board of voter registration and elections."

SECTION 30. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

"Section 7-5-50. Notwithstanding another provision of law, the State Election Commission and the county boards of voter registration and elections may not receive, accept, or expend gifts, donations, or funding

from private individuals, corporations, partnerships, trusts, or any third party not provided through ordinary state or county appropriations."

SECTION 31. Chapter 5, Title 7 of the 1976 Code of Laws is amended by adding:

"Section 7-5-190. The State Election Commission shall ensure that voter registration information, the voting system, and electronic poll books are protected by security measures that meet or exceed current best practices for protecting data integrity. To do so, the State Election Commission shall consider security standards and best practices issued by federal security and intelligence services, including, but not limited to, the Department of Homeland Security and the Election Assistance Commission. The State Election Commission shall certify on an annual basis to the Governor, the President of the Senate, and the Speaker of the House of Representatives that the agency has substantially complied with the requirements of this section."

SECTION 32. A. Section 7-3-70 of the 1976 Code is amended by adding:

"(c) The Department of Motor Vehicles must furnish the executive director a monthly report of all non-United States citizens who are issued a driver's license or identification card. All reports must contain the name of the driver or identification cardholder, social security number, if any, and date of birth. The department must provide this information at no charge."

B. The first monthly report provided by the Department of Motor Vehicles pursuant to this SECTION must include every non-United States citizen in this State with a driver's license or identification card.

SECTION 33. Section 7-13-35 of the 1976 Code is amended to read:

"Section 7-13-35. The authority charged by law with conducting an election must publish two notices of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of the precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return-addressed envelopes containing absentee ballots may begin at ~~2:00 p.m.~~ 7:00 a.m. on the second day immediately preceding election day at a place designated in the notice by the authority charged with conducting the election. The first notice must appear not

later than sixty days before the election and the second notice must appear not later than two weeks after the first notice."

SECTION 34. Chapter 3, Title 7 of the 1976 Code is amended by adding:

"Section 7-3-45. Each county probate court must furnish to the Executive Director of the State Election Commission a monthly report of all persons eighteen years of age or older who have been declared mentally incapacitated by the county probate court. All reports must include the name, county of residence, social security number or other identification number, and date and place of birth of any incapacitated persons. The county probate court must provide the information to the Executive Director of the State Election Commission free of charge."

SECTION 35. The State Election Commission must establish a voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held from the effective date of this act until October 21, 2022.

(4) Coordinate with each county board of voter registration and elections so that at least one seminar is conducted with each county's election officials prior to September 16, 2022.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Send a media release describing the changes in this legislation in South Carolina newspapers of general circulation by no later than June 20, 2022.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

In addition to the items above, the State Election Commission may implement additional educational programs in its discretion.

SECTION 36. Section 7-15-310 of the 1976 Code is amended to read:

"Section 7-15-310. (7) 'Authorized representative' means a registered elector who, with the voter's permission, acts on behalf of a voter unable to go to the polls because of illness or disability resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate, ~~or~~ a member of a candidate's paid campaign staff, or a campaign volunteer ~~volunteers reimbursed for the time they expend on campaign activity~~ be considered an 'authorized representative' of an elector desiring to vote by absentee ballot."

SECTION 37. Article 5, Chapter 15, Title 7 of the 1976 Code is amended by adding:

"Section 7-15-400. No absentee ballot application or absentee ballot may be provided by an election official to a qualified elector unless pursuant to a provision of this article or Article 9 of this chapter."

SECTION 38. Chapter 25, Title 7 of the 1976 Code is amended by adding:

"Section 7-25-65. (A) It is unlawful for a person to provide, offer to provide, or accept anything of value in exchange for requesting, collecting, or delivering an absentee ballot. A person who violates this section is guilty of a felony and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars and imprisoned not more than five years.

(B) This section does not apply to an election official in the course and scope of the election official's duties or a public or private mail service provider acting in the course and scope of the mail service provider's duties to carry and deliver mail."

SECTION 39. Section 7-25-180 of the 1976 Code of Laws is amended to read:

"Section 7-25-180. (A) ~~It is unlawful on an election day within two hundred feet of any entrance used by the voters to enter the polling place for a person to distribute any type of campaign literature or place any political posters~~. It is unlawful for a person to distribute any type of campaign literature or place any political posters within five hundred feet of any entrance used by the voters to enter the polling place, during polling hours on an election day and during the early voting period. The poll manager shall use every reasonable means to keep the area within ~~two~~ five hundred feet of any such entrance clear of political literature and displays, and the county and municipal law enforcement officers,

upon request of a poll manager, shall remove or cause to be removed any material within ~~two~~ five hundred feet of any such entrance distributed or displayed in violation of this section.

(B) A candidate may wear within ~~two~~ five hundred feet of the polling place a label no larger than four and one-fourth inches by four and one-fourth inches that contains the candidate's name and the office he is seeking. If the candidate enters the polling place, he may not display any of this identification including, but not limited to, campaign stickers or buttons."

SECTION 40. A. Any changes to forms required by this act must be implemented as soon as possible, but not later than May 31, 2022.

B. Notwithstanding the provisions of this act, a county board of voter registration and elections must honor any request made for an absentee ballot for an election during the 2022 calendar year, provided that the request was: (1) received by the county board of voter registration and elections before 5:00 p.m. on May 31, 2022; and (2) made in accordance with the law as of April 21, 2022.

C. An absentee ballot requested prior to the Governor's approval of this act must not be counted towards the limit on absentee ballot requests as prescribed in Section 7-15-330(B)(4), as added by this act.

D. For the 2022 statewide elections, each county board of voter registration and elections must identify each early voting center it intends to utilize and provide the locations to the State Election Commission Executive Director as follows: (1) for the primary election, no later than May 24, 2022; and (2) for the general election, no later than July 1, 2022. The executive director must approve any additions or changes to these early voting centers, and may direct the move of early voting centers to ensure proper distribution throughout each county.

SECTION 41. Section 7-15-470 of the 1976 Code is repealed.

SECTION 42. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of election reform as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 43. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect

pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 44. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 45. A. Except as provided in B., C., and D. below, all SECTIONS shall take effect upon approval by the Governor.

B. SECTION 2 shall take effect on January 1, 2023.

C. SECTIONS 3 and 6 shall take effect on July 1, 2022.

D. The requirement that the printed name of the witness be examined on return-addressed envelopes, pursuant to Section 7-15-420(B), as amended by this act, takes effect on July 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator SCOTT explained the House amendments.

Senator SCOTT proposed the following amendment (158R003.SP.JS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking line 25 and inserting:

/years or more of licensure in South Carolina who are sixty-five /

Amend the bill further, as and if amended, on page 2, by striking line 31 and inserting:

/ "( ) A licensee with twenty-five years or more of licensure in /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (DG\ 233C003.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 12-37-220(B)(1) of the 1976 Code is amended to read:

"(1)(a) the house owned by an eligible owner in fee or jointly with a spouse;

(b) the house owned by a qualified surviving spouse ~~acquired from the deceased spouse~~ and a house subsequently acquired by an eligible surviving spouse. The qualified surviving spouse shall inform the Department of Revenue of the address of a subsequent house;

(c) when a trustee holds legal title to a dwelling for a beneficiary and the beneficiary is a person who qualifies otherwise for the exemptions provided in subitems (a) and (b) and the beneficiary uses the dwelling as the beneficiary's domicile, the dwelling is exempt from property taxation in the same amount and manner as dwellings are exempt pursuant to subitems (a) and (b);

(d) The Department of Revenue may require documentation it determines necessary to determine eligibility for the exemption allowed by this item.

(e) A person who owns an interest in a house and meets all other requirements of this item and is otherwise an eligible owner but for the ownership requirement is deemed to be an eligible owner and is eligible for the exemption allowed by this item so long as the county assessor certifies to the Department of Revenue that the house is located on heirs' property and the person is the owner-occupied resident of the house. A person eligible pursuant to this subitem must not claim the special assessment rate allowed pursuant to Section 12-43-220(c) on any other property. For purposes of this item, heirs' property has the same meaning as provided in Section 15-61-320.

(f) As used in this item:

(i)'eligible owner' means:

(A) a veteran of the armed forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability;

(B) a former law enforcement officer as further defined in Section 23-23-10, who is permanently and totally disabled as a result of a law enforcement service-connected disability;

(C) a former firefighter, including a volunteer firefighter as further defined in Chapter 80, Title 40, who is permanently and totally disabled as a result of a firefighting service-connected disability;

(ii) 'permanently and totally disabled' means the inability to perform substantial gainful employment by reason of a medically determinable impairment, either physical or mental, that has lasted or is expected to last for a continuous period of twelve months or more or result in death;

(iii) 'qualified surviving spouse' means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the armed forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-23-10 and Chapter 80, Title 40 ~~who at the time of death owned the house in fee or jointly with the now surviving spouse,~~ if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;

(iv) 'house' means a dwelling and the lot on which it is situated classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c). However, for an eligible

owner that qualifies pursuant to item (1)(e), 'house' means a dwelling that is eligible to be classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c) except for the ownership requirement."

SECTION 2. A.Section 6-1-300(6) of the 1976 Code is amended to read:

"(6) 'Service or user fee' means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members of the general public not paying the fee~~. 'Service or user fee' also includes 'uniform service charges'. The revenue generated from the fee must:

(a) be used to the benefit of the payers, even if the general public also benefits;

(b) only be used for the specific improvement contemplated;

(c) not exceed the cost of the improvement; and

(d) be uniformly imposed on all payers."

B.Section 6-1-330(A) of the 1976 Code is amended to read:

"(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the governing body prior to the final reading of the ordinance to adopt a new service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article."

C.Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

"( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( )A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county's website."

D.Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 2.A.

E. This SECTION takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Recorded Vote

Senator YOUNG desired to be recorded as abstaining on the adoption of the amendment.

CONCURRENCE

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

On motion of Senator YOUNG, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION

AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER

REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GAMBRELL explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

On motion of Senator GAMBRELL, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

WEDNESDAY, MAY 11, 2022

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator BENNETT explained the House amendments.

Senator BENNETT proposed the following amendment (533R007.SP.SB), which was adopted:

Amend the joint resolution, as and if amended, beginning on page 5, lines 21 - 42, and on page 6, lines 1 - 22, by striking Section 41-5-150(A) and inserting:

/Section 41-5-150. (A) There is hereby established the 'South Carolina Employment First Oversight Commission' consisting of nine members appointed by the Governor, five of whom must have a disability or have substantial knowledge of disability issues, and four of whom must be from the business community. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator SCOTT, the Senate agreed to waive the provisions of Rule 32A requiring S. 560 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator SCOTT explained the amendments.

On motion of Senator SCOTT, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING

A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator DAVIS explained the House amendments.

Senator DAVIS proposed the following amendment (628R009.SP.TD), which was ruled out of order:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-210. As used in this chapter:

(1) 'Administer' has the same meaning as in Section 40-43-30.

(2) 'Department' means the Department of Labor, Licensing and Regulation.

(3) 'Dispense' has the same meaning as in Section 40-43-30.

(4) 'Injectable hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that a practitioner administers to a patient by injection. 'Injectable hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

(5) 'Patient counseling' has the same meaning as in Section 40-43-30.

(6) 'Pharmacist' has the same meaning as in Section 40-43-30.

(7) 'Practitioner' has the same meaning as in Section 40-47-20.

(8) 'Prescriber' means a physician licensed pursuant to Chapter 47, Title 40; an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter; or a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

(9) 'Self-administered hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may administer to himself. 'Self-administered hormonal contraceptive' includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch. 'Self-administered hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and exercising reasonable care as a pharmacist and who is employed by a hospital or a pharmacy that is permitted by this State may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing order by a prescriber to a patient who is:

(1) eighteen years of age or older; or

(2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive.

(B) Nothing in this section requires a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive. Nothing in this article shall be construed to amend a pharmacist's duties to dispense or otherwise provide contraception prescribed by another provider.

Section 40-43-240. (A) The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol to authorize a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive without a patient-specific written order.

(B) The written joint protocol must address, at a minimum, the following requirements:

(1) education or training requirements that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary for a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive;

(2) information that a pharmacist must provide to a patient prior to dispensing a self-administered hormonal contraceptive or administering an injectable hormonal contraceptive and confirmation that the required information was provided to the patient;

(3) documentation regarding the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive;

(4) notification to a patient's designated practitioner that a self-administered hormonal contraceptive was dispensed to the patient or that an injectable hormonal contraceptive was administered to the patient;

(5) evaluation and review of the dispensing and administration practices used by pharmacists authorized to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive; and

(6) any additional provisions that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary or appropriate for inclusion in the protocol, including any reporting requirements.

(C) For each new patient requesting contraception and at least every twelve months for each returning patient, the written joint protocol must require a pharmacist dispensing or administering contraceptives pursuant to this chapter to:

(1) obtain a completed self-screening risk assessment;

(2) utilize a standardized procedure as established by the Board of Medical Examiners and the Board of Pharmacy to perform a patient assessment;

(3) dispense, if clinically appropriate, a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive, or refer the patient to a practitioner;

(4) provide the patient with a visit summary;

(5) advise the patient to consult with a practitioner;

(6) refer any patient who may be subject to abuse to the appropriate social services agency; and

(7) ensure that the pharmacy provides appropriate space to prevent the spread of infection and ensure confidentiality.

(D) The Board of Medical Examiners and the Board of Pharmacy may appoint an advisory committee of healthcare professionals licensed in this State to advise and assist in the development of the joint protocol for their consideration.

Section 40-43-250. (A) Prior to dispensing self-administered hormonal contraceptives or administering injectable hormonal contraceptives pursuant to Section 40-43-240, a pharmacist must have completed a certificate program that has been accredited by the American Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners, as specified in the joint protocol, that is program-specific to self-administered hormonal contraceptives or injectable hormonal contraceptives, that includes the application of the United States Medical Eligibility Criteria for Contraceptive Use, and that includes other Centers for Disease Control and Prevention guidance on contraception. To maintain eligibility, a pharmacist must complete at least one hour of continuing education per year that is offered by an entity approved by the Board of Medical Examiners and the Board of Pharmacy.

(B) An equivalent, curriculum-based training program completed on or after January 2021 in an accredited South Carolina pharmacy school satisfies the initial education requirement.

Section 40-43-260. (A) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive pursuant to this chapter shall:

(1) obtain a completed self-screening risk assessment questionnaire that has been approved by the department, in collaboration with the Board of Pharmacy and the Board of Medical Examiners, from the patient before dispensing the self-administered hormonal contraceptive or administering the injectable hormonal contraceptive. If the results of the assessment indicate that it is unsafe to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to a patient, then the pharmacist may not dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient, shall refer the patient to a practitioner, and may not continue to dispense a self-administered

hormonal contraceptive or administer an injectable hormonal contraceptive to the patient for more than twenty-four months after the date of the initial prescription without evidence that the patient has consulted with a practitioner during the preceding twenty-four months; and

(2) provide the patient with written information regarding:

(a) the importance of seeing the patient's practitioner annually to obtain recommended tests and screening;

(b) the effectiveness and availability of long-acting reversible contraceptives as an alternative to self-administered hormonal contraceptives or injectable hormonal contraceptives;

(c) a copy of the record of the encounter with the patient that includes the patient's completed assessment questionnaire pursuant to item (1);

(d) a description of the contraceptive dispensed or administered, or the basis for not dispensing or administering a contraceptive;

(e) the South Carolina Medicaid program and how to apply for Medicaid benefits; and

(f) the effectiveness of abstinence in preventing pregnancy and contracting a sexually transmitted infection or disease. The materials shall include the following: Abstinence is the choice not to have sex. This method is one hundred percent effective in preventing pregnancy and infection as long as all sexual contact is avoided, including vaginal, oral, and anal sex.

(B) If a pharmacist dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive to a patient, then the pharmacist shall, at a minimum, provide patient counseling to the patient regarding:

(1) the appropriate administration and storage of a self-administered hormonal contraceptive, if appropriate;

(2) any potential side effects and risks of a self-administered hormonal contraceptive or injectable hormonal contraceptive;

(3) the need for backup contraception;

(4) when to seek emergency medical attention; and

(5) the risk of contracting a sexually transmitted infection or disease, along with ways to reduce the risk of contraction.

Section 40-43-270. (A) A prescriber who issues a standing prescription drug order in accordance with Section 40-43-260 is not liable for any civil damages for acts or omissions resulting from the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive under this chapter.

(B) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive in accordance with the provisions of this article is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action."

B. The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol pursuant to Section 40-43-240 not later than six months after the passage of this act.

SECTION 2. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

"Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law including, but not limited to, this chapter or the Medicaid state plan."

SECTION 3. Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-195. (A) For purposes of this section:

(1) 'Central fill' means the filling of a prescription drug order by one central fill pharmacy permitted by this State at the request of an originating pharmacy permitted by this State.

(2) 'Central fill pharmacy' means a permitted pharmacy facility that, upon the request of an originating pharmacy, fills a prescription drug order and returns the filled prescription to the originating pharmacy for delivery to the patient or patient's agent. A central fill pharmacy that returns filled prescriptions to an originating pharmacy must not be required to obtain a wholesaler/distributor permit.

(3) 'Originating pharmacy' means a pharmacy permitted by and located in this State or another state if providing services on behalf of a patient located in South Carolina that, upon receipt of a prescription drug order from a patient, requests a central fill pharmacy to fill the order and upon receipt of the filled prescription drug order, delivers the prescription to the patient or patient's agent.

(B)(1) An originating pharmacy permitted by this State may outsource a prescription drug order filling to a central fill pharmacy permitted by this State if the pharmacies:

(a) have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations;

(b) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order;

(c) ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed; and

(d) maintain the prescription information in a readily retrievable manner.

(2) The pharmacist-in-charge of a central fill pharmacy shall ensure that:

(a) the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. These shipping processes must include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and

(b) the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with.

(3) To the extent that a central fill pharmacy dispenses controlled substances, the central fill pharmacy must obtain a registration from the Department of Health and Environmental Control, Bureau of Drug

Control. Controlled substance prescriptions filled by a central fill pharmacy must comply with both state and federal statutes and regulations.

(4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a prescription directly to a patient or an individual practitioner; or

(d) provide or dispense cannabis products not approved by the Federal Drug Administration.

(C)(1) An originating pharmacy that outsources prescription filling to a central fill pharmacy must, prior to outsourcing the prescription:

(a) notify patients that their prescription may be filled by another pharmacy; and

(b) provide the name of that pharmacy or notify the patient if the pharmacy is part of a network of pharmacies under common ownership and that any of the network pharmacies may fill the prescription.

(2) Patient notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.

(D)(1) A central fill pharmacy must provide written information regarding the prescription with the filled prescription and a toll-free phone number for patient questions. The following statement must be provided with the prescription before delivery to the patient:

'Written information about this prescription has been provided for you. Please read this information before you take the medication. If you have questions concerning this prescription, a pharmacist is available during normal business hours to answer these questions'.

(2) A pharmacist at the originating pharmacy shall offer the patient or the patient's agent information about the prescription drug or device in accordance with Section 40-43-86(L).

(3) This subsection does not apply to patients in facilities including, but not limited to, hospitals or nursing homes, where drugs are administered to patients by a person authorized to do so by law.

(E) The central fill pharmacy must:

(1) place on the prescription label:

(a) the name and address or name and pharmacy license number of the pharmacy filling the prescription;

(b) the name and address of the originating pharmacy which receives the filled prescription for delivery to the patient or the patient's agent; and

(c) in some manner indicate which pharmacy filled the prescription (e.g., 'Filled by ABC Pharmacy for XYZ Pharmacy'); and

(2) comply with all other labeling requirements of federal and state law including, but not limited to, Section 40-43-86.

(F) A central fill policy and procedure manual must be maintained at both pharmacies and must be available for inspection. The originating and central fill pharmacies are required to maintain only those portions of the policy and procedure manual that relate to that pharmacy's operations. The manual must at minimum contain:

(1) An outline of the responsibilities of the central fill pharmacy and the originating pharmacy including, but not limited to:

(a) patient notification of central fill processing;

(b) confidentiality and integrity of patient information procedures;

(c) drug utilization review;

(d) record keeping and logs, including a list of the names, addresses, phone numbers, and license or registration numbers of the pharmacies, pharmacists, and pharmacy technicians at the central fill pharmacy and at the originating pharmacy;

(e) counseling responsibilities;

(f) procedures for return of prescriptions not delivered to a patient and procedures for invoicing medication transfers;

(g) policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;

(h) safe delivery of prescriptions to patients;

(i) processes to ensure stability and potency of medication;

(j) requirements for storage and shipment of prescription medication; and

(k) procedures for conducting an annual review of written policies and procedures and for documentation of this review.

(2) Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to this chapter and the Department of Health and Environmental Control, controlled substances laws and regulations.

(G)(1) Records may be maintained in an alternative data retention system including, but not limited to, a data processing system or direct imaging system, if:

(a) the records maintained in the alternative system contain all of the information required on the manual record; and

(b) the data processing system is capable of producing a hard copy of the record upon the request of the board, its representative, or other authorized local, state, or federal law enforcement or regulatory agency.

(2) Each pharmacy must maintain records in accordance with the provisions of Section 40-43-86 and must be able to produce records as requested by the board.

(3) The originating pharmacy records must include the date the request for filling was transmitted to the central fill pharmacy.

(4) The central fill pharmacy records must include:

(a) the date the filled prescription was mailed by the central fill pharmacy; and

(b) the name and address to which the filled prescription was shipped.

(H)(1) A central fill pharmacy must complete a central fill pharmacy permit application provided by the board, following the procedures as specified in Section 40-43-83, and also provide the following information:

(a) evidence that the applicant holds a pharmacy license, registration, or permit issued by the state in which the pharmacy is located;

(b) the name of the owner, permit holder, and pharmacist-in-charge of the pharmacy for service of process;

(c) evidence of the applicant's ability to provide to the board a record of a prescription drug order dispensed by the applicant to a resident of this State not later than seventy-two hours after the time the board requests the record;

(d) an affidavit by the pharmacist-in-charge which states that the pharmacist has read and understands the laws and regulations relating to a central fill pharmacy in this State; and

(e) pay the required fee as set by the board through regulation.

(2) A central fill pharmacy must comply with all provisions of this chapter.

(I) Nothing in this section may be construed to circumvent any requirement of Section 40-43-86 of the South Carolina Pharmacy Practice Act.

(J) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy."

SECTION 4. Chapter 53, Title 44 of the 1976 Code is amended by adding:

"ARTICLE 20

Compassionate Care

Section 44-53-2010. As used in this article:

(1)(a) 'Allowable amount of medical cannabis' or 'allowable amount of cannabis products' means, for a fourteen-day period:

(i) cannabis products for topical administration including, but not limited to, patches for transdermal administration or lotions, creams, or ointments, that contain a total of no more than four thousand milligrams of delta-9-tetrahydrocannabinol;

(ii) cannabis products for oral administration including, but not limited to, oils, tinctures, capsules, or edible forms, that contain a total of no more than one thousand six hundred milligrams of delta-9-tetrahydrocannabinol;

(iii) cannabis products that consist of oils for vaporization that contain a total of no more than eight thousand two hundred milligrams of delta-9-tetrahydrocannabinol; or

(iv) for any other modes of delivery, an equivalent amount as determined by the department.

(b)(i) In any case in which a physician has specified a certain amount of cannabis products pursuant to Section 44-53-2080(B), an allowable amount of cannabis products is the amount of cannabis products specified for a fourteen-day period.

(ii) In any case in which a physician has not specified a certain amount of cannabis products, an allowable amount of cannabis products is the amount of cannabis products specified for a fourteen-day period as provided in subitems (a)(i), (ii), (iii), or (iv).

(c) The allowable amount of medical cannabis does not include industrial hemp for human consumption.

(2) 'Bona fide physician-patient relationship' has the same meaning as in Section 40-47-113(A).

(3)(a) 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) 'Cannabis product' means a product that is infused with or otherwise contains cannabis or an extract thereof and that is intended for use, consumption, absorption, or any method of ingestion by humans cultivated and produced by a licensed facility in South Carolina. The term includes, but is not limited to, an edible cannabis product, beverage, topical product, ointment, oil, patch, spray, suppository, or tincture.

(5) 'Cardholder' means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card from the department.

(6) 'Child-resistant packaging' means packaging that is designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly, substantially similar to those defined by 16 C.F.R. 1700.20 (1995), opaque so that the packaging does not allow the product to be seen without opening the packaging material, and re-sealable for any product intended for more than a single use or containing multiple servings.

(7) 'Cultivation center' means a facility located in South Carolina operated by an organization or business that is licensed by the department pursuant to this article to cultivate, possess, and distribute cannabis products to processing facilities, therapeutic cannabis pharmacies, and independent testing laboratories. Land used for cultivation may not exceed a total of two acres per license as provided in Section 44-53-2390 and cannot be a multi-level facility.

(8) 'Debilitating medical condition' means:

(a) a diagnosis of one or more of the following that also results in a debilitating condition to the individual patient:

(i) cancer;

(ii) multiple sclerosis;

(iii) a neurological disease or disorder, including epilepsy;

(iv) post-traumatic stress disorder, subject, however, to the evidentiary requirements in Section 44-53-2100(A)(4) to confirm that the applicant has experienced one or more traumatic events;

(v) Crohn's disease;

(vi) sickle cell anemia;

(vii) ulcerative colitis;

(viii)cachexia or wasting syndrome;

(ix) autism;

(x) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(xi) a chronic medical condition causing severe and persistent muscle spasms; or

(xii) any chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed by a physician based on generally accepted standards of care, subject, however, to the requirements of Section 44-53-2080(A)(3)(h)(i) and (ii) as to a physician's attestation regarding objective proof of the etiology of the patient's pain or regarding the patient having been diagnosed with a specific medical condition or disease that causes the patient severe pain;

(b) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician; or

(c) any other serious medical condition or its treatment added by the Medical Cannabis Advisory Board, as provided for in Section 44-53-2060.

(9) 'Department' means the South Carolina Department of Health and Environmental Control.

(10) 'Designated caregiver' or 'caregiver' means a person who possesses a valid registry identification card issued by the department authorizing the person to assist a qualifying patient with the medical use of cannabis. A designated caregiver must be at least twenty-one years of age unless the person is the parent or legal guardian of each qualifying patient the person assists.

(11) 'Diversion' means the obtaining or transferring of cannabis products from a legal possession or use to an illegal use.

(12) 'Edible cannabis product' means an individually packaged food or potable liquid into which has been incorporated a cannabinoid concentrate or extract or the dried leaves or flowers of cannabis with a tetrahydrocannabinol concentration of not more than ten milligrams per serving and may include a gelatin-based chewable product; however, an edible cannabis product cannot resemble or taste like commercially sold

candies or other food that is typically marketed to children. An edible cannabis product cannot be in the shape of cartoons, toys, animals, or people. An edible cannabis product cannot include baked goods that would be attractive to children.

(13) 'Exit packaging' means a sealed, child-resistant packaging receptacle into which pre-packaged cannabis products are placed at the retail point of sale at a therapeutic cannabis pharmacy.

(14) 'Human consumption' means ingestion or topical application to the skin or hair.

(15) 'Independent testing laboratory' means a facility licensed by the department pursuant to this article to offer or perform testing related to cannabis or cannabis products that is independent of cultivation centers, processing facilities, therapeutic cannabis pharmacies, and physicians who issue written certifications for the use of medical cannabis.

(16) 'Industrial hemp' means the plant Cannabis sativa L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dried weight basis.

(17) 'Medical cannabis establishment' means a cultivation center, therapeutic cannabis pharmacy, transporter, independent testing laboratory, or processing facility licensed by the department pursuant to this article. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a medical cannabis establishment until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(18) 'Medical cannabis establishment agent' means a board member, owner, officer, pharmacist, employee, or volunteer of a medical cannabis establishment. Members of the General Assembly and family members, as defined in Section 8-13-100(15), are prohibited from being a medical cannabis establishment agent. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(19) 'Medical cannabis establishment principal' means a person who is designated as having responsibility over the actions of a board member, owner, officer, pharmacist, employee, volunteer, or agent of a medical cannabis establishment and who also has responsibility and control over any liability for any financial accounts. Members of the General Assembly and family members, as defined in Section

8-13-100(15), are prohibited from being a medical cannabis establishment principal. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(20) 'Medical use' means the acquisition, administration, possession, preparation, transportation, or use of cannabis products, or paraphernalia used to administer cannabis products, to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition and includes the transfer of cannabis products from a designated caregiver to a qualifying patient whom the designated caregiver is authorized to assist. 'Medical use' does not include:

(a) the extraction of resin from cannabis by solvent extraction other than water, glycerin, propylene glycol, vegetable oil, or food grade ethanol (ethyl alcohol), unless the extraction is done by a processing facility; or

(b) smoking.

(21) 'Opioid' means a narcotic drug or substance that is a Schedule II controlled substance defined in Section 44-53-210(b) or (c).

(22) 'Paraphernalia' means paraphernalia as defined in Section 44-53-110, if its sole intended purpose is for use with cannabis products, except that it shall not include bongs, pipes, rolling papers, blowtorches, or any other paraphernalia that is used to smoke cannabis.

(23) 'Pharmacist' means a person who is a pharmacist as defined in Section 40-43-30(65).

(24) 'Physician' means a person who:

(a) is a physician as defined in Section 40-47-20 who is authorized to prescribe medication under state law and by the South Carolina Board of Medical Examiners and has a controlled substances registration pursuant to Section 44-53-290 and a controlled substances registration issued by the federal Drug Enforcement Administration; and

(b) specifically treats a debilitating medical condition.

(25) 'Processing facility' means a facility located in South Carolina and operated by an organization or business that is licensed by the department pursuant to this article that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products for human consumption to a therapeutic cannabis pharmacy. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a processing facility until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(26) 'Qualifying patient' or 'patient' means a person with a debilitating medical condition who possesses a valid registry identification card issued by the department.

(27) 'Registry identification card' means a document issued by the department that identifies a person as a qualifying patient or designated caregiver, or documentation that is deemed a registry identification card pursuant to Section 44-53-2170.

(28) 'SLED' means the South Carolina Law Enforcement Division.

(29) 'Smoking' or 'smoke' means the inhalation of smoke caused by the combustion of cannabis or cannabis products that causes burning.

(30) 'Standard of care for dispensing cannabis products or certifying a patient for medical cannabis' means the level and type of care that a reasonably competent and skilled health care professional with a similar background and in the same medical community would provide, which must include whether the physician exercised a standard of care in connection with the issuance of a written certification for the medical use of a cannabis product, to a qualifying patient, pursuant to Section 44-53-2080, and whether the pharmacist exercised a standard of care in connection with the dispensing of a cannabis product, to a qualifying patient, pursuant to Section 44-53-2470.

. (31) 'Tamper-resistant paper' means paper that possesses an industry-recognized feature that prevents the copying of the paper, erasure or modification of information on the paper, or use of counterfeit documentation.

(32) 'Therapeutic cannabis pharmacy' means a location for which a pharmacy permit has been issued by the Board of Pharmacy and in which cannabis products, industrial hemp for human consumption, and paraphernalia are maintained, compounded, and dispensed for cardholders by a pharmacist. Each therapeutic cannabis pharmacy shall be issued a registration and a registry identification number by the department. Members of the General Assembly and family members as defined in Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a therapeutic cannabis pharmacy until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(33) 'Transporter' means an entity licensed by the department pursuant to this article that acquires, possesses, and stores cannabis and cannabis products for human consumption and delivers, transfers, and transports cannabis products between medical cannabis establishments. Members of the General Assembly and family members as defined in

Section 8-13-100(15), may not operate, directly or indirectly receive financial payments of any kind, or directly or indirectly own a transporter until July 1, 2028. This exclusion does not apply to members and their families if the member recused himself from voting on this act.

(34) 'Verification system' means a secure, confidential, and web-based system established and maintained by the department that is available to authorized department personnel, law enforcement personnel, and medical cannabis establishment agents for the verification of registry identification cards.

(35) 'Written certification' means a document dated, signed, and submitted by a physician to the department, on a form developed by the department, stating that a person has been diagnosed with a debilitating medical condition and that the potential benefits of using cannabis products outweigh any risks. The certification may be made only in the course of a bona fide physician-patient relationship; must specify the person's debilitating medical condition or conditions; must indicate the date of the person's follow-up appointment, not to exceed six months from the original date of issuance; and must be updated annually for each person by the certifying physician. If the person with a debilitating medical condition is expected to recover from the debilitating medical condition within a year of the written certification, not including remission due to medical cannabis treatment, or if the person is not expected to benefit from cannabis products for an entire year, then the written certification must specify that fact.

Section 44-53-2030. Notwithstanding any other provision of law, the department may, if appropriate, adjust any fee charged pursuant to this article to meet the financial needs of the program without charging more than is reasonably necessary to administer the program.

Section 44-53-2050. (A) Subject to Chapter 35, Title 11, the South Carolina Consolidated Procurement Code, the department is authorized to procure the services of qualified contractors or other state agencies to assist the department in implementing this article, including licensure, testing, audits, inspections, registry identification card and electronic patient registry management, verification system management, seed-to-sale tracking system management, diversion control, and other compliance services.

(B) Subject to Chapter 35, Title 11, the South Carolina Consolidated Procurement Code, the Board of Pharmacy may procure the services of qualified contractors or other state agencies to assist the Board of Pharmacy with the implementation of this article.

Section 44-53-2060. (A) There is created a Medical Cannabis Advisory Board, which must be comprised of:

(1) one member appointed by the director of the department, or his designee;

(2) the following members appointed by the Governor, upon the advice and consent of the Senate:

(a) one licensed medical doctor authorized by the State to practice medicine who does not issue written certifications for the use of medical cannabis;

(b) one licensed medical doctor authorized by the State to practice medicine who issues written certifications for the use of medical cannabis, or who plans to issue written certifications;

(c) one licensed doctor of osteopathic medicine who does not issue written certifications for the use of medical cannabis;

(d) one licensed doctor of osteopathic medicine who issued written certifications for the use of medical cannabis, or who plans to issue written certifications;

(e) one licensed medical doctor who is board-certified to practice addiction medicine in South Carolina;

(f) one research scientist with expertise in the field of cannabinoid medicine;

(g) two licensed pharmacists who do not dispense a cannabis product;

(h) two licensed pharmacists who dispense a cannabis product; and

(i) one cardholder and one parent of a minor qualifying patient. For an appointment made before registry identification cards are issued, this provision applies to one cardholder or one parent of a minor with a debilitating medical condition who intends to use medical cannabis;

(3) two members appointed by the President of the Senate who meet any of the qualifications provided in item (2); and

(4) two members appointed by the Speaker of the House of Representatives who meet any of the qualifications provided in item (2).

(B) The advisory board shall meet at least once per year for the purpose of reviewing petitions to add or remove debilitating medical conditions. The advisory board may consult with experts in South Carolina and other states with medical cannabis programs, as well as review any available research. If necessary, the advisory board may hold public hearings before voting on whether to add or remove a certain condition as a debilitating medical condition.

(C) The advisory board shall have a chairman who is appointed by the Governor. The chairman shall be responsible for scheduling advisory board meetings, presiding over all advisory board meetings, and determining whether a public hearing should be held in conjunction with an advisory board meeting.

(D) Members of the advisory board serve a term of four years or until their successors are appointed and qualify. A vacancy on the advisory board must be filled in the manner of the original appointment for the remainder of the unexpired term.

(E) Members of the advisory board may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

(F) Except as designated in subsection (A)(2)(g), members of the advisory board may not also be a qualifying patient and in possession of a registration identification card. Prior to being appointed to the advisory board, the department shall certify that the appointee does not have a current registration identification card. The department shall advise the Governor of any appointee who has previously had a registration identification card and the circumstances under which the card is no longer valid. If a member of the advisory board becomes a qualifying patient, then he shall resign from the advisory board and notify the department and the Governor.

Section 44-53-2070. Nothing in this article may be construed to require a health insurance provider, health care plan, property and casualty insurer, or medical assistance program to be liable for or reimburse a claim for the medical use of cannabis. Consultations in which physicians diagnose debilitating medical conditions and complete written certifications shall be reimbursed consistent with a qualifying patient's health plan design.

Section 44-53-2080. (A) The department shall develop a written certification form to be annually completed and submitted electronically to the department by a physician. The written certification must include:

(1) the physician's name, mailing address, email address, telephone number, medical license number, federal controlled substances registration number, and state controlled substances registration number;

(2) an acknowledgement to be signed by the physician that sets forth the penalties for providing false information, including the department's right to notify the South Carolina Board of Medical Examiners or other similar authority established pursuant to Chapter 47, Title 40;

(3) a statement for the physician to attest to and sign with the following provisions:

(a) that the physician and patient have a bona fide physician-patient relationship as a prerequisite to any certification;

(b) that the physician has consulted the prescription drug monitoring program, established pursuant to Article 15, Chapter 53, Title 44, to review the patient's controlled-substance prescription history and has documented such consultation in the patient's medical record;

(c) that the physician has conducted an in-person evaluation and collected relevant clinical history commensurate with the presentation of the patient prior to issuing a written certification. At a minimum, the evaluation should include the patient's:

(i) history of present illness;

(ii) social history;

(iii) past medical and surgical history;

(iv) alcohol and substance use history;

(v) family history with an emphasis on addiction, mental illness, or psychotic disorders;

(vi) physical exam; and

(vii) documentation of therapies with inadequate response;

(d) that the patient has a debilitating medical condition; that the treatment of the debilitating medical condition, or one or more symptoms of the debilitating medical condition or side effects of its treatment, falls within the physician's area of practice, identifying the patient's condition; and that the symptoms or side effects of the condition or its treatment could benefit from a certification for the medical use of cannabis;

(e) that the physician has developed a written treatment plan that includes:

(i) a review of other measures attempted to ease the suffering caused by the debilitating medical condition that do not involve cannabis products for medical use, including chiropractic interventions;

(ii) advice about other options for managing the debilitating medical condition;

(iii) advice about the potential risks of the use of cannabis products, to include:

(A) the risk of cannabis use disorder;

(B) the potential exacerbation of psychotic disorders and the adverse cognitive effects for children and young adults;

(C) adverse events, exacerbation of psychotic disorders, adverse cognitive effects for children and young adults, and other risks, including falls or fractures;

(D) the risks of using cannabis products during pregnancy or breast feeding; and

(E) the need to safeguard all cannabis products from children and pets or other domestic animals;

(iv) additional diagnostic evaluations or other planned treatments; and

(v) an ongoing treatment plan as medically appropriate;

(f) notification of the patient or caregiver that cannabis products are for the qualifying patient's use only and that cannabis products must not be donated or otherwise supplied to another individual;

(g) that the physician has discussed the risks and benefits of the use of cannabis products with the patient or caregiver, including their potential effects and an admonition that qualifying patients must not drive or operate heavy machinery while under the influence of medical cannabis; and

(h) in the case of a patient whose debilitating medical condition is a chronic or debilitating disease or medical condition for which an opioid is currently or could be prescribed:

(i) an attestation that the physician has reviewed objective proof of the etiology of the patient's pain, such as a diagnostic test, which may include, but is not limited to, the results of an x-ray, computerized tomography scan, or magnetic resonance imaging; or

(ii) an attestation that the patient has been diagnosed with a specific medical condition or disease that causes the patient severe pain, which includes, but is not limited to, complex regional pain syndrome, residual limb pain, rheumatoid arthritis, spinal cord disease, spinal cord injury, fibromyalgia, shingles, or trigeminal neuralgia;

(i) that the physician has either objectively diagnosed the debilitating disease himself or has verified the diagnosis with the treating physician;

(j) that the physician has independently verified evidence provided under Section 44-53-2100(A)(4);

(4) a statement that the physician maintains documentation in the patient's medical record if the patient's debilitating medical condition is one for which opioid medications could be or have been prescribed;

(5) a statement that the patient's debilitating medical condition is expected to last either for one year, or until a date when the patient is no longer expected to benefit from cannabis products;

(6) the date of the patient's follow-up appointment to assess whether the patient has found relief from his debilitating medical condition and the patient's overall health and level of function. The follow-up appointment shall not exceed six months after the initial consultation or renewal appointment; and

(7) an acknowledgement that the physician has considered that any patient who has a history of substance use disorder or a co-occurring mental health disorder shall require specialized assessment and treatment; in those instances, the physician must seek a consultation with or refer the patient to a pain management, psychiatric, addiction, or mental health specialist as needed.

(B) A physician may also choose to include a specific amount of cannabis products certified every fourteen days and the reason for the dosage, in which case the qualifying patient shall be limited to those amounts in the verification system.

(C) Nothing in this article may be construed to require a physician to issue a written certification to any person for the use of medical cannabis.

(D) A physician in a bona fide physician-patient relationship with a patient may review the patient's medical cannabis certification and dispensing history as provided by the department in regulation.

Section 44-53-2090. (A) Any physician who issues written certifications must:

(1) be licensed and in good standing as a physician;

(2) be currently practicing medicine;

(3) register with the department to issue written certifications in a manner and on a format determined by the department;

(4) attest that he has an active, unrestricted medical license, unrestricted federal controlled substances registration, and unrestricted state controlled substances registration; and

(5)(a) complete a three-hour continuing medical education course on medical cannabis on a yearly basis, including an online course, that is approved by the South Carolina Board of Medical Examiners; and

(b) attest to the completion of the course electronically or as otherwise specified by the department prior to writing any certifications.

(B) A physician is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Medical Examiners or any other occupational or professional licensing entity, for providing a written certification as authorized by state law. A physician may not be sued for medical malpractice solely as a result of certifying a qualifying patient's

medical use of cannabis products in accordance with this article, but this section shall not be construed to prevent a physician from being disciplined or sued for violating the standard of care or for any violations of this article, including certifying a person for cannabis products who does not have a debilitating medical condition.

(C)(1) A physician shall not:

(a) accept, solicit, or offer any form of pecuniary remuneration, including a salary or other monetary compensation, from or to a therapeutic cannabis pharmacy;

(b) offer a discount or any other thing of value to a cardholder who uses or agrees to use a particular therapeutic cannabis pharmacy;

(c) examine a person for the purpose of diagnosing a debilitating medical condition at a location where cannabis products are sold;

(d) refer a patient to a particular therapeutic cannabis pharmacy or display or distribute therapeutic cannabis pharmacy marketing materials within his office if he certifies debilitating medical conditions for patients for participation in the medical cannabis program;

(e) certify the use of cannabis products for himself or for a family member; or

(f) have a full or partial ownership interest in a therapeutic cannabis pharmacy.

(2) If the South Carolina Board of Medical Examiners finds that a physician engaged in unprofessional conduct by violating this article, then the South Carolina Board of Medical Examiners shall notify the department as specified in department regulations that the physician's authority to certify patients for the medical use of cannabis, or his prescriptive authority, has been restricted, which may be in addition to any other sanction imposed by the South Carolina Board of Medical Examiners, including any disciplinary action up to the suspension or revocation of the physician's medical license.

Section 44-53-2095. (A)A pharmacist who dispenses a cannabis product pursuant to this article must:

(1) be in good standing with the South Carolina Board of Pharmacy;

(2) register with the department to dispense a cannabis product;

(3) attest that he has an active, unrestricted pharmaceutical license; and

(4)(a) complete a three-hour continuing education course on medical cannabis on a yearly basis that is approved by the South Carolina Board of Pharmacy, which must include best practices regarding dosage,

based upon medical conditions or symptoms, modes of administration, and cannabinoid profiles; and

(b) attest to the completion of the course electronically or as specified by the department prior to dispensing cannabis products.

(B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy of any other occupational or professional licensing entity, for dispensing cannabis products as authorized by state law. A pharmacist may not be sued for malpractice solely as a result of dispensing cannabis products to a qualifying patient in accordance with this article, but this section shall not be construed to prevent a pharmacist from being disciplined or sued for violating the standard of care or for any violations of this article including, but not limited to, dispensing cannabis products to a person who does not have a registry identification card.

(C)(1) A pharmacist shall not:

(a) accept, solicit, or offer any form of pecuniary remuneration from or to a physician;

(b) offer a discount or any other thing of value to a cardholder who uses or agrees to use a particular therapeutic cannabis pharmacy; or

(c) refer a patient to a particular physician or display or distribute marketing materials for a physician within therapeutic cannabis pharmacy.

(2) If the South Carolina Board of Pharmacy finds that a pharmacist engaged in unprofessional conduct by violating this article or a provision of Chapter 43, Title 40, then the South Carolina Board of Pharmacy shall notify the department as specified in department regulations that the pharmacist's authority to dispense cannabis products has been restricted, which may be in addition to any other sanction imposed by the South Carolina Board of Pharmacists, including any disciplinary action up to the suspension or revocation of the pharmacist's license.

(3) The continuing education requirements included in subsection (A)(4)(a) are applicable to all therapeutic cannabis pharmacy employees who assist the pharmacist in the preparation or dispensing of cannabis products or who interact with qualifying patients or designated caregivers.

Section 44-53-2096. (A) The South Carolina Board of Pharmacy shall promulgate regulations relating to the dispensing of cannabis products for therapeutic use. In considering appropriate regulations, the

Board of Pharmacy shall seek input from relevant stakeholders including, but not limited to, the Office of the Attorney General, and professional law enforcements organizations and associations.

(B) Regulations for dispensing of cannabis products for therapeutic use must include, but not be limited to:

(1) standards, procedures, and protocols for cannabis products for therapeutic use as provided by law;

(2) standards, procedures, and protocols for consulting the verification system to verify a written certification and for entering information into the medical cannabis monitoring program to follow dispensing and tracking information of medical cannabis;

(3) procedures and protocols to explicitly provide that no cannabis product may be dispensed from, produced from, obtained from, sold to, or transferred to a location outside of this State;

(4) standards, procedures, and protocols for determining the amount of usable cannabis products necessary to constitute an adequate supply to ensure uninterrupted availability for an allowable amount of medical cannabis;

(5) standards, testing procedures, and protocols to ensure that all dispensed cannabis products are pharmaceutical grade;

(6) provisions for other licensing, renewal, and operational standards deemed necessary by the Board of Pharmacy;

(7) requirements for the health, safety, and security for therapeutic cannabis pharmacies;

(8) requirements for a pharmacist-in-charge, who accepts responsibility for the operation of a therapeutic cannabis pharmacy; and

(9) requirements for consultations between a pharmacist and a patient, including when a cannabis product has not previously been dispensed to a patient.

(C) The Board of Pharmacy shall develop a process and promulgate regulations for issuing a permit to a therapeutic cannabis pharmacy, including the establishment of associated fees. The Board of Pharmacy shall not prohibit a pharmacist who owns a non-therapeutic cannabis pharmacy from obtaining a permit to own and operate a therapeutic cannabis pharmacy, provided that the pharmacies must be located in independent structures that are at least one quarter mile apart from the other.

(D) A therapeutic cannabis pharmacy shall not dispense any controlled substances other than cannabis products.

Section 44-53-2100. (A) The department shall promulgate regulations:

(1) developing and establishing registry identification card application forms and the process for the issuance of registry identification cards for qualifying patients and designated caregivers, including a state and national fingerprint-based criminal records check for designated caregivers, and for the issuance, denial, suspension, and revocation of registry identification cards;

(2) establishing reasonable application and renewal fees for registry identification cards, provided that:

(a) the fees charged to qualifying patients and designated caregivers must be no greater than the costs of processing the applications and issuing registry identification cards; and

(b) the department shall provide optional discounts for qualifying patient application and renewal fees based upon a qualifying patient's household income and shall waive all applicable fees for veterans;

(3) providing guidelines for the types of evidence accepted to confirm that an applicant experienced one or more traumatic events. Acceptable evidence must include, but is not limited to, proof of military service in an active combat zone, that the person was the victim of a violent or sexual crime, or that the person was a first responder.

(B) The department shall either create the necessary software for an electronic patient registry, or engage a company that can do so. The registry must be able to accept and store all necessary information pursuant to this article and department regulations.

(C) No later than ninety days after the effective date of the regulations promulgated pursuant to subsection (A), the department shall begin accepting applications for registry identification cards.

Section 44-53-2110. (A) A registry identification card issued pursuant to this section must be printed with tamper-resistant technology and contain, at a minimum, the following information:

(1) the name of the cardholder;

(2) the address of the cardholder;

(3) the cardholder's date of birth;

(4) a designation of whether the cardholder is a designated caregiver or qualifying patient;

(5) the date of issuance and expiration date of the registry identification card;

(6) a random alphanumeric identification number that is unique to the cardholder;

(7) if the cardholder is a designated caregiver, the random alphanumeric identification number of the qualifying patients that the designated caregiver is authorized to assist; and

(8) a photograph of the cardholder.

(B) Except as provided in this section or department regulations, a registry identification card shall expire one year after the date the written certification is signed by a physician.

(C) If a physician stated in the written certification that the qualifying patient is expected to recover from the debilitating medical condition in less than one year or that the qualifying patient is expected to benefit from cannabis products for less than one year, then the registry identification card shall expire on the date specified by the physician on the written certification.

(D) The department shall issue a registry identification card pursuant to Section 44-53-2130 within twenty-five days of receiving a valid, complete electronic application and any other required materials from a qualifying patient applicant or designated caregiver applicant in accordance with this article.

Section 44-53-2130. (A) The department shall issue a registry identification card to a qualifying patient applicant who submits a valid, complete electronic application and, at a minimum, the following, in accordance with the department's regulations:

(1) the application or annual renewal fee set by the department;

(2) the name, residential and mailing address, email address, telephone number, and date of birth of the qualifying patient applicant, except that if the applicant is homeless, then no residential address is required;

(3) a recent passport-sized photograph of the qualifying patient applicant's face;

(4) the name, mailing address, and telephone number of the qualifying patient applicant's physician authorized by this article to certify the medical use of cannabis products;

(5) a written certification dated, signed, and submitted to the department by the physician. For a first-time qualifying patient applicant between the ages of eighteen and twenty-three, the qualifying patient must have written certifications dated, signed, and submitted to the department by two physicians;

(6) the name, address, date of birth, and any other contact information required by department regulations for each proposed designated caregiver. If more than one designated caregiver is designated at any given time, then the qualifying patient applicant must submit

documentation demonstrating that the additional designated caregiver is needed due to the qualifying patient applicant's age, medical condition, or place of residence;

(7)(a) a statement signed by the qualifying patient applicant agreeing not to divert cannabis products to anyone and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the qualifying patient to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both;

(b) an attestation that the individual is not employed in, or contracted to perform, any job:

(i)in which the person will carry a weapon, including a firearm;

(ii) requiring a law enforcement credential;

(iii) requiring a commercial driver's license, charter boat license, or a pilot's license;

(iv) involving operation of trains, buses, or any form of public transportation; or

(v) involving the operation of heavy machinery;

(8) a questionnaire that asks if the qualifying patient applicant would like to be notified by the department of any clinical studies needing human subjects for research on the medical use of cannabis. The department shall notify interested patients of studies that will be conducted in the United States;

(9) the date of a pre-scheduled follow-up appointment with the qualifying patient applicant's physician, which shall be no later than six months after the date of the written certification. A follow-up appointment may be conducted in-person or through telemedicine;

(10) for a patient whose debilitating medical condition is post-traumatic stress disorder, evidence that the person experienced trauma pursuant to Section 44-53-2100(A)(4); and

(11) an applicant's job title and description of the applicant's job, provided that an applicant may not receive or keep a registry identification card if the applicant is employed in public safety, commercial transportation, or commercial machinery. A false representation of an applicant's job title or description is a felony and, upon conviction, the applicant's registry identification card shall be revoked. The offense is punishable by a fine of not more than five thousand dollars, imprisonment of not more than five years, or both. The department must include a notice on the application that employment in public safety, commercial transportation, or commercial machinery is a

prohibition on receiving a registry identification card, and that a false representation is a felony.

(B) After a qualifying patient applicant has been approved for a registry identification card by the department, the department shall issue registry identification cards to associated designated caregiver applicants who submit a valid, complete electronic application and, at a minimum, the following, in accordance with department regulations:

(1) An associated designated caregiver applicant who is a natural person must submit:

(a) the application or annual renewal fee set by the department;

(b) the name, residential mailing address, email address, telephone number, date of birth, and any other contact information for the designated caregiver applicant as specified in department regulations;

(c) a recent passport-sized photograph of the designated caregiver applicant's face;

(d) a complete set of fingerprints for a state criminal records check and national criminal records check for which the applicant must pay the costs;

(e) a statement signed by the designated caregiver applicant agreeing not to divert cannabis products to anyone other than the qualifying patients to whom the designated caregiver is associated and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the designated caregiver to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both; and

(f) a statement signed by the designated caregiver applicant agreeing to not consume cannabis products intended for a qualifying patient.

(2)(a) An associated designated caregiver applicant that is a facility licensed by the department that provides care to qualifying patients must submit:

(i) the application or annual renewal fee set by the department;

(ii) the facility's full name, business and mailing address, license number issued by the department, email address, and telephone number; the name, title, and signature of an authorized facility representative; and any other contact information for the designated caregiver applicant as specified in department regulations;

(iii) a statement signed by an authorized facility representative of the designated caregiver applicant agreeing not to divert cannabis

products to anyone who is not allowed to possess cannabis products pursuant to this article and acknowledging that the diversion of cannabis products is a felony that, upon conviction, results in the revocation of a registry identification card and subjects the designated caregiver to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both; and

(iv) a statement signed by an authorized facility representative of the designated caregiver applicant agreeing to secure and ensure the proper handling of cannabis products intended for a qualifying patient.

(b) A staff member of a designated caregiver facility licensed by the department that provides care to qualifying patients must submit a designated caregiver application as a natural person in accordance with subsection (B) and may be required to provide additional proof of employment or contract with the designated caregiver facility.

(C) The department shall deny, suspend, or revoke a registry identification card for a designated caregiver applicant or designated caregiver if the designated caregiver applicant or designated caregiver has been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense, unless the designated caregiver applicant completed the sentence, including any term of probation or supervised release, at least fifteen years prior.

(D) Each patient applicant or, in the case of a minor, the parent or guardian of each minor patient applicant who applies for a registry identification card must be asked if he wants to participate voluntarily in observational studies and other data collection on medical cannabis.

(E) The applicant must undergo a state criminal record checks, supported by fingerprints, by the State Law Enforcement Division (SLED), and a national criminal record checks, supported by fingerprints, by the Federal Bureau of Investigation (FBI). The results of these criminal record checks must be reported to the department and cannot be further disseminated. SLED and the FBI are authorized to retain the fingerprints for use in identification purposes including, but not limited to, unsolved latent prints. SLED and the FBI are further authorized to provide the department with current and future information regarding fingerprints stored including arrest, convictions, dispositions, warrants, and other information available to the FBI including civil and criminal information. The department shall keep all information pursuant to this section privileged, in accordance with applicable state and federal guidelines.

Section 44-53-2140. (A) The department may not issue a registry identification card to a person under eighteen years of age who is a qualifying patient applicant unless:

(1) a physician electronically submits a written certification to the department that certifies the minor's medical use of cannabis products and lists the designated custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor;

(2) the physician attests to explaining the potential risks and benefits of the medical use of cannabis products to the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor;

(3) the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor consents in writing to:

(a) allow the minor's medical use of cannabis products; and

(b)(i) serve as one of the minor's designated caregivers and determine the frequency and route of administration of cannabis products to the patient; or

(ii) designate another appropriate individual as caregiver for the patient; and

(4) the custodial parent or legal guardian with the legal authority to make health care decisions on behalf of the minor completes applications in accordance with the requirements of Section 44-53-2130 on behalf of the minor and as a caregiver to the minor.

(B) The department may not issue a registry identification card to an incapacitated person who is a qualifying patient applicant unless:

(1) a physician electronically submits a written certification to the department that certifies the incapacitated person's medical use of cannabis products and lists the designated person with the legal authority to make health care decisions on behalf of the incapacitated person;

(2) the physician attests to explaining the potential risks and benefits of the medical use of cannabis products to the person with the legal authority to make health care decisions on behalf of the incapacitated person;

(3) the person with the legal authority to make health care decisions on behalf of the incapacitated person consents in writing to:

(a) allow the incapacitated person's medical use of cannabis products;

(b) serve as one of the incapacitated person's designated caregivers; and

(c) determine the frequency and route of administration of cannabis products to the incapacitated person;

(4) the person with the legal authority to make health care decisions for the incapacitated person completes applications in accordance with the requirements of Section 44-53-2130 on behalf of the incapacitated person and as a caregiver to the incapacitated person; and

(5) the person submitting an application on the incapacitated person's behalf submits a signed statement agreeing not to consume cannabis products intended for a qualifying patient.

(C) For a new patient applicant, not to include a renewal, the department may not issue a registry identification card to a patient applicant who is between the ages of eighteen and twenty-three years unless two physicians who have performed in-person exams and verified the patient applicant's debilitating medical condition submit a written certification to the department on behalf of the patient applicant.

(D)(1) The department may not issue a registry identification card to a person who is employed in or contracted for any job:

(a) in which the individual will carry a weapon, including a firearm;

(b) requiring a law enforcement credential;

(c) requiring a commercial driver's license, a charter boat license, or a pilot's license;

(d) involving the operation of trains, buses, or any form of public transportation; or

(e) involving the operation of heavy machinery.

(2) The department may compare applicants for registry identification cards to any professional, licensing, or other relevant database to ensure compliance with this section.

Section 44-53-2150. (A) A designated caregiver may serve only one patient, unless the caregiver:

(1) is a facility licensed by the department that provides care to qualifying patients; or

(2) is the spouse, parent, sibling, grandparent, child, or grandchild, whether related by whole or half blood, by marriage, or by adoption, of each qualifying patient.

(B) In no event may a natural person who is a designated caregiver serve more than two patients.

(C) A designated caregiver must be a natural person unless it is a facility licensed by the department that provides care to qualifying patients.

Section 44-53-2160. The department shall promulgate regulations governing facilities licensed by the department that provide care to qualifying patients and that serve as designated caregivers.

Section 44-53-2170. (A) Until ninety days after the department begins accepting applications for registry identification cards, a copy of a patient's valid, written certification issued and printed by the physician on tamper-resistant paper within the previous year must be deemed a registry identification card for the qualifying patient.

(B) Until ninety days after the department begins accepting applications for registry identification cards, the following must be deemed a registry identification card for a designated caregiver:

(1) a copy of a qualifying patient's valid, written certification issued and printed by a physician on tamper-resistant paper within the previous year; and

(2) a notarized affidavit attesting that the person has significant responsibility for managing the well-being of the qualifying patient and that the person has been chosen by the qualifying patient.

Section 44-53-2180. (A)(1) A qualifying patient shall notify the department of any change in his name, address, telephone number, or email address, or if he ceases to have a debilitating medical condition, not including if his debilitating medical condition or the underlying cause of the debilitating medical condition goes into remission due to medical cannabis, within thirty days of the change.

(2) A designated caregiver shall notify the department of any change in his name, address, telephone number, or email address, or if he becomes aware that the qualifying patient is deceased, within ten days of the change.

(3) Before a qualifying patient changes his designated caregiver, the qualifying patient shall notify the department.

(4) If a cardholder loses his registry identification card, then the cardholder shall notify the department within ten days of becoming aware that the card has been lost.

(5) A qualifying patient shall notify the department and surrender his registry identification card before starting any job or contract:

(a) in which he will carry a weapon, including a firearm;

(b) requiring a law enforcement credential;

(c) requiring a commercial driver's license, a charter boat license, or a pilot's license;

(d) involving operation of trains, buses, or any forms of public transportation; or

(e) involving the operation of heavy machinery.

(B) If a cardholder notifies the department of an occurrence identified in subsection (A) and remains eligible for a registry identification card pursuant to this article, then the department shall issue the cardholder a new registry identification card with a new random alphanumeric identification number within a reasonable time period, not to exceed fourteen business days, of receiving the updated information and a replacement card fee set by the department. If the person notifying the department is a qualifying patient, then the department shall also issue the qualifying patient's designated caregiver, if any, a new registry identification card within a reasonable time period, not to exceed thirty business days, of receiving the updated information and a replacement card fee set by the department.

(C) A cardholder who fails to notify the department as required by this section is subject to a civil penalty, punishable by a fine of not more than five hundred dollars per occurrence.

(D) If a qualifying patient's physician notifies the department in writing either that the qualifying patient has ceased to suffer from a debilitating medical condition, not including if the qualifying patient's debilitating medical condition goes into remission due to cannabis products, or that the physician no longer believes that the qualifying patient could benefit from the medical use of cannabis products, then the patient's and designated caregiver's registry identification cards shall become null and void; however, the qualifying patient shall have fifteen days to destroy all remaining cannabis products by returning it to a therapeutic cannabis pharmacy for destruction.

Section 44-53-2190. (A)(1) The Department of Health and Environmental Control, Bureau of Drug Control, shall establish and maintain a program to monitor the dispensing of all cannabis products by pharmacists licensed to dispense these substances, which shall be recorded in a secure web-based verification system.

(2) For each cardholder, the department shall include in the secure web-based verification system the:

(a) cardholder's name;

(b) cardholder's registration number;

(c) whether the cardholder is a qualifying patient or a designated caregiver;

(d) in the case of a designated caregiver, the associated patient's name, address, date of birth, and registry identification number;

(e) expiration date of the registry identification card;

(f) photograph;

(g) the allowable amount of cannabis product, if the physician specified an amount; and

(h) the name, address, and phone number of the certifying physician.

(B)(1) Before dispensing cannabis products, a therapeutic cannabis pharmacy shall:

(a) confirm the registry identification card presented at the therapeutic cannabis pharmacy is valid using the secure web-based verification system;

(b) verify each person presenting a registry identification card is the person identified on the registry identification card presented the pharmacist;

(c) determine the amount of cannabis dispensed to the qualifying patient directly or via the designated caregiver in the previous fourteen days; and

(d) ensure that the amount to be dispensed does not exceed the qualifying patient's limit.

(2) A therapeutic cannabis pharmacy shall electronically submit to the Bureau of Drug Control information regarding each dispensing of cannabis product. The following information must be submitted for authorization:

(a) the date and time that the cannabis product was dispensed;

(b) the qualifying patient or designated caregiver's registry identification card number;

(c) NDC code for the drug dispensed, if there is one;

(d) quantity of cannabis product dispensed;

(e) whether the cannabis product was dispensed directly to the qualifying patient or to the qualifying patient's designated caregiver;

(f) the approximate number of days supplied;

(g) the qualifying patient's name, address, and date of birth;

(h) the registry identification card number of the therapeutic cannabis pharmacy that dispensed the cannabis product; and

(i) the expiration date of the registry identification card.

(C) In developing the requirements for the secure web-based verification system, the department shall consider transmission methods and protocols provided in the latest edition of the 'ASAP Telecommunications Format for Controlled Substances,' developed by the American Society for Automation in Pharmacy.

(D) Information submitted to the Bureau of Drug Control and the secure web-based verification system is confidential and not subject to

public disclosure under the Freedom of Information Act or any other provision of law, except as provided in subsections (F) and (G).

(E) The Bureau of Drug Control shall maintain procedures to ensure that the privacy and confidentiality of patients and patient information collected, recorded, transmitted, and maintained is not disclosed, except as provided in subsections (F) and (G).

(F) If there is reasonable cause to believe that a violation of law or breach of professional standards may have occurred, then the Bureau of Drug Control shall notify the appropriate law enforcement agency or professional licensure, certification, or regulatory agency or entity and shall provide prescription information required for an investigation.

(G) The Bureau of Drug Control may provide data in the cannabis monitoring program to the following persons:

(1) a physician, pharmacist, or authorized delegate who requests information and certifies that the requested information is for the purpose of providing medical or pharmaceutical treatment to a bona fide patient;

(2) a qualifying patient or designated caregiver who requests the individual's own cannabis monitoring information in accordance with procedures established by law;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for licensure, regulation, or discipline of physicians, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances, and who is involved in a bona fide specific investigation involving a designated person;

(4) a local, state, or federal law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of the laws governing illicit drugs and who is involved in a bona fide specific drug-related investigation involving a designated person;

(5) a properly convened grand jury pursuant to a properly issued subpoena for the records;

(6) personnel of the department and the Board of Pharmacy for purposes of administration and enforcement of this article;

(7) qualified personnel for the purpose of bona fide research or education; however, data elements that would reasonable identify a specific patient or dispenser must be deleted or redacted from such information prior to disclosure. Further, release of the information may only be made pursuant a written agreement between qualified personnel and the department in order to ensure compliance with this subsection;

(8) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause

and manner of death of a designated person pursuant to Chapter 5, Title 17;

(9) a physician who requests the physician's own written certification history; and

(10) the presiding judge of a court pertaining to a specific case involving a designated person.

(H)(1) A pharmacist who knowingly fails to submit medical cannabis monitoring information to the Bureau of Drug Control, or to submit the information required in the verification system, as required by this article, or who knowingly submits incorrect information, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

(2) A person who knowingly discloses medical cannabis authorization monitoring information in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(3) A person who knowingly uses medical cannabis authorization monitoring information in a manner or for a purpose in violation of this article is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(4) A pharmacist or physician, licensed in Title 40, who knowingly discloses medical cannabis monitoring information in a manner or for a purpose in violation of this article shall be reported to his respective board for disciplinary action.

(I) Nothing in this chapter requires a pharmacist to obtain information about a patient from the medical cannabis authorization monitoring program. A physician or authorized delegate of a physician who knowingly fails to review a patient's controlled substance prescription history, as maintained in the prescription monitoring program, or a physician who knowingly fails to consult with his authorized delegate regarding a patient's controlled substance prescription history before issuing a written certification for a cannabis product, as required by this article, must be reported to his respective board for disciplinary action.

(J) For the purposes of this subsection, the system may only disclose to state and local law enforcement personnel the following, if the law enforcement personnel inputs a registry identification card number:

(1) whether the registry identification card is valid;

(2) the name, address, and date of birth of the cardholder;

(3) a photograph of the cardholder;

(4) whether the cardholder is a qualifying patient or a designated caregiver;

(5) the registry identification card number of any associated qualifying patients or designated caregivers; and

(6) only if accessed by a therapeutic cannabis pharmacy or authorized department personnel, the amount of cannabis products dispensed to the cardholder in the past fourteen days.

(K) An authorized employee of the department may access the secure web-based verification system in the course of his official duties.

Section 44-53-2195. (A) Cannabis product information received and maintained by the department pursuant to this article is confidential and not subject to public disclosure under the Freedom of Information Act or any other provision of law, except as provided in subsections (D) and (E) and Section 44-53-2190.

(B) The department shall maintain procedures to ensure that the privacy and confidentiality of qualifying patients and qualifying patient information collected, recorded, transmitted, and maintained is not disclosed, except as provided for in subsections (D) and (E) and Section 44-53-2190.

(C) The department shall maintain a confidential list of the persons to whom the department has issued registry identification cards and all of their information required in Section 44-53-2110. The department shall maintain a confidential list of any person who submitted a registry identification card application. The lists maintained pursuant to this subsection may not be combined or linked in any manner with any other list. The department may provide the names and contact information for patients who volunteer to participate in research to qualified personnel for the purpose of bona fide research or education pursuant to a written agreement between qualified personnel and the department.

(D) If there is reasonable cause to believe a violation of law or breach of professional standards may have occurred, then the department shall notify the appropriate law enforcement or professional licensure, certification, or regulatory agency or entity and shall provide cannabis product information required for an investigation.

(E) The department must provide cannabis product information to the following persons:

(1) a physician who requests information and certifies that the requested cannabis product information is for the purpose of providing medical or pharmaceutical treatment in the course of a bona fide physician-patient relationship;

(2) a qualifying patient or designated caregiver who requests his own cannabis product information;

(3) a designated representative of the South Carolina Department of Labor, Licensing and Regulation responsible for the licensure, regulation, or discipline of any person authorized to prescribe, administer, or dispense controlled substances and who is involved in a bona fide specific investigation involving a designated person;

(4) a local or state law enforcement or prosecutorial official pursuant to a court-ordered search warrant issued in connection with a crime or civil investigation involving a designated person;

(5) a properly convened grand jury pursuant to a subpoena properly issued for the records;

(6) personnel of the department for the purposes of the administration and enforcement of this article;

(7) qualified personnel for the purpose of bona fide research, except that the department may only provide the names and contact information for qualifying patients who volunteer to participate in bona fide research, including observational studies or other data collection on cannabis product pursuant to Section 44-53-2130(D). Release of the information may only be made pursuant to a written agreement between qualified personnel and the department in order to ensure compliance with this subsection;

(8) a coroner, deputy coroner, medical examiner, or deputy medical examiner who is involved in a specific inquiry into the cause and manner of death of a designated person pursuant to Chapter 5, Title 17;

(9) a physician who requests the physician's own written certification history; or

(10) the presiding judge of a court pertaining to a specific case involving a designated person.

(F) The department shall establish by regulation reporting requirements for emergency room treatment facilities for medical cannabis incidents involving qualifying patients to be listed on the web-based verification system.

Section 44-53-2200. (A) A qualifying patient may purchase cannabis products, industrial hemp for human consumption, or paraphernalia for medical use pursuant to this article from a therapeutic cannabis pharmacy, provided that a qualifying patient may not obtain more than an allowable amount of cannabis products in a fourteen-day period.

(B) A designated caregiver may purchase cannabis products or paraphernalia to assist a qualifying patient with the medical use of cannabis products pursuant to this article from a therapeutic cannabis pharmacy, provided that the designated caregiver and the designated caregiver's associated qualifying patient may not obtain more than an allowable amount of cannabis products for a fourteen-day period for each qualifying patient.

Section 44-53-2210. (A) A qualifying patient is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for the medical use of cannabis products pursuant to this article if the qualifying patient does not possess more than the allowable amount of cannabis products and is lawfully using cannabis products under this article.

(B) A designated caregiver is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for assisting a qualifying patient with the medical use of cannabis products pursuant to this article if the designated caregiver does not possess more than the allowable amount of cannabis products for each associated qualifying patient.

(C) A designated caregiver is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for transporting cannabis products or administering cannabis products to a qualifying patient, provided that the caregiver does so in compliance with regulations promulgated pursuant to this article.

(D) A cardholder is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for delivering or transporting an allowable amount of cannabis products to an independent testing laboratory.

(E) A cardholder is presumed to be lawfully in possession of cannabis products if the cardholder possesses an amount of cannabis products that does not exceed an allowable amount of cannabis products.

(F) If a cardholder is found to be in possession of cannabis products in an amount or type that exceeds an allowable amount of cannabis products, then the excess amount or type of cannabis products is subject to seizure by law enforcement and may not be returned. The cardholder is also subject to criminal charges for possession of the amount in excess of the allowable amount of cannabis products as provided in this article.

(G) The presumption provided for in subsection (E) may be rebutted by evidence that conduct related to the use of cannabis products was not for the purpose of treating or alleviating a qualifying patient's

debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition pursuant to this article.

Section 44-53-2220. (A) It is unlawful for a physician to certify cannabis products to any person for the purposes of smoking or burning.

(B) It is unlawful for a cardholder to possess cannabis in plant form or to smoke cannabis or use a device to facilitate the smoking of cannabis. A person in violation of this subsection is subject to the applicable provisions of law for unlawful possession of marijuana.

(C) A violation of this section for possession of more than an ounce of marijuana or ten grams of hashish is punishable pursuant to Section 44-53-370.

(D) A qualifying patient who violates this section a second or subsequent time may have his registry identification card suspended or revoked.

Section 44-53-2230. (A) This article does not authorize any person to engage in, and does not prevent the imposition of, any civil, criminal, or other penalties for engaging in the following conduct:

(1) undertaking any task under the influence of cannabis, if doing so would constitute negligence or professional malpractice;

(2) possessing cannabis or cannabis products or otherwise engaging in the medical use of cannabis products in any correctional facility, any local or county jail, or any Department of Juvenile Justice facility;

(3) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat while under the influence of cannabis;

(4) using cannabis products if the person does not have a debilitating medical condition or possessing cannabis products if the person is not a qualifying patient, designated caregiver, medical cannabis establishment agent, or someone who is authorized to assist a qualifying patient under Section 44-53-2210;

(5) allowing any person who is not authorized to use cannabis products under this article to use cannabis products that a cardholder is allowed to possess under this article; or

(6) transferring cannabis products for medical use to any person contrary to the provisions of this article.

(B) Nothing in this article may be construed to prevent the arrest or prosecution of a qualifying patient for reckless driving or driving under the influence of cannabis products if probable cause exists. The mere presence of cannabis metabolites shall not automatically deem a person

under the influence. If a qualifying patient refuses to submit to a blood sample test, as provided in Section 56-5-2950, then the qualifying patient's privilege to drive is suspended for at least six months and his registry identification card is suspended for six months. The qualifying patient has the right to request a contested case hearing within thirty days of the issuance of the notice of suspension. If the person does not request a contested case hearing for all issues including, but not limited to, probable cause, the refusal of, or compliance with Section 56-5-2950, or if the qualifying patient's suspension is upheld at the contested case hearing, then the qualifying patient shall enroll in an Alcohol and Drug Safety Action Program. Upon completion of the suspension period and the Alcohol and Drug Safety Action Program, the qualifying patient may reapply for a registry identification card.

(C) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis products for medical use, knowingly making a misrepresentation to a law enforcement official of any fact or circumstance relating to the medical use of cannabis products to avoid arrest or prosecution is a misdemeanor and, upon conviction, is punishable by a fine of up to one thousand dollars per offense, in addition to any other penalties that may apply for making a false statement or for the use of cannabis products other than use undertaken pursuant to this article.

(D) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis products for medical use, knowingly making a misrepresentation of a medical condition to a physician or fraudulently providing material misinformation to a physician in order to obtain a written certification is a misdemeanor and, upon conviction, is punishable by a fine of up to one thousand dollars per offense.

(E) Any cardholder who sells cannabis products or is convicted of a criminal violation of this article shall have his registry identification card permanently revoked and is subject to other penalties for the unauthorized sale of cannabis. An individual who has had his registry identification card revoked for a criminal violation of this article may never be issued another registry identification card.

(F) Any qualifying patient who commits a violation of subsection (A)(3) or refuses a properly requested test related to operating any mode of transportation while under the influence of cannabis products shall have his registry identification card revoked for a period of one year.

(G) The diversion of cannabis products to any individual who is not allowed to possess cannabis products pursuant to this article is a felony that, upon conviction, results in the revocation of a registry identification

card and subjects the relevant cardholder to a fine of not more than five thousand dollars, imprisonment of not more than five years, or both.

Section 44-53-2235. It is unlawful for a qualifying patient, designated caregiver, or transporter to have in his possession, except in the trunk, glove compartment, closed console, or luggage compartment, a cannabis product in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this State. A person who violates the provisions of this section shall have his registry identification card suspended and is guilty of a misdemeanor. Upon conviction, the qualifying patient must be fined not more than one hundred dollars or imprisoned not more than thirty days. Upon the satisfaction of the fine, or imprisonment, or both, the qualifying patient may reapply for a registry identification card.

Section 44-53-2240. (A) The department may deny, revoke, or suspend the registry identification card of a qualifying patient or designated caregiver for a violation of this article or of department regulations. The qualifying patient or designated caregiver is also subject to other penalties established by law.

(B) A person whose registry identification card is denied, revoked, or suspended may request a hearing in the Administrative Law Court within thirty days of the receipt of written notification of the denial, revocation, or suspension and is not subject to the requirements set forth in Section 44-1-60.

Section 44-53-2250. (A) If a state or local law enforcement officer has probable cause to believe that cannabis products are possessed at a specific address in violation of South Carolina law, then the officer may verify whether the address is associated with a qualifying patient, designated caregiver, or medical cannabis establishment through the department's verification system.

(B) The department shall notify a law enforcement officer about falsified or fraudulent information submitted to the department.

Section 44-53-2260. (A) Except as provided in this article, a qualifying patient who uses cannabis products for medical use must be afforded the same rights under state and local law, including those guaranteed pursuant to Section 1-13-10, et seq., as the person would be afforded if the person was solely prescribed pharmaceutical medications, as pertaining to drug testing required by any state or local law, agency, governmental official, or state or local governmental employer.

(B) The rights provided by this section do not apply to the extent that they conflict with an entity's obligations under federal law or regulations, or to the extent that the rights would disqualify a state or

local agency from a monetary or licensing-related benefit under federal law or regulations.

(C) Nothing in this article requires an employer to make any accommodation for the use of cannabis products on the property or premises of any place of employment, to allow the ingestion of cannabis products in any workplace, or to allow any employee to work while under the influence of cannabis products. This article in no way limits an employer's ability to discipline or terminate an employee for being under the influence of cannabis products in the workplace or for working while under the influence of cannabis products.

(D) No employer may be penalized or denied any benefit under state law for employing a cardholder.

(E) Except as otherwise provided by this section, the provisions of this article do not require any person, corporation, or other entity that occupies, owns, or controls a property to allow the vaporization of cannabis products on that property. A landlord may not prohibit a tenant who is a cardholder from vaporizing cannabis products that cannot be smelled outside of the cardholder's rented dwelling unless permitting cannabis product use conflicts with the landlord's obligations under federal law or regulations or would disqualify the landlord from a monetary or licensing-related benefit under federal law or regulations. This shall not be construed to require a landlord or other property owner to allow the vaporization of cannabis products in any of the following circumstances:

(1) the tenant is a roomer who is not leasing the entire residential dwelling;

(2) the residence is incidental to the provision of medical, geriatric, educational, counseling, religious, or similar service;

(3) the residence is a transitional housing facility; or

(4) the residence is a dormitory affiliated with an educational institution.

(F) Nothing in this article requires a motor carrier or private carrier, as defined in Section 58-23-1110, to make any accommodation for the use of cannabis products by any employee whose duties affect the safety of operation of motor vehicles in transportation on public roads.

Section 44-53-2265. (A) Nothing in this article shall require an employer to permit or accommodate any applicant or employee's use, consumption, or possession of, or impairment by, cannabis products in any form on its premises or during work-related activities. This article also does not affect the ability of a private employer to enforce a drug-free workplace policy or zero tolerance drug testing policy

prohibiting any applicant or employee from having a detectable amount of marijuana metabolites in the applicant or employee's system.

(B) No employer may be penalized or denied any benefit under state law for employing a cardholder.

(C) This article does not create a private cause of action against a private employer for wrongful discharge, discrimination, or any other adverse employment action.

Section 44-53-2270. A person who is employed by, contracting with, or an agent of the State of South Carolina is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of any right or privilege for engaging in conduct authorized by this article, if the conduct is within the scope of the person's employment.

Section 44-53-2280. (A) No school or landlord may refuse to enroll, lease to, or otherwise penalize a person solely for the person's status as a cardholder, unless:

(1) failing to do so would violate federal law or regulations or would cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations; or

(2) at the discretion of the landlord or manager, conduct due to a cannabis-related offense would give cause for a landlord or manager to deny or terminate Section 8 housing to a cardholder as dictated by federal law. Denials or terminations on the basis of cannabis-related conduct must be reported to the Attorney General's Office for assessment for racially discriminatory conduct or disparate racial impact.

(B) No school or landlord may be penalized or denied any benefit under state law for enrolling or leasing to a cardholder.

Section 44-53-2290. (A) A physician is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Medical Examiners or any other occupational or professional licensing entity, for providing a written certification as authorized by state law. A physician may not be sued for medical malpractice solely as a result of certifying a qualifying patient's medical use of cannabis products in accordance with this article, but this section shall not be construed to prevent a physician from being disciplined or sued for violating the standard of care or for any violations of this article, including certifying a person for cannabis products who does not have a debilitating medical condition.

(B) A pharmacist is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the

denial of a right or privilege including, but not limited to, disciplinary action by the South Carolina Board of Pharmacy of any other occupational or professional licensing entity, for dispensing cannabis products as authorized by state law. A pharmacist may not be sued for malpractice solely as a result of dispensing cannabis products to a qualifying patient in accordance with this article, but this section shall not be construed to prevent a pharmacist from being disciplined or sued for violating the standard of care or for any violations of this article including, but not limited to, dispensing cannabis products to a person who does not have a registry identification card.

Section 44-53-2300. (A) For the purposes of this section:

(1) 'Financial institution' means a bank, savings and loan association, credit union, banking association, land bank, intermediate credit bank, bank for cooperatives, production credit association, land bank association, mortgage association, trust company, savings bank, or other banking or financial institution organized or operating under the laws of the United States or South Carolina.

(2) 'Financial services' includes receiving deposits, extending credit, conducting fund transfers, and transporting cash or financial instruments.

(B) A bank, savings and loan association, or credit union, licensed attorney, or certified public accountant, and all associated employees, are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, the denial of a right or privilege for engaging in conduct authorized by this article, or professional discipline for providing advice or services related to medical cannabis establishments or applications to operate medical cannabis establishments on the basis that cannabis is illegal under federal law.

(C) A licensed attorney, a certified public accountant, or another holder of a professional or occupational license may not be subject to professional discipline for providing advice or services related to medical cannabis establishments or applications to operate medical cannabis establishments on the basis that cannabis is illegal under federal law.

(D) An applicant for a professional or occupational license may not be denied a license based on previous employment related to cannabis products establishments operating in accordance with state law.

(E) A financial institution and agents operating on its behalf are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for providing

financial services to medical cannabis establishments and applicants for medical cannabis establishments.

(F)(1) A medical cannabis establishment or its principal may request in writing that the department share a person's application, license, and other regulatory and financial information with a financial institution of the person's designation. The written request shall include a waiver authorizing the transfer of that information and any confidentiality or privilege that applies to that information.

(2) Notwithstanding any law that might proscribe the disclosure of application, license, and other regulatory and financial information, upon receipt of a written request and waiver pursuant to item (1), the department may share an application, license, and other regulatory and financial information with the financial institution designated by the licensee in the request for the purpose of facilitating the provision of financial services for that licensee.

(3) A person who provides a waiver may withdraw the waiver at any time. Upon receipt of the withdrawal of a waiver, the department shall cease to share application, license, or other regulatory or financial information with a financial institution.

Section 44-53-2310. A person is not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for:

(1) being in the presence or vicinity of a qualifying patient engaged in the medical use of cannabis products or a designated caregiver assisting a qualifying patient with the medical use of cannabis products;

(2) being in the presence of a medical cannabis establishment principal or agent engaged in conduct authorized pursuant to this article;

(3) assisting a qualifying patient with the act of using or administering cannabis products for medical use; or

(4) storing or otherwise possessing a registered qualifying patient's cannabis products on the patient's behalf at the patient's residence, a residential facility, a school, a daycare or health care facility, or a similar location that is caring for the qualifying patient.

Section 44-53-2320. (A) The lawful use of cannabis products pursuant to this article shall not be used as a relevant factor or evidence in proceedings regarding parental rights, child welfare, guardianship, decision making, or probate matters.

(B) A person entitled to the custody of, or visitation or parenting time with, a child must not be denied these rights for conduct allowed pursuant to this article unless the person's behavior is such that it creates

an unreasonable danger to the safety of the child as established by clear and convincing evidence.

(C) This section shall not be construed to allow a person to engage in any conduct that would be negligent to undertake while impaired by cannabis.

Section 44-53-2330. For the purposes of medical care, including organ and tissue transplants, a qualifying patient's use of cannabis products according to this article is considered the equivalent of the authorized use of any other medication used at the discretion of a physician and does not constitute the use of an illicit substance or otherwise disqualify the qualifying patient from needed medical care.

Section 44-53-2340. (A) The department shall create a commission to assist in promulgating regulations. At a minimum, members of the commission must include:

(1) the director of the department, or his designee;

(2) the Director of the South Carolina Department of Labor, Licensing and Regulation, or his designee;

(3) the President of the South Carolina Board of Medical Examiners, or his designee;

(4) the Chief of SLED, or his designee;

(5) a sheriff designated by the South Carolina Sheriffs' Association;

(6) the Commissioner of the South Carolina Department of Agriculture, or his designee;

(7) a patient representative, appointed by the Governor;

(8) an industry representative, appointed by the Governor, subject to the limitation that, although the industry representative may participate in assisting with the process of promulgating regulations, the industry representative must not participate in the license-selection process if he has applied for or has an affiliation with a license applicant through family or business;

(9) an individual selected by South Carolina Advocates for Epilepsy;

(10) a certified public accountant or an attorney with expertise in contract law, appointed by the Governor;

(11) a representative of the African American community, appointed by the Governor in consultation with the South Carolina Commission for Minority Affairs;

(12) the Dean or Acting Dean, or his designee, from the University of South Carolina School of Medicine; and

(13) the President, or his designee, of the Medical University of South Carolina.

(B) Members of the commission may not receive compensation but are entitled to mileage, subsistence, and per diem as allowed by law for members of state boards, commissions, and committees.

(C) Upon the issuance of all of the cannabis establishment licenses pursuant to Section 44-53-2390, the commission shall dissolve, and any future license shall be chosen by the department based on the criteria established by the commission.

Section 44-53-2350. (A) The department shall promulgate regulations to:

(1) establish the form and content of medical cannabis establishment license and renewal applications;

(2)(a) license medical cannabis establishments utilizing a variety of business models including, but not limited to, applicants that intend to operate only a single business and applicants that intend to operate a cultivation center, processing facility, and one or more therapeutic cannabis pharmacies, while imposing a reasonable cap on the number of medical cannabis establishments a person or entity may hold more than five percent ownership interest in, both in any region and statewide, to avoid undue market concentration;

(b) establish a system to numerically score competing medical cannabis establishment applicants, which must include separate application types for independent and vertically integrated licenses, and which must include the award of additional points for medical cannabis establishment applicants that meet any of the following:

(i) an existing agricultural business in operation for over two years in the State of South Carolina;

(ii) an existing production or manufacturing business in operation for over two years in the State of South Carolina;

(iii) an existing company working in the hemp industry for over two years in the State of South Carolina; or

(iv) an applicant of whom more than fifty percent of the principals are residents of the State of South Carolina;

(c) In cases in which more applicants apply than are allowed by the local government, the system must include an analysis of:

(i) in the case of therapeutic cannabis pharmacies, the suitability of the proposed location and its accessibility to patients;

(ii) the character, veracity, diversity, residency, background, qualifications, and relevant experience of medical cannabis establishment principals and agents; and

(iii) the business plan proposed by the medical cannabis establishment applicant, which in the case of cultivation centers and therapeutic cannabis pharmacies shall include the ability to maintain an adequate supply of cannabis products, plans to ensure the safety and security of patrons and the community, procedures to be used to prevent diversion, and any plan for making cannabis products available to low-income qualifying patients;

(3) in coordination with the Division of Small and Minority Business Contracting and Certification, implement policies to:

(a) engage in outreach to encourage racial, ethnic, and gender diversity in the South Carolina medical cannabis industry; and

(b) ensure that diverse groups are afforded equal opportunity in licensing;

(4) govern medical cannabis establishments, with the goals of ensuring the health and safety of qualifying patients and preventing diversion and theft, without creating an undue burden or compromising the confidentiality of cardholders, including:

(a) oversight requirements;

(b) recordkeeping and inventory-management requirements;

(c) security requirements, which must be developed in consultation with a private security expert in good standing, including lighting, physical security, and alarm requirements and, in the case of a cultivation center, access controls, perimeter intrusion detection systems, personnel identification systems, and a twenty-four hour surveillance system to monitor the interior and exterior of the cultivation center, which are accessible to authorized law enforcement personnel and the department;

(d) health and safety regulations, including:

(i) restrictions on the use of pesticides that are injurious to human health; and

(ii) standards for testing cannabis and cannabis products, including specifying prohibited concentrations of heavy metals, pesticides, microbes, and other contaminants that are injurious to human health; and

(iii) requirements that any oils intended for vaporization may be sold as either pre-filled, tamper-resistant, non-refillable cartridges that are not capable of use with nicotine vaporization devices, or as disposable 'all-in-one' systems that are tamper-resistant, non-fillable, and do not contain nicotine;

(e) standards for the manufacture of cannabis products and both the indoor and outdoor cultivation of cannabis by cultivation centers, including environmental impact regulations;

(f) requirements for the secure transportation and storage of cannabis and cannabis products by medical cannabis establishments, which must be developed in consultation with a private security expert in good standing;

(g) employment and training requirements, including requiring medical cannabis establishments to create, administer, and track an identification badge for each medical cannabis establishment agent and principal;

(h) standards for the safe manufacture of cannabis products, including extracts and concentrates;

(i) restrictions on the advertising, signage, and display of cannabis products, provided that the restrictions may not prevent appropriate signs on the property of a therapeutic cannabis pharmacy; listings in business directories, including phone books; listings in cannabis-related or medical publications; and the sponsorship of health or not-for-profit charity or advocacy events, provided that the restrictions must include:

(i) requirements that the medical cannabis establishment's logo, advertising, and signage be tasteful, respectful, and medically focused and must not appeal to minors or contain cartoon-like figures or attempts at humor;

(ii) requirements that medical cannabis establishments submit any logo or sign for review to the department in accordance with department regulations;

(iii) prohibitions on medical cannabis establishments from using marijuana leaves or slang for cannabis or cannabis products in or on their signs, logos, packaging, or structures;

(iv) limitations on the size or location of signs; and

(v) prohibitions against using neon-colored signage, logos, or packaging, or neon-colored signage or logos on structures;

(j) requirements and procedures for the safe and accurate packaging and labeling of medical cannabis, cannabis products, and industrial hemp for human consumption;

(k) standards for independent testing laboratories, including requirements for equipment and qualifications for personnel;

(l) protocol for the safe delivery of cannabis products from therapeutic cannabis pharmacies to cardholders, which must be

developed after consulting with a private security expert in good standing;

(m) requirements and procedures to maintain sanitary conditions for facilities and equipment;

(n) odor mitigation measures to ensure cannabis or cannabis products cannot be smelled outside of the property of a medical cannabis establishment; and

(o) requirements for medical cannabis establishments to maintain a discreet, professional appearance that is compatible with existing commercial structures or land uses within the immediate area, including requirements to maintain the medical cannabis establishment in a manner to prevent blight, deterioration, diminishment, or impairment of property values within the vicinity of the medical cannabis establishment;

(5) establish procedures for suspending or revoking the licenses of medical cannabis establishments that commit multiple or serious violations of the provisions of this article or the regulations promulgated pursuant to this section;

(6) establish labeling requirements for cannabis, cannabis products, and industrial hemp for human consumption, which must require cannabis product labels to include the following:

(a) the length of time it typically takes for the product to take effect;

(b) the disclosure of ingredients, including an indication of whether the cannabis is Sativa, Indica, or a hybrid, and possible allergens;

(c) a nutritional fact panel; and

(d) the clear identification of edible cannabis products, if practicable, with a standard symbol indicating that the product contains cannabis;

(7) establish requirements and procedures for the safe, appropriate, and accurate packaging and labeling of cannabis products and industrial hemp for human consumption, including prohibiting the use of any images designed or likely to appeal to minors, including cartoons, toys, animals, or children; any other likeness to images, characters, or phrases that are popularly used to advertise to children; or any imitation of candy packaging or labeling;

(8) establish requirements to ensure that cannabis products and industrial hemp for human consumption are designed, marketed, and packaged in a manner that is appropriate for a medicinal product and that

does not resemble commercially sold candies or other food that is typically marketed to children;

(9) establish restrictions on the forms, appearance, and flavor of edible cannabis products in order to reduce their appeal to minors, including prohibiting edible cannabis products in the shapes of cartoons, toys, animals, or people;

(10) establish reasonable application and renewal fees for medical cannabis establishments, which must generate revenues sufficient to offset all of the expenses of implementing and administering this article. Fees must be reviewed annually and, if appropriate, adjusted to meet the financial needs of the program without charging more than is reasonably necessary to administer the program;

(11) establish the standards and requirements necessary for an independent testing laboratory to be licensed;

(12) establish the standards of care and required testing to be carried out by an independent testing laboratory consistent with the guidelines promulgated by the American Herbal Pharmacopoeia;

(13) establish minimum capital requirements for each type of medical cannabis establishment that reasonably ensure medical cannabis establishment principal applicants have sufficient resources to open and operate a medical cannabis establishment without requiring more than reasonably necessary and allowing for some of the capital requirements to be satisfied by ownership of the real property and for resources to be pooled among multiple medical cannabis establishment principals; and

(14) establish standards and requirements necessary for the destruction of cannabis, cannabis products, and cannabis waste.

(B) The department shall, no less frequently than every two years, reevaluate and at its discretion:

(1) determine the appropriate number and geographical density of licenses for cultivation centers, processing facilities, therapeutic cannabis pharmacies, and independent testing laboratories;

(2) evaluate the effectiveness of vertically integrated and independent business types at providing patients a variety of product choices at reasonable prices;

(3) evaluate whether caps to market concentration are meeting goals of a competitive marketplace, or whether the limits should be revised; and

(4) determine adjustments, if any, to application and licensing fees.

(C) After consulting with public health experts, medical professionals, and analysts who conduct health and safety research on

vaporizers; reviewing federal regulations governing electronic nicotine delivery systems; and reviewing other states' regulations on medical cannabis vaporization, the department shall promulgate regulations to foster the health and safety of patients using medical cannabis vaporization products. The regulations may include:

(1) mandating that all models of vaporization devices sold by therapeutic cannabis pharmacies be subject to laboratory testing, including stress tests and shelf-life tests;

(2) requiring laboratory testing of medical cannabis cartridges that are allowed to be used with vaporization devices, including testing of the aerosolized products;

(3) banning all additives, cutting agents, and flavorings that are known to be harmful;

(4) creating a list of any non-cannabis ingredients that are permitted to be included in medical cannabis cartridges, which have been identified as safe for inhalation, and specifying the proportion of those ingredients that are allowed in each cartridge;

(5) issuing standards for heavy metals included in hardware;

(6) developing warning labels that must be included on vaporization devices, detailing any known risks;

(7) requiring that any vaporization device is not able to be used with cartridges containing nicotine; and

(8) requiring that any disposable 'all-in-one' vaporization device is tamper-resistant, non-refillable, and does not contain nicotine.

Section 44-53-2360. (A) The department shall establish standards for and shall license up to five independent testing laboratories to test cannabis products that are to be sold in the State. An independent testing laboratory must analyze a representative sample of all cannabis products pursuant to Section 44-53-2450 before the sale or transfer to a therapeutic cannabis pharmacy by a processing facility.

(B) An independent testing laboratory must be responsible for selecting, picking up, and testing product samples and must be able to determine accurately:

(1) the concentration of tetrahydrocannabinol, cannabidiol, and other cannabinoids, if applicable;

(2) whether the testing material is organic or nonorganic;

(3) moisture content;

(4) allergens;

(5) potency;

(6) foreign matter, including heavy metals;

(7) microbiological screening results;

(8) residual solvent testing results;

(9) the presence and identification of fungi, including molds;

(10) the presence and concentration of fertilizers and other nutrients; and

(11) any other determinations required by the department.

(C) An independent testing laboratory shall report the results of all testing required by the department to the department's seed-to-sale tracking system.

(D) No principal, manager, employee, or agent of an independent testing laboratory may work for, contract with, receive compensation from, or have an equity interest in any other medical cannabis establishment.

Section 44-53-2370. (A) To prevent diversion and protect public safety, the department shall require the use of a single, real-time, seed-to-sale tracking system used by all medical cannabis establishments and by the department that complies with Health Insurance Portability and Accountability Act guidelines, is hosted on a platform that allows for the dynamic allocation of resources, provides data redundancy, and is capable of recovering from natural disasters within hours.

(B) The department shall require that the system be capable of:

(1) tracking each plant, product, package, qualifying patient, waste, transfer, conversion, sale, and return, and each with an associated unique identification number;

(2) tracking product and package information throughout the entire chain of custody until the point of sale to a cardholder;

(3) tracking each product, conversion, and derivative throughout the entire seed-to-sale chain of custody in real time;

(4) tracking plant and product destruction;

(5) tracking the transportation of products;

(6) performing complete product and package recall tracking capabilities that must be able to clearly identify all of the following details relating to a specific product and package subject to recall:

(a) all sold products;

(b) products available for sale that are in finished inventory but have not been sold;

(c) products that are in the transfer process;

(d) work-in-progress products, which are in the process of being converted; and

(e) raw material products, which are in the post-harvest stage of the process, such as drying, trimming, or curing;

(7) reporting and tracking loss, theft, or the diversion of products containing cannabis to the department;

(8) reporting and tracking all inventory discrepancies to the department;

(9) notifying the department in real time regarding when propagation sources are planted, when plants are harvested and destroyed, and when cannabis products are transported, sold, or destroyed;

(10) tracking all plants and products using a tagging methodology that avoids adding an undue financial burden on cultivation centers, processing facilities, and therapeutic cannabis pharmacies;

(11) receiving testing results electronically from independent testing laboratories via a secure application program interface into the seed-to-sale tracking system and directly attaching the testing results to the source plant or product;

(12) restricting the altering of test results;

(13) providing the department with real-time access to the database;

(14) providing real-time analytics to the department regarding key performance indicators including, but not limited to:

(a) total daily sales;

(b) total plants in production;

(c) total plants destroyed; and

(d) total inventory adjustments; and

(15) providing other information specified by the department.

(C) The department shall require the provider of the seed-to-sale system to:

(1) have a current security audit that is no more than twelve months old and that was performed by a third party certified to perform such audits, demonstrating the use of sound security measures and practices by the provider hosting the data or application processing the data, as defined by a nationally recognized security framework;

(2) submit an annual update on any open corrective action plans associated with the most recent audit's noted deficiencies;

(3) produce a new or updated audit every three years; and

(4) have experience implementing and maintaining a seed-to-sale tracking system of a similar size and nature for at least two other state governmental agencies without interruptions of service or security breaches, or otherwise demonstrate the ability to implement and maintain such systems.

Section 44-53-2380. (A) It is not unlawful for a cultivation center to:

(1) possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack, transport, or store cannabis;

(2) possess, use, or manufacture cannabis paraphernalia;

(3) deliver, sell, supply, transfer, or transport cannabis, cannabis paraphernalia, or educational materials to processing facilities; or

(4) deliver, transfer, or transport cannabis to independent testing laboratories.

(B) It is not unlawful for a processing facility to:

(1) obtain, possess, process, manufacture, compound, convert, prepare, pack, repack, transport, or store cannabis or cannabis products;

(2) possess, use, or manufacture cannabis paraphernalia;

(3) deliver, sell, supply, transfer, or transport cannabis, cannabis products, industrial hemp for human consumption, or educational materials to therapeutic cannabis pharmacies or universities in South Carolina engaged in conducting Institutional Review Board-approved medical cannabis or cannabinoid research; or

(4) deliver, transfer, or transport cannabis or cannabis products to independent testing laboratories.

(C) It is not unlawful for a therapeutic cannabis pharmacy to obtain, possess, transport, or dispense cannabis products, industrial hemp for human consumption that has passed independent laboratory testing, cannabis paraphernalia, or educational materials to a cardholder in accordance with the requirements of this article or to universities in South Carolina engaged in conducting Institutional Review Board-approved medical cannabis or cannabinoid research.

(D) It is not unlawful for an independent testing laboratory to possess or transport cannabis, cannabis products, or cannabis paraphernalia in accordance with the requirements of this article.

(E) It is not unlawful for a transporter to possess or transport cannabis, cannabis products, or cannabis paraphernalia in accordance with the requirements of this article.

(F) It is not unlawful for a grower of industrial hemp who is permitted pursuant to Chapter 55, Title 46 to sell or transport industrial hemp for human consumption to a therapeutic cannabis pharmacy, provided that the industrial hemp products for human consumption are compliant with all regulations regarding laboratory testing, packaging, and labeling as determined by the department.

(G) It is not unlawful for the University of South Carolina's College of Pharmacy and School of Medicine, the Medical University of South Carolina, or a professor or student working on an advanced degree who

is conducting Institutional Review Board-approved research to possess, store, or administer medical cannabis or cannabinoids to human or animal subjects in accordance with any department rules.

(H) Industrial hemp operations and individuals who have been issued permits pursuant to Section 46-55-20, relating to the cultivation of industrial hemp, are authorized to provide industrial hemp for human consumption to processing facilities or therapeutic cannabis pharmacies licensed pursuant to this article.

(I) A medical cannabis establishment is not subject to prosecution, search, seizure, or penalty in any manner and may not be denied any right or privilege, including civil penalty or disciplinary action by a court, or business-licensing board or entity, for engaging in activities related to cannabis that are not unlawful under South Carolina law pursuant to this article.

(J) A medical cannabis establishment principal and medical cannabis establishment agent are not subject to arrest by state or local law enforcement, prosecution or penalty under state or local law, or the denial of a right or privilege for engaging in activities related to cannabis that are not unlawful under South Carolina law pursuant to this article.

(K) Nothing in this article may be construed to prohibit medical cannabis establishments from processing, producing, or selling products for human consumption from industrial hemp.

Section 44-53-2390. (A) The department shall issue licenses to the following numbers of qualified medical cannabis establishment applicants:

(1) fifteen cultivation center licenses;

(2) thirty processing facility licenses;

(3) four transporter licenses;

(4) one therapeutic cannabis pharmacy license for every twenty pharmacies with a state-issued permit in the State; and

(5) five independent testing laboratory licenses.

(B) In order to be licensed as a medical cannabis establishment, a medical cannabis establishment principal applicant shall submit to the department a completed electronic application signed by each medical cannabis establishment principal that, at a minimum, includes the following:

(1) a nonrefundable application fee to be determined by the department;

(2) proof that the applicant has sufficient liquid and non-liquid assets to open and operate the medical cannabis establishment, as determined by the department through regulation;

(3) on renewal, a financial statement reviewed by a licensed certified public accountant or a licensed public accountant in accordance with generally accepted accounting principles, including all disclosures required by generally accepted accounting principles;

(4) the legal name of the proposed medical cannabis establishment;

(5) the physical address of the proposed medical cannabis establishment, which:

(a) shall not be within one thousand feet of a public or private school existing before the date the medical cannabis establishment application is received by the department, except as provided in Section 44-53-2420;

(b) if a therapeutic cannabis pharmacy applicant, shall be located in an area zoned for commercial use; and

(c) if a processing facility or cultivation center applicant, shall be located in an area zoned for manufacturing or agricultural use;

(6) a sworn statement certifying that the proposed medical cannabis establishment is in compliance with local governmental zoning restrictions, if applicable;

(7) a copy of any local registration, license, or permit required by local government for the proposed medical cannabis establishment;

(8) the name, date of birth, and contact information for each principal of the proposed medical cannabis establishment, with a copy of a SLED and an FBI criminal records check for each principal, paid for by the principal;

(9) operating procedures for the proposed medical cannabis establishment to ensure accurate recordkeeping and adequate security measures;

(10) a security plan that meets all requirements promulgated by the department, which, in connection therewith, shall consult with and receive input from a private security expert in good standing;

(11) for a cultivation center applicant, documentation demonstrating that the applicant has appropriate expertise in agriculture and is qualified to process cannabis to sell, deliver, transport, or distribute solely for use pursuant to this article;

(12) for a processing facility applicant, documentation demonstrating that the applicant is qualified to process medical cannabis into cannabis products, utilizing industry standards for the safe handling of food products and consistency in production;

(13) for an independent testing laboratory applicant, documentation demonstrating that the applicant meets the standards and requirements

for accreditation, inspection, and testing established through regulation by the department;

(14) a medical cannabis establishment applicant's plan to hire employees from within the community in which it will be operating; and

(15) for a medical cannabis establishment applicant who is applying for more than one license, a notation on the application regarding the additional licenses for which the applicant has applied.

(C)(1) Except as provided in items (2) and (3), if a licensee is not operable within twelve months of the issuance of a license, then the license is void, and the department shall within thirty days issue a license to the most qualified applicant in accordance with this article.

(2) A licensee may request and shall be granted one or more three-month extensions of the deadline if it is able to show a cause of delay that was out of the licensee's control, despite exhibiting concerted efforts to begin operation in time to meet the deadline.

(3) A licensee shall not be considered 'not operational' for the purposes of this subsection if it is a processing facility or therapeutic cannabis pharmacy and is not operational solely because sufficient cultivation facilities have not begun harvesting and distributing cannabis to supply it with cannabis.

(D) No license issued to a medical cannabis establishment is transferable until the expiration of thirty-six months from the date of issuance by the department, and until at least twenty-four months have passed since the medical establishment began operations. The license shall not be transferrable to any person who has been convicted of, or pled guilty or nolo contender to, a felony drug-related offense.

(E) If a smaller number of qualified applicants applies for any type of medical cannabis establishment license than the department is required to issue, then the department shall issue licenses to all qualified applicants for that type of license.

(F) Prior to operating, a medical cannabis establishment shall pay a nonrefundable license fee in an amount determined by the department.

(G) The department shall issue a renewal license within thirty days of receiving, prior to the expiration of the license, a completed electronic license renewal application signed by each medical cannabis establishment principal and the renewal fee from a medical cannabis establishment if the license is not under suspension or has not been revoked.

(H) Medical cannabis establishments must notify the department of any changes in medical cannabis establishment principals and must include their name, date of birth, contact information, a copy of a SLED

and an FBI criminal records check, and any other information required by department regulations.

(I) The department shall deny, suspend, or revoke a medical cannabis establishment license if any medical cannabis establishment principal applicant or medical cannabis establishment principal has been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense.

(J) In addition to any requirements established by the department, in order to be eligible for a therapeutic cannabis pharmacy license, the applicant must possess a therapeutic cannabis pharmacy permit issued by the Board of Pharmacy pursuant to Section 44-53-2096(C).

Section 44-53-2400. (A) Prior to any medical cannabis establishment agent beginning work at a medical cannabis establishment, the medical cannabis establishment principal shall request a license from the department for each agent and principal. The request must be accompanied by a complete set of fingerprints for a state criminal records check and a national criminal records check for which the applicant or establishment must pay the costs.

(B) Each applicant to become a medical cannabis establishment agent or principal must undergo a state criminal record checks, supported by fingerprints, by the State Law Enforcement Division (SLED), and a national criminal record checks, supported by fingerprints, by the Federal Bureau of Investigation (FBI). The results of these criminal record checks must be reported to the department and cannot be further disseminated. SLED and the FBI are authorized to retain the fingerprints for use in identification purposes including, but not limited to, unsolved latent prints. SLED and the FBI are further authorized to provide the department with current and future information regarding fingerprints stored including arrest, convictions, dispositions, warrants, and other information available to the FBI, including civil and criminal information. The department shall keep all information pursuant to this section privileged, in accordance with applicable state and federal guidelines.

(C) The department shall issue identification cards to a medical cannabis establishment agent or principal and allow them to work for the medical cannabis establishment if:

(1) the person is twenty-one years of age or older;

(2) the person has not been convicted of, or pled guilty or nolo contendere to, a felony drug-related offense, or if the person completed the sentence, including any term of probation or supervised release, at least ten years prior;

(3) the person is not included in the list of individuals who are not allowed to serve as medical cannabis establishment agents or principals, if the department maintains and disseminates such a list pursuant to Section 44-53-2490; and

(4) the person has completed, or indicated in writing that he will complete within ninety days of being hired, an educational requirement approved by the department.

(D) Each medical cannabis establishment shall retain all records documenting compliance with this article with regard to medical cannabis establishment agents and medical cannabis establishment principals for at least five years after the end of their employment.

Section 44-53-2410. (A) The department is responsible for performing inspections of medical cannabis establishments and investigating suspected violations of this article and of department regulations and is primarily responsible for other duties with respect to regulating cannabis and cannabis products for medical use, as are specifically delegated to the department by the General Assembly.

(B) A medical cannabis establishment is subject to inspection by the department.

(C) During an inspection, the department may review the medical cannabis establishment's records required pursuant to this article and department regulations. Medical cannabis establishment records must track qualifying patient-specific and designated caregiver-specific information, if applicable, by registry identification card number to protect confidentiality.

(D) The department shall establish and charge an inspection fee in an amount to be determined by the department that will cover the expense to the department for conducting an inspection.

(E) The department may contract with state occupational or professional licensing entities and the law enforcement division of other state agencies to enforce the provisions of this article with respect to inspections and audits that apply to cultivation centers, processing facilities, therapeutic cannabis pharmacies, transporters, and independent testing laboratories.

(F) Authorized employees of state or local law enforcement agencies shall immediately notify the department if any person in possession of a registry identification card has been determined by a court of law to have willfully violated the provisions of this article or has pled guilty to an offense.

(G) A therapeutic cannabis pharmacy is also subject to inspections by the Board of Pharmacy.

Section 44-53-2420. (A) Except as provided in this section, a medical cannabis establishment may not be located within one thousand feet of a school. This distance must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds of the school.

(B) The department has the discretion to allow an exception to the prohibition in subsection (A) if it is shown by the applicant that the exception is necessary to provide adequate access to patients. The department may require as part of granting an exception that the medical cannabis establishment undertake additional security or other restrictions to protect children as determined by the department.

Section 44-53-2430. (A) A local government may enact ordinances or regulations not in conflict with this article or with regulations enacted pursuant to this article, governing the time, place, manner, and number of medical cannabis establishment operations in the locality. A local government may establish penalties for the violation of an ordinance or regulation governing the time, place, and manner of a medical cannabis establishment that may operate in the locality.

(B) A local government may prohibit medical cannabis establishments from operating in the jurisdiction.

(C) The burden for compliance with zoning or land use regulations and the requirements for seeking a variance should be no greater for a cannabis-related business than for any other similar business.

Section 44-53-2440. (A) Medical cannabis establishments shall employ a former or retired law enforcement officer in good standing, former or retired military personnel, or a security service agency with the ability to provide security to deter and prevent the theft of cannabis and cannabis products and unauthorized entrance into areas containing cannabis or cannabis products. The department shall consult with SLED to promulgate regulations regarding the qualifications for former or retired law enforcement officers in good standing, including requirements that the officer must have experience in securing and protecting controlled substances or similar products.

(B) All cultivation centers and processing facilities must conduct cultivation, harvesting, processing, and packaging of cannabis and cannabis products in a secure facility at a physical address provided to the department and SLED during their license application process. A processing facility or cultivation center may only be accessed by medical cannabis establishment agents, medical cannabis establishment principals, authorized department personnel, law enforcement personnel, emergency personnel, and adults who are twenty-one years of age and

older who are accompanied by medical cannabis establishment agents or principals.

(C) All medical cannabis establishments are subject to random inspection by the department and SLED in accordance with regulations promulgated by the department, which shall be developed by the department after consulting with and receiving input from SLED.

Section 44-53-2450. (A) The department shall require each cultivation center and processing facility to conduct routine testing, at a minimum, of cannabis and cannabis products at an independent testing facility in accordance with department regulations.

(B) A cultivation center shall test each strain's cannabinoid profile per harvest.

(C) A processing facility shall test each extraction and each ingestible product manufactured.

Section 44-53-2460. (A) All cultivation center cannabis by-product, cannabis scrap, and harvested cannabis not intended for distribution to a processing facility or independent testing laboratory must be destroyed and disposed of in accordance with department regulations. Documentation of destruction and disposal must be retained by the cultivation center for a period of not less than one year. The cultivation center shall maintain a record of the date of destruction and the amount destroyed.

(B) A therapeutic cannabis pharmacy shall destroy all cannabis products that are not sold to qualifying patients or designated caregivers in accordance with department regulations. The therapeutic cannabis pharmacy shall retain documentation of the destruction and disposal for a period of not less than one year. The therapeutic cannabis pharmacy shall maintain a record of the date of destruction and the amount destroyed.

(C) A therapeutic cannabis pharmacy shall destroy all unused cannabis products that are returned to the therapeutic cannabis pharmacy by a former qualifying patient who no longer qualifies for the use of medical cannabis or his caregiver.

Section 44-53-2470. (A) Each therapeutic cannabis pharmacy must employ a pharmacist-in-charge who is licensed by the State as a pharmacist and who completed a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy as provided by Section 44-53-2095. A pharmacist must be reasonably available during business hours to advise and educate patients in person and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist

violates the applicable standard of care. A pharmacist must be physically on premises during dispensing hours.

(B) Each pharmacist who dispenses cannabis products to qualifying patients must complete a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy prior to dispensing cannabis products. The continuing education course must include best practices regarding dosage, based upon medical conditions or symptoms, modes of administration, side effects, therapeutic contraindications, potential interactions, and cannabinoid profiles.

(C)(1) All cannabis products and industrial hemp for human consumption sold at a therapeutic cannabis pharmacy must be properly labeled and contained in child-resistant packaging. Each label must comply with state laws and regulations and, at a minimum, must include:

(a) the name of the therapeutic cannabis pharmacy;

(b) the percentage of tetrahydrocannabinol and the percentage of cannabidiol within a profile tolerance range of ten percent. For edible cannabis products, the cannabinoid profile should be listed by milligrams per serving;

(c) the name of the cultivation center and processing facility; and

(d) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads, 'NOT FOR RESALE. FOR MEDICAL USE ONLY. KEEP OUT OF THE REACH OF CHILDREN AND ANIMALS'.

(2) Labels shall indicate whether the cannabis is Sativa, Indica, or hybrid and may include cannabinoid and terpene profiles for identification.

(3) All cannabis products purchased in therapeutic cannabis pharmacies should be placed in child-resistant exit packaging before leaving the therapeutic cannabis pharmacy.

(D) A therapeutic cannabis pharmacy shall not allow a person under the age of eighteen to enter a therapeutic cannabis pharmacy unless the minor is accompanied by his parent, legal guardian, or designated caregiver.

Section 44-53-2480. (A) After consulting with medical professionals who are knowledgeable about the risks and benefits of cannabis and cannabis products, the department shall develop a scientifically accurate safety information flyer, which shall be provided to each person applying for a registry identification card. The flyer must be offered at every therapeutic cannabis pharmacy when a cannabis product is dispensed. It must include:

(1) advice about the potential risks of the use of cannabis products, including:

(a) the risk of cannabis and cannabis product use disorder and resources to reach out to for help;

(b) any potential exacerbation of psychotic disorders and any adverse cognitive effects for children and young adults;

(c) potential adverse events and other risks, including falls or fractures;

(d) the risks of using cannabis products during pregnancy or breast feeding; and

(e) the need to safeguard all cannabis and cannabis products from children and pets or other domestic animals;

(2) a notification that cannabis products are for a qualifying patient's use only and that cannabis products should not be donated or otherwise supplied to another individual;

(3) a warning that qualifying patients should not drive or operate heavy machinery while under the influence of medical cannabis; and

(4) a disclosure that under the United States government's 1986 Gun Control Act, any 'unlawful' user of a controlled substance is prohibited from purchasing or owning a gun, that federally licensed gun dealers must ask prospective customers about drug use habits before approving a purchase, and that because cannabis is a Schedule I substance under federal law, the United States government maintains that there is no way to use cannabis products lawfully.

(B) The department shall make the information identified in subsection (A) available online with a link to the information conspicuously located on the department's website.

Section 44-53-2490. (A) The department may deny, suspend, or revoke the license of a medical cannabis establishment as a result of a violation of this article or department regulations.

(B) The department may require medical cannabis establishments to ban an individual from serving as a medical cannabis establishment agent or principal at any medical cannabis establishment for a violation of this article or department regulations. The department may maintain and disseminate to each medical cannabis establishment a list of individuals who are prohibited from serving as a medical cannabis establishment agent or principal.

(C) The department shall create a tiered structure for the identification, investigation, and resolution of potential violations of this article and department regulations.

(D) Medical cannabis establishments must be granted a reasonable resolution period established by the department to implement corrective actions acceptable to the department.

(E) The department shall create a progressive penalty structure for violations of this article and department regulations.

(F) The department is authorized to impose monetary penalties on a medical cannabis establishment for violations of this article.

(G) If a medical cannabis establishment's license is denied, suspended, or revoked, then the medical cannabis establishment may request a hearing in the Administrative Law Court, and is not subject to the requirements set forth in Section 44-1-60, within thirty days of the receipt of written notification of the denial, suspension, or revocation.

Section 44-53-2500. (A) The department may develop, seek any necessary federal approval for, and carry out research programs relating to the medical use of cannabis. Participation in any research program must be voluntary on the part of a qualifying patient, designated caregiver, or physician.

(B) The department shall collect data on the efficacy and safety of cannabis products from qualifying patients who voluntarily provide this information. The department may require therapeutic cannabis pharmacies to collect that information from qualifying patients who voluntarily provide it.

(C) Physicians who issue written certifications may, but are not required to, participate in data collection.

Section 44-53-2510. (A) The department shall provide a report to the General Assembly by the second Tuesday of each year addressing the effectiveness of the medical cannabis program operated pursuant to this article and recommendations for any changes to the program.

(B) The report must, without disclosing any identifying information about cardholders, physicians, qualifying patients, designated caregivers, or medical cannabis establishments, contain the following, at a minimum:

(1) the number of registry identification card applications submitted, approved, and renewed;

(2) the number of qualifying patients and designated caregivers served by each medical cannabis establishment during the report year;

(3) the nature of the debilitating medical conditions of the qualifying patients by percentage, and a breakdown of qualifying patients by the following age groups:

(a) 0 to 10 years of age;

(b) 11 to 17 years of age;

(c) 18 to 23 years of age;
(d) 24 to 35 years of age;
(e) 36 to 49 years of age;
(f) 50 to 65 years of age;
(g) over 65 years of age.

Within each age group, the report must provide a breakdown, by percentage, of debilitating medical conditions of the qualifying patients.

(4) the efficacy of, and side effects reported to, or satisfaction or dissatisfaction with cannabis products on a yes-no questionnaire as submitted by qualifying patients in a voluntary, anonymous survey, which may be conducted online by the department;

(5) the number of registry identification cards denied, suspended, or revoked;

(6) the number of physicians providing written certifications for qualifying patients and a breakdown of how many physicians wrote certifications in the following numbers:

(a) 1 to 100;
(b) 101 to 249;
(c) 250 to 500;
(d) 501 to 750;
(e) 751 to 1,000; and
(f) over 1000.

(7) the number and type of medical cannabis establishments by county.

(8) the percentage of all physicians providing written certifications who accounted for eighty percent of the total annual prescriptions written;

(9) the total expenses of the department in administering the program; and

(10) a year-by-year chart showing the total number of annual certifications, the total number of registry identification cards issued, and the total number of fourteen-day supply purchases made.

(C) After four years, the department shall evaluate the efficacy of cannabis as medicine and make a recommendation with regard to the rescheduling of cannabis on a lower schedule in the State of South Carolina.

Section 44-53-2520. The department shall require annually from a medical cannabis establishment proof of liability coverage of no less than one million dollars."

SECTION 5. Section 12-36-2120(28) of the 1976 Code is amended to read:

"(28)(a)(i) medicine and prosthetic devices sold by prescription, prescription medicines used to prevent respiratory syncytial virus, prescription medicines and therapeutic radiopharmaceuticals used in the treatment of rheumatoid arthritis, cancer, lymphoma, leukemia, or related diseases, including prescription medicines used to relieve the effects of any such treatment, free samples of prescription medicine distributed by its manufacturer and any use of these free samples;

~~(b)~~(ii) hypodermic needles, insulin, alcohol swabs, blood sugar testing strips, monolet lancets, dextrometer supplies, blood glucose meters, and other similar diabetic supplies sold to diabetics under the authorization and direction of a physician;

~~(c)~~(iii) disposable medical supplies such as bags, tubing, needles, and syringes, which are dispensed by a licensed pharmacist in accordance with an individual prescription written for the use of a human being by a licensed health care provider, which are used for the intravenous administration of a prescription drug or medicine, and which come into direct contact with the prescription drug or medicine. This exemption applies only to supplies used in the treatment of a patient outside of a hospital, skilled nursing facility, or ambulatory surgical treatment center;

~~(d)~~(iv) medicine donated by its manufacturer to a public institution of higher education for research or for the treatment of indigent patients;

~~(e)~~(v) dental prosthetic devices; and

~~(f)~~(vi) prescription drugs dispensed to Medicare Part A patients residing in a nursing home are not considered sales to the nursing home and are not subject to the sales tax.

(b) This item does not apply to the dispensing of cannabis products, as provided in Article 20, Chapter 53, Title 44;"

SECTION 6. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

"Section 56-1-3910. (A) It is unlawful for a driver of a motor vehicle to vaporize cannabis products as defined in Section 44-53-2010 while operating the motor vehicle.

(B) A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days."

SECTION 7.A. Sections 44-53-1810, 44-53-1820, and 44-53-1830 of the 1976 Code are amended to read:

"Section 44-53-1810. As used in this article:

(1) 'Academic medical center' means a research hospital that operates a medical residency program for physicians and conducts research that involves human subjects, and other hospital research programs conducting research as a subrecipient with the academic medical center as the prime awardee. A South Carolina research university shall be considered an 'academic medical center' for the purpose of this article.

(2) 'Approved source' means a provider approved by the United States Food and Drug Administration which produces ~~cannabidiol~~ cannabis that~~:~~

~~(a)~~ has been manufactured and tested in a facility approved or certified by the United States Food and Drug Administration~~ or similar national regulatory agency in another country which has been approved by the United States Food and Drug Administration; and~~

~~(b) has been tested in animals to demonstrate preliminary effectiveness and to ensure that it is safe to administer to humans~~.

(3)(a) ~~'Cannabidiol' means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.90 percent tetrahydrocannabinol by volume that has been extracted from marijuana or synthesized in a laboratory.~~ 'Cannabis' means:

(i) all parts of any plant of the cannabis genus of plants, whether growing or not;

(ii) the seeds of the plant;

(iii) the resin extracted from any part of the plant; and

(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

(b) 'Cannabis' does not mean:

(i) the mature stalks of the plant;

(ii) fiber produced from the stalks;

(iii) oil or cake made from the seeds of the plant;

(iv) a product approved as a prescription medication by the United States Food and Drug Administration; or

(v) the sterilized seeds of the plant that are incapable of germination.

(4) ~~'Designated caregiver' means a person who provides informal or formal care to a qualifying patient, with or without compensation, on a temporary or permanent or full-time or part-time basis and includes a relative, household member, day care personnel, and personnel of a public or private institution or facility.~~ 'Debilitating medical condition'

means a diagnosis of one or more of the following that also results in a debilitating condition:

(a) cancer;

(b) multiple sclerosis;

(c) a neurological disease or disorder, including epilepsy;

(d) glaucoma;

(e) post-traumatic stress disorder;

(f) Crohn's disease;

(g) sickle cell anemia;

(h) ulcerative colitis;

(i) cachexia or wasting syndrome;

(j) autism;

(k) severe or persistent nausea in a person who is not pregnant that is related to end-of-life or hospice care, or who is bedridden or homebound because of a condition;

(l) a chronic medical condition causing severe and persistent muscle spasms;

(m) a chronic medical condition causing severe and persistent pain; or

(n) a terminal illness with a life expectancy of less than one year in the opinion of the person's treating physician.

(5) ~~'Pharmacist' means an individual health care provider licensed by this State to engage in the practice of pharmacy.~~

~~(6)~~ 'Physician' means a doctor of medicine or doctor of osteopathic medicine licensed by the South Carolina Board of Medical Examiners.

~~(7)~~(6) 'Qualifying patient' means a person with a debilitating medical condition ~~anyone who suffers from Lennox-Gastaut Syndrome, Dravet Syndrome, also known as severe myoclonic epilepsy of infancy, or any other form of refractory epilepsy that is not adequately treated by traditional medical therapies~~.

Section 44-53-1820. (A) A statewide investigational new drug application may be established in this State, if approved by the United States Food and Drug Administration to conduct expanded access clinical trials using cannabis ~~cannabidiol~~ on qualifying patients pursuant to an investigational new drug application (IND) ~~with severe forms of epilepsy~~.

(B) Any physician who is board certified and practicing in an academic medical center in this State and treating patients with ~~severe forms of epilepsy~~ one or more debilitating medical conditions may serve as the principal investigator for such clinical trials if such physician:

(1) applies to and is approved by the United States Food and Drug Administration as the principal investigator in a statewide investigational new drug application; and

(2) receives a license from the United States Drug Enforcement Administration.

(C) Such physician, acting as principal investigator, may include subinvestigators who are also board certified ~~and who practice in an academic medical center in this State~~ and treat patients with debilitating medical conditions ~~severe forms of epilepsy~~. ~~Such subinvestigators shall comply with subsection (B)(2) of this section.~~

(D) The principal investigator and all subinvestigators shall adhere to the rules and regulations established by ~~the relevant institutional review board for each participating academic medical center and by~~ the United States Food and Drug Administration, the United States Drug Enforcement Administration, and the National Institute on Drug Abuse.

(E) Nothing in this article prohibits a physician licensed in South Carolina from applying for Investigational New Drug authorization from the United States Food and Drug Administration.

Section 44-53-1830. (A) Expanded access clinical trials conducted pursuant to a statewide investigational new drug application established pursuant to this chapter only shall utilize ~~cannabidiol~~ cannabis which is:

(1) from an approved source; and

(2) approved by the United States Food and Drug Administration to be used for treatment of a condition specified in an investigational new drug application.

(B) The principal investigator and any subinvestigator may receive ~~cannabidiol~~ cannabis directly from an approved source or authorized distributor for an approved source for use in the expanded access clinical trials."

B. Article 18, Chapter 53, Title 44 is renamed "Julian's Law: Investigational New Drug Applications: Expanded Access Cannabis Clinical Trials".

SECTION 8. Article 4, Chapter 53, Title 44 of the 1976 Code is repealed.

SECTION 9. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and

treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 10. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 11. (A) After the effective date of this act, the South Carolina Department of Health and Environmental Control shall:

(1) create a commission pursuant to Section 44-53-2340, as added by this act, within thirty days;

(2) develop a written certification form pursuant to Section 44-53-2080, as added by this act, no later than ten days after the effective date of regulations promulgated pursuant to Section 44-53-2100(A);

(3) promulgate regulations pursuant to Section 44-53-2100(A), as added by this act, after no later than one year;

(4) engage a company to create the necessary software for an electronic patient registry pursuant to Section 44-53-2100(B), as added by this act, after no later than one hundred twenty days;

(5) develop a safety information flyer pursuant to Section 44-53-2480, as added by this act, after no later than ten days after the effective date of regulations promulgated pursuant to Section 44-53-2100(A);

(6) establish a secure web-based verification system pursuant to Section 44-53-2190, as added by this act, within one year;

(7) promulgate regulations pursuant to Section 44-53-2350, as added by this act, after no later than one year; and

(8) begin accepting applications for licensure pursuant to Section 44-53-2390, as added by this act, no later than thirty days after the effective date of regulations promulgated pursuant to Section 44-53-2350.

(B) If the South Carolina Department of Health and Environmental Control fails to promulgate regulations to implement this act within two

years of the effective date of this act, then a qualifying patient may commence an action in the South Carolina Administrative Law Court to compel the South Carolina Department of Health and Environmental Control to perform the actions mandated by the provisions of this act.

(C) No later than thirty days after the effective date of this act, the South Carolina Board of Medical Examiners shall approve a three-hour continuing medical education course on cannabis products, pursuant to Section 44-53-2090, as added by this act.

(D) After the effective date of this act, the Board of Pharmacy shall:

(1) promulgate regulations pursuant to Section 44-53-2096, as added by this act, after no later than one year; and

(2) begin accepting applications for therapeutic cannabis pharmacies pursuant to Section 44-53-2096, as added by this act, no later than thirty days after the effective date of regulations promulgated pursuant to Section 44-53-2096.

SECTION 12. SECTIONS 4 through 11 shall be repealed by operation of law if a federal court, pursuant to a filing by the United States of America or one of its authorized executive agencies, issues a final order declaring that those SECTIONS have been preempted by the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, more commonly known as the "Controlled Substances Act."

SECTION 13. SECTIONS 4 through 11 shall be repealed on December 31, 2028.

SECTION 14. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of improving access to efficacious medications to enhance the lives of South Carolinians throughout the State.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 15. This act takes effect upon approval by the Governor, except SECTION 1, which takes effect upon the issuance of a written joint protocol pursuant to SECTION 1.B. /

Renumber sections to conform.

Amend title to conform.

Point of Order

Senator GARRETT raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator DAVIS spoke on the Point of Order.
Senator GARRETT spoke on the Point of Order.
Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Appeal of the Ruling by the PRESIDENT

Senator HUTTO appealed the Ruling by the PRESIDENT.

ACTING PRESIDENT PRESIDES

At 7:20 P.M., Senator SETZLER, assumed the Chair.

The question then was, "Shall the Ruling by the PRESIDENT be overridden?"

The ACTING PRESIDENT stated that Rule 7 provided for debate of fifteen minutes each for proponents and opponents.

Senator HUTTO spoke in favor of overriding the Ruling by the PRESIDENT.

Senator HUTTO withdrew the appeal of the ruling.

Remarks by Senator HUTTO

Members, I am going to speak briefly for the appeal and then I am going to ask to withdraw the appeal. I think we need to recognize, and with all due respect to the PRESIDENT, that the PRESIDENT can only make a germaneness ruling based on the Senate Rules under which we operate.

Because of our Senate Rules, we are hamstrung in our relationship with the House of Representatives. The only way this is going to change is when we next get an opportunity to consider changes to the Senate Rules.

We are presently talking about an amendment that is clearly related to the Bill. We have gotten so hyper-technical such that if the amendment

is not the same exact Code Section/Code Subsection, we cannot do anything.

Yet, we are sitting here watching the House of Representatives send us Bills containing large amounts of unrelated subject matter attached to legislation. We must bring some parody and equity between the way the two legislative bodies are operating.

If the House of Representatives is not going to enforce their Rules, and we, as the Senate, are going to over enforce our Rules, it puts us at an unfair disadvantage.

I am asking all of you to remember this incident. The Senate Rules are often discussed in October/November before we come back to session in January. We do not meet and discuss them, but you may be called about potential Rule changes. When that happens, I want you to think about this moment and about germaneness.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator HUTTO, were ordered printed in the Journal.

PRESIDENT PRESIDES

At 7:30 P.M., the PRESIDENT assumed the Chair.

Senator CROMER proposed the following amendment (628R010.SP.RWC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 5 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson

Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The amendment was adopted.

Senator CROMER proposed the following amendment (SA\ 628C001.JN.SA22), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

/ SECTION 6. A.Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-195. (A) For purposes of this section:

(1) 'Central fill' means the filling of a prescription drug order by one central fill pharmacy permitted by this State at the request of an originating pharmacy permitted by this State.

(2) 'Central fill pharmacy' means a permitted pharmacy facility that, upon the request of an originating pharmacy, fills a prescription drug order and returns the filled prescription to the originating pharmacy for delivery to the patient or patient's agent. A central fill pharmacy that returns filled prescriptions to an originating pharmacy must not be required to obtain a wholesaler/distributor permit.

(3) 'Originating pharmacy' means a pharmacy permitted by and located in this State that, upon receipt of a prescription drug order from a patient, requests a central fill pharmacy to fill the order and upon receipt of the filled prescription drug order, delivers the prescription to the patient or patient's agent.

(B)(1) An originating pharmacy permitted by this State may outsource a prescription drug order filling to a central fill pharmacy permitted by this State if the pharmacies:

(a) have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations;

(b) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order;

(c) ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed; and

(d) maintain the prescription information in a readily retrievable manner.

(2) The pharmacist-in-charge of a central fill pharmacy shall ensure that:

(a) the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. These shipping processes must include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and

(b) the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with.

(3) To the extent that a central fill pharmacy dispenses controlled substances, the central fill pharmacy must obtain a registration from the Department of Health and Environmental Control, Bureau of Drug Control. Controlled substance prescriptions filled by a central fill pharmacy must comply with both state and federal statutes and regulations.

(4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a prescription directly to a patient or an individual practitioner; or

(d) provide or dispense cannabis products not approved by the Federal Drug Administration.

(C)(1) An originating pharmacy that outsources prescription filling to a central fill pharmacy must, prior to outsourcing the prescription:

(a) notify patients that their prescription may be filled by another pharmacy; and

(b) provide the name of that pharmacy or notify the patient if the pharmacy is part of a network of pharmacies under common ownership and that any of the network pharmacies may fill the prescription.

(2) Patient notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.

(D)(1) A central fill pharmacy must provide written information regarding the prescription with the filled prescription and a toll-free phone number for patient questions. The following statement must be provided with the prescription before delivery to the patient:

'Written information about this prescription has been provided for you. Please read this information before you take the medication. If you have questions concerning this prescription, a pharmacist is available during normal business hours to answer these questions'.

(2) A pharmacist at the originating pharmacy shall offer the patient or the patient's agent information about the prescription drug or device in accordance with Section 40-43-86(L).

(3) This subsection does not apply to patients in facilities including, but not limited to, hospitals or nursing homes, where drugs are administered to patients by a person authorized to do so by law.

(E) The central fill pharmacy must:

(1) place on the prescription label:

(a) the name and address or name and pharmacy license number of the pharmacy filling the prescription;

(b) the name and address of the originating pharmacy which receives the filled prescription for delivery to the patient or the patient's agent; and

(c) in some manner indicate which pharmacy filled the prescription (e.g., 'Filled by ABC Pharmacy for XYZ Pharmacy'); and

(2) comply with all other labeling requirements of federal and state law including, but not limited to, Section 40-43-86.

(F) A central fill policy and procedure manual must be maintained at both pharmacies and must be available for inspection. The originating and central fill pharmacies are required to maintain only those portions

of the policy and procedure manual that relate to that pharmacy's operations. The manual must at minimum contain:

(1) An outline of the responsibilities of the central fill pharmacy and the originating pharmacy including, but not limited to:

(a) patient notification of central fill processing;

(b) confidentiality and integrity of patient information procedures;

(c) drug utilization review;

(d) record keeping and logs, including a list of the names, addresses, phone numbers, and license or registration numbers of the pharmacies, pharmacists, and pharmacy technicians at the central fill pharmacy and at the originating pharmacy;

(e) counseling responsibilities;

(f) procedures for return of prescriptions not delivered to a patient and procedures for invoicing medication transfers;

(g) policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;

(h) safe delivery of prescriptions to patients;

(i) processes to ensure stability and potency of medication;

(j) requirements for storage and shipment of prescription medication; and

(k) procedures for conducting an annual review of written policies and procedures and for documentation of this review.

(2) Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to this chapter and the Department of Health and Environmental Control, controlled substances laws and regulations.

(G)(1) Records may be maintained in an alternative data retention system including, but not limited to, a data processing system or direct imaging system, if:

(a) the records maintained in the alternative system contain all of the information required on the manual record; and

(b) the data processing system is capable of producing a hard copy of the record upon the request of the board, its representative, or other authorized local, state, or federal law enforcement or regulatory agency.

(2) Each pharmacy must maintain records in accordance with the provisions of Section 40-43-86 and must be able to produce records as requested by the board.

(3) The originating pharmacy records must include the date the request for filling was transmitted to the central fill pharmacy.

(4) The central fill pharmacy records must include:

(a) the date the filled prescription was mailed by the central fill pharmacy; and

(b) the name and address to which the filled prescription was shipped.

(H)(1) A central fill pharmacy must complete a central fill pharmacy permit application provided by the board, following the procedures as specified in Section 40-43-83, and also provide the following information:

(a) evidence that the applicant holds a pharmacy license, registration, or permit issued by the state in which the pharmacy is located;

(b) the name of the owner, permit holder, and pharmacist-in-charge of the pharmacy for service of process;

(c) evidence of the applicant's ability to provide to the board a record of a prescription drug order dispensed by the applicant to a resident of this State not later than seventy-two hours after the time the board requests the record;

(d) an affidavit by the pharmacist-in-charge which states that the pharmacist has read and understands the laws and regulations relating to a central fill pharmacy in this State; and

(e) pay the required fee as set by the board through regulation.

(2) A central fill pharmacy must comply with all provisions of this chapter.

(I) Nothing in this section may be construed to circumvent any requirement of Section 40-43-86 of the South Carolina Pharmacy Practice Act.

(J) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy."

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The amendment was adopted.

Senator SENN proposed the following amendment (JUD0628.005), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __.A. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, if the

proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance, commits the felony offense of fentanyl-induced homicide.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person."

B. Section 16-1-10(D) of the 1976 Code is amended by adding a new offense to read:

"16-3-80 Fentanyl-induced homicide"

C. Section 44-53-190(B) of the 1976 Code is amended by adding appropriately numbered new items at the end to read:

"__. Fentanyl related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

a. replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

c. substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

d. replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

e. replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta hydroxyfentanyl, Beta hydroxy 3 methylfentanyl, 3 Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta hydroxythiofentanyl, Lofentanil,

Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl.

__. Benzamidazole-compounds to include:

a. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: butonitazene);

b. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: etodesnitazene, etazene);

c. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: flunitazene);

d. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metodesnitazene);

e. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metonitazene);

f. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: N-pyrrolidino etonitazene, etonitazepyne);

g. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: protonitazene)."

D.The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights,

duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

E. This SECTION takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

WEDNESDAY, MAY 11, 2022

NONCONCURRENCE

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 40

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total—40

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

WEDNESDAY, MAY 11, 2022

CONCURRENCE

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

On motion of Senator HEMBREE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

WEDNESDAY, MAY 11, 2022

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring S. 1087 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

WEDNESDAY, MAY 11, 2022

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator SHEALY, the Senate agreed to waive the provisions of Rule 32A requiring S. 1025 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SHEALY explained the amendments.

On motion of Senator SHEALY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

WEDNESDAY, MAY 11, 2022

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE

ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION

TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 1103 -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: A BILL TO AMEND CHAPTER 3, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE SUPERINTENDENT OF EDUCATION, BY ADDING SECTION 59-3-35 TO PROVIDE FOR THE DISTRIBUTION OF CHILD IDENTIFICATION KITS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

NONCONCURRENCE

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL

RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

On motion of Senator SETZLER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

WEDNESDAY, MAY 11, 2022

Motion Adopted

On motion of Senator PEELER, the Senate agreed to waive the provisions of Rule 32A requiring S. 1270 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 1270 -- Senators Peeler, Fanning, Climer and M. Johnson: A BILL TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator PEELER explained the amendments.

On motion of Senator PEELER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE

GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator PEELER, the Senate agreed to waive the provisions of Rule 32A requiring H. 3346 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE

FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

On motion of Senator SETZLER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

CONCURRENCE

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CLIMER explained the amendments.

On motion of Senator CLIMER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

WEDNESDAY, MAY 11, 2022

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator CAMPSEN, the Senate agreed to waive the provisions of Rule 32A requiring H. 4986 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

H. 4986 -- Rep. Ott: A BILL TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

WEDNESDAY, MAY 11, 2022

NONCONCURRENCE

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator PEELER explained the amendments.

On motion of Senator PEELER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME, RETURNED TO THE HOUSE

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH

CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

RECESS

At 8:53 P.M., on motion of Senator MASSEY, with Senator HUTTO retaining the floor, the Senate receded from business for 5 minutes.

At 9:03 P.M., the Senate resumed.

On motion of Senator MASSEY, with unanimous consent, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Recorded Vote

Senator GUSTAFSON desired to be recorded as abstaining on the third reading of the Bill.

READ THE SECOND TIME

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

WEDNESDAY, MAY 11, 2022

Motion Adopted

Senator MASSEY asked unanimous consent, with Senator HUTTO retaining the floor, to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading, and no cloture motion will be made on the Bill.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Banking and Insurance Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2021, and to expire June 30, 2025 licensed consumer finance business restricted lender or supervised lender recommended by the Independent Consumer Finance Association:

James Daniel Walters, 301 Portabello Way, Simpsonville, SC 29681

On motion of Senator CROMER, the question was confirmation of James Daniel Walters.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of James Daniel Walters was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Juvenile Justice, with term coterminous with Governor

Director:

Laurel Eden Harvey Hendrick, 6331 Westshore Road, Columbia, SC 29206-2122 *VICE* Freddie B. Pough

On motion of Senator MARTIN, the question was confirmation of Laurel Eden Harvey Hendrick.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Martin
Massey	Matthews	Peeler

Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Goldfinch	Malloy	McElveen
Senn		

Total--4

The appointment of Laurel Eden Harvey Hendrick was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2022, and to expire August 1, 2025

At-Large, Governor:

Randall S. Page, Chief of Staff, Bob Jones University, 1700 Wade Hampton Boulevard, Greenville, SC 29614-0001

On motion of Senator HEMBREE, the question was confirmation of Randall S. Page.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson

Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Randall S. Page was confirmed.

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2020, and to expire April 1, 2025

At-Large:

Robert W. Bagley, 3110 Moffitt Creek Road, Blackstock, SC 29014-8606 *VICE* Jerry Michael Griffin, resigned

On motion of Senator HEMBREE, the question was confirmation of Robert W. Bagley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen

Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Robert W. Bagley was confirmed.

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2020, and to expire July 1, 2023

SC Association of Public School Administrators:

Billy R. Strickland, 202 Sweetgum Street, Laurens, SC 29360-3753 *VICE* Dr. V. Keith Callicutt

On motion of Senator HEMBREE, the question was confirmation of Billy R. Strickland.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Billy R. Strickland was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2021, and to expire June 30, 2025
6th Congressional District:
Andrea B. McCoy, 334 Teague Park Court, Columbia, SC 29209

On motion of Senator SHEALY, the question was confirmation of Andrea B. McCoy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Andrea B. McCoy was confirmed.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2020, and to expire June 30, 2024

3rd Congressional District:

George E. Jones, Jr., P. O. Box 2205, Greenwood, SC 29646-0205 *VICE* Daniel R. Bracken, Jr

On motion of Senator SHEALY, the question was confirmation of George E. Jones, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of George E. Jones, Jr. was confirmed.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 19, 2026
6th Congressional District:
Peter A. Smith, 120 Dunnemann Ave., Charleston, SC 29403-3529

On motion of Senator SHEALY, the question was confirmation of Peter A. Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Peter A. Smith was confirmed.

Reappointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

Veterans Service Organizations:

Jimmy E. Hawk, P. O. Box 349, Irmo, SC 29063-0349

On motion of Senator SHEALY, the question was confirmation of Jimmy E. Hawk.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Jimmy E. Hawk was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

4th Congressional District:

Stephen E. Hall, 6 Lotus Court, Greenville, SC 29609 *VICE* Vacant

On motion of Senator RANKIN, the question was confirmation of Stephen E. Hall.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Stephen E. Hall was confirmed.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

2nd Congressional District:

Kimberly P. Snipes, 8 Forest Walk Court, Irmo, SC 29063-9308 *VICE* Vacant

On motion of Senator RANKIN, the question was confirmation of Kimberly P. Snipes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Kimberly P. Snipes was confirmed.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2021, and to expire June 30, 2025

1st Congressional District:

Calvin Whitfield, 3436 Rivers Ave., Suite 2A, North Charleston, SC 29405-7743 *VICE* Kenneth E. Battle

On motion of Senator RANKIN, the question was confirmation of Calvin Whitfield.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Calvin Whitfield was confirmed.

Reappointment, State Inspector General, with the term to commence May 10, 2021, and to expire May 10, 2025

Brian D. Lamkin, 308 Old Course Loop, Blythewood, SC 29016

On motion of Senator RANKIN, the question was confirmation of Brian D. Lamkin.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Brian D. Lamkin was confirmed.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Cynthia C. Dooley, 1522 Counts Ferry Road, Lexington, SC 29072-8376 *VICE* Susan S. Barden

On motion of Senator RANKIN, the question was confirmation of Cynthia C. Dooley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Scott	Senn
Shealy	Talley	Turner
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Johnson, Michael	Malloy	Matthews
McElveen	Rankin	Sabb
Setzler	Young	

Total--11

The appointment of Cynthia C. Dooley was confirmed.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

1st Congressional District:

Mary M. Amonitti, 45 Queens Folly Road, Apartment 651, Hilton Head Island, SC 29928-5189 *VICE* Chery F. C. Ludlam

On motion of Senator RANKIN, the question was confirmation of Mary M. Amonitti.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Mary M. Amonitti was confirmed.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Melody L. James, 152 Golden Pond Drive, Lexington, SC 29073

On motion of Senator RANKIN, the question was confirmation of Melody L. James.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

Corbin	Cromer	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Scott	Senn
Shealy	Talley	Turner
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Johnson, Michael	Malloy	Matthews
McElveen	Rankin	Sabb
Setzler	Young	

Total--11

The appointment of Melody L. James was confirmed.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304 *VICE* Vacant

On motion of Senator RANKIN, the question was confirmation of Sharon L. Sellers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Sharon L. Sellers was confirmed.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2024

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Scott	Senn

Shealy	Talley	Turner
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Johnson, Michael	Malloy	Matthews
McElveen	Rankin	Sabb
Setzler	Young	

Total--11

The appointment of Thomas Scott Beck was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2021, and to expire August 15, 2025

At-Large:

Karl A. Haslinger, 330 Woods Point Road, Gilbert, SC 29054-9471 *VICE* Mary L. Siek

On motion of Senator DAVIS, the question was confirmation of Karl A. Haslinger.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch

Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Davis	Garrett

Total--2

The appointment of Karl A. Haslinger was confirmed.

Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large/Chairman:

C. Todd Latiff, 101 Wyntuck Court, Clemson, SC 29631-1987

On motion of Senator DAVIS, the question was confirmation of C. Todd Latiff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Harpootlian	Hembree

Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Davis	Garrett

Total—2

The appointment of C. Todd Latiff was confirmed.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269 *VICE* Pamela W. Shealy

On motion of Senator DAVIS, the question was confirmation of Benson Garrick Messer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Benson Garrick Messer was confirmed.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024
4th Congressional District:
Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

On motion of Senator DAVIS, the question was confirmation of Hal J. Dillard.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Hal J. Dillard was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Paul H. Kennemore III, 200 Regents Gate Court, Simpsonville, SC 29681-3612

On motion of Senator DAVIS, the question was confirmation of Paul H. Kennemore III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Paul H. Kennemore III was confirmed.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

On motion of Senator DAVIS, the question was confirmation of Bryan H. Dowd.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Bryan H. Dowd was confirmed.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

James G. Fleshman II, 516 Windsong Point, Columbia, SC 29212 *VICE* Mr. Kenneth F. Ormand, Jr.

On motion of Senator DAVIS, the question was confirmation of James G. Fleshman II.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Davis	Garrett

Total--2

The appointment of James G. Fleshman II was confirmed.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368 *VICE* James William Phillips III

On motion of Senator DAVIS, the question was confirmation of Jon F. Lucas.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Jon F. Lucas was confirmed.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

Alisa Gale Mosley, 2120 Redland Road, Campobello, SC 29322-9216
VICE Sue Ann Shannon

On motion of Senator DAVIS, the question was confirmation of Alisa Gale Mosley.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Davis	Garrett

Total--2

The appointment of Alisa Gale Mosley was confirmed.

WEDNESDAY, MAY 11, 2022

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2022, and to expire June 30, 2028

3rd Congressional District:

Laney S. Spigener III, 2546 Dials Church Road, Gray Court, SC 29645-4844 *VICE* Robert C. Hubbard III

On motion of Senator VERDIN, the question was confirmation of Laney S. Spigener III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Laney S. Spigener III was confirmed.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

4th Congressional District:

Bobby H. Mann, Jr., 140 Hammond Drive, Taylors, SC 29687-6923

On motion of Senator VERDIN, the question was confirmation of Bobby H. Mann, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Bobby H. Mann, Jr. was confirmed.

Reappointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District:

Jonela D. Davis, 2643 Henagan Lane, Myrtle Beach, SC 29588-5441

On motion of Senator VERDIN, the question was confirmation of Jonela D. Davis.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 0; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Total--0

ABSTAIN

Allen	Davis	Garrett
Malloy	Matthews	Sabb
Senn	Young	

Total--8

The appointment of Jonela D. Davis was confirmed.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2020, and to expire June 9, 2023

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, # 29650, Greer, SC 29650-3422 *VICE* Timothy Slice

On motion of Senator VERDIN, the question was confirmation of Edward G. Burton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Edward G. Burton was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Dietician, Clinical:

Robert Duffell-Hoffman, 501 Gillsbrook Rd., Lancaster, SC 29720-1915 *VICE* Kay MacInnis

On motion of Senator VERDIN, the question was confirmation of Robert Duffell-Hoffman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Robert Duffell-Hoffman was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Piedmont Region: organ and tissue recipients, family of recipients, and families of donors:

Curtis A. Nelson, 302 Scotch Rose Lane, Greer, SC 29650-5267 *VICE* Richard M. "Marc" Jordan, Sr.

On motion of Senator VERDIN, the question was confirmation of Curtis A. Nelson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Curtis A. Nelson was confirmed.

H. 5288--Ordered to a Second and Third Reading

On motion of Senator McELVEEN, with unanimous consent, H. 5288 was ordered to receive a second and third reading on the next two consecutive legislative days.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Frances Murray Pasley of Sumter, S.C. Frances lived an amazing one hundred two years and was loved and cherished by everyone who knew her. Frances was a loving aunt and friend who will never be forgotten.

and

MOTION ADOPTED

On motion of Senators CROMER and ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas Harman of Lexington, S.C. Tommy was a graduate of Clemson University. He was employed by Lexington State Bank from 1973-1995 and later became president and CEO of Lexington Chamber of Commerce and then head of Pond Branch Telephone Company until his retirement in 2015. Tommy tirelessly served his family, community and church. He was a member of Lexington Baptist Church for 50 years. Tommy served as charter president of the Lexington Sertoma Club, served on the Board of Directors for the Batesburg-Leesville and Lexington Chambers of Commerce. He received the Order of the Silver Crescent in 2015. Tommy loved traveling, coaching baseball and basketball and spending time with family. Tommy was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 9:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 12, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 2:2

As we read in Genesis: "And on the seventh day God finished the work that he had done, and he rested. . . "

Pray with me, if you will: As we are keenly aware, O God, this indeed is the last day of the Second Session of the 124th General Assembly here in South Carolina. And yes, a great deal has been enacted up to this point, and we are by and large grateful for the actions this Body has completed. Yet, as everyone knows, there is more to be done: committees that have to meet, measures that require debate, votes that have to be taken on the floor. But Lord, grant these Senators and their aides at least a bit of rest before they have to return to their work. Let them catch their breath. And when they do return, may they choose to wrap things up in positive fashion -- all for the benefit of the good citizens of our State. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley

Turner Verdin Williams
Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Charleston County Master-in-Equity, with the term to commence December 24, 2022, and to expire December 24, 2028

Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401

Reappointment, Clarendon County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

Joseph K. Coffey, P. O. Box 1292, Manning, SC 29102

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jacquelyn I. Duckett, 204 Hawthorne Dr., Simpsonville, SC 29680-6120

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Seldon T. Peden, 100 Georgianna Lane, Greenville, SC 29605-3337

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gwen Camfield, 113 Kinard Lane, Hampton, SC 29924-0132

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927-1125

THURSDAY, MAY 12, 2022

Doctor of the Day

Senator SCOTT introduced Dr. Scott Weitzel of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:39 A.M., Senator McLEOD was granted a leave until 12:15 P.M.

Leave of Absence

On motion of Senator FANNING, at 11:39 A.M., Senator KIMPSON was granted a leave of absence for today.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

Good morning. I would love to have everyone's attention, thank you so much. This last day of session, I feel compelled to be up here. I am a fervent leader of my district and feel like what I am going to say is very necessary. As many of you know, the South Carolina General Assembly recently completed a redistricting plan that would shift district lines to create a more representative and localized government for the citizens of South Carolina. However, a judicial settlement last week has actually stripped Kershaw County of exactly what that redistricting plan set out to correct. Because of that plan and the settlement, House District 52 will be diluted, redistributed and malformed in such a way that makes local representation in South Carolina in the House of Representatives virtually obsolete.

It is not an exaggeration to call this settlement a tragedy. Now, while we in Kershaw Country are represented by legislators who live among our citizens, this redistricting will put the fate of our county into the hands of Richland County -- centric elected officials and strip us of much needed local representation. South Carolina's NAACP filed suit efforts approved by an overwhelming majority of General Assembly were attempting gerrymandering the districts. It would be unequivocal to say this did not happen in Kershaw County. Voting districts were required to shift according to changes in population as supported by the 2020 Census. There was no foul play in Kershaw County. I was shocked to learn who did not know about this settlement -- Sammy Tucker, our county council member and former county chair for the NAACP did not know about it. The current republican challenger for District 52, Ben

Khan, did not know about the settlement either. Mr. Kahn put it best by saying, "Kershaw County has been brutalized by the settlement."

Therefore, who is leading the fight now that this unfortunate new has become known? Well, right now Julie Burns, our county council chair, the rest of council, Camden City Council, the Mayor and many leaders and constituents are making clear this injustice is unacceptable. Our collective voice is rightfully asking for the rejection of this settlement plan as it pertains to Kershaw County. It has been and will always be my mission to serve effectively and humbly the good people of Kershaw County. I love being their Senator. Therefore, I just cannot see sitting by watching this happen without having a voice, even though this is not my battle to fight. I am taking every measure possible to ensure our pristine county is protected. I will always champion the most basic principle of local representation and government.

In closing, there are times when it is proper and appropriate to pick your battles. Therefore, on the behalf of the 66,000 people of Kershaw County, I very respectfully implore our Governor and any other voting body or entity to revisit this settlement plan and reconsider its very long-lasting effects for Kershaw County.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GUSTAFSON were ordered printed in the Journal.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 133 Sen. Alexander

RECALLED AND ADOPTED

H. 4572 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION RECOGNIZE THE HONORABLE DOLPHUS "D.C." CARTER, JR., RETIRED EDUCATOR AND MUNICIPAL JUDGE, FOR A LIFETIME OF OUTSTANDING AND MEANINGFUL ACHIEVEMENTS, AND VALUABLE SERVICE AND COMMITMENT TO THE PEOPLE OF DILLON COUNTY, BY NAMING THE PORTION OF EAST DARGAN STREET IN THE CITY OF DILLON, FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 57 "JUDGE DOLPHUS 'D.C.' CARTER, JR. WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS

ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator WILLIAMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator WILLIAMS, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 4750 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STACKHOUSE ROAD BETWEEN HAYMOUNT ROAD AND BURKE ROAD IN DILLON COUNTY "HUBERT GRICE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator WILLIAMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator WILLIAMS, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 5211 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE SALUDA RIVER ALONG

HOLLYWOOD SCHOOL ROAD IN SALUDA COUNTY "HARMON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1331 -- Senator Hembree: A SENATE RESOLUTION TO DECLARE SUNDAY, MAY 8, THROUGH SATURDAY, MAY 14, 2022, AS CHARTER SCHOOLS WEEK IN THE PALMETTO STATE AND TO ACKNOWLEDGE THE IMPORTANCE OF EDUCATING THE CHILDREN OF SOUTH CAROLINA IN INNOVATIVE CLASSROOMS AND SCHOOLS.
l:\council\bills\lk\9259hb22.docx

The Senate Resolution was adopted.

S. 1332 -- Senator Climer: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF PRIVATE FIRST CLASS MARSHALL WHITESIDES, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR AND RECOGNIZE HIM FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES ARMY.
l:\s-res\wc\030mars.kmm.wc.docx

The Senate Resolution was adopted.

S. 1333 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARY B. WHITE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
l:\s-res\ras\010mary.kmm.ras.docx
The Senate Resolution was adopted.

S. 1334 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE ROBERT C. HUBBARD III UPON THE OCCASION OF HIS RETIREMENT AS CHAIRMAN OF THE BOARD OF PHARMACY, TO COMMEND HIM FOR HIS YEARS OF DEDICATED SERVICE TO THE BOARD, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
l:\s-res\rwc\021rob.kmm.rwc.docx
The Senate Resolution was adopted.

S. 1335 -- Senator Cash: A BILL TO ENACT THE PERSONHOOD ACT OF SOUTH CAROLINA; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO CRIMES AND OFFENSES AGAINST THE PERSON, BY ADDING TO ARTICLE 1 THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING IS INHERENT AND UNALIENABLE BEGINNING AT FERTILIZATION, AND TO DEFINE “PERSON”, “HUMAN”, AND “HUMAN BEING”, AND TO AFFIRM THAT NO PERSON SHALL BE DEPRIVED OF LIFE WITHOUT DUE PROCESS OF LAW NOR DENIED THE EQUAL PROTECTION OF THE LAWS, RIGHTS GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE; AND FOR OTHER PURPOSES.
l:\s-res\rjc\017pers.kmm.rjc.docx
Read the first time and referred to the Committee on Judiciary.

S. 1336 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE JOHNNY M. GARDNER, JR. ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
l:\s-res\ras\011john.kmm.ras.docx
The Senate Resolution was adopted.

S. 1337 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REV. THOMAS LEROY SCOTT AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
l:\s-res\ras\012thom.kmm.ras.docx
The Senate Resolution was adopted.

H. 5278 -- Rep. G. M. Smith: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2022-2023 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.
Read the first time and referred to the Committee on Finance.

Appointment Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointment

Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2022, and to expire June 30, 2025
6th Congressional District:
Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

Received as information.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:
The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Charleston County Master-in-Equity, with term to commence December 24, 2022, and to expire December 24, 2028:
The Honorable Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401
Very respectfully,
Speaker of the House
Received as information.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Clarendon County Master-in-Equity, with term to commence June 30, 2022, and to expire June 30, 2028:

The Honorable Joseph K. Coffey, P.O. Box 1292, Manning, SC 29102

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that a message having been received from the Senate that it had receded from its amendments, it was ordered that the title of the Bill be changed to that of an Act and that the Act be enrolled for Ratification:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 108 -- Senators Campsen, Senn and Scott: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS

AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.
and has ordered the Joint Resolution enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER

WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE

VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3775 -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO

SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE

COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4220 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND

TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN

CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

H. 5288 -- Reps. Weeks and G.M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5288 -- Reps. Weeks and G.M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS

TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House
Received as information.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 "REVEREND JESSE L. JACKSON, SR. STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY "JOSEPH LEE JACKSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

asks for a Committee of Conference, and has appointed Reps. Wooten, Hardee and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 908--CONFERENCE COMMITTEE APPOINTED

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Whereupon, Senators RANKIN, GROOMS and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Very respectfully,

Speaker of the House

Received as information.

S. 968--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

On motion of Senator SHEALY, the Senate insisted upon its amendments to S. 968 and asked for a Committee of Conference.

Whereupon, Senators SHEALY, YOUNG and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

S. 968--FREE CONFERENCE POWERS GRANTED FREE CONFERENCE COMMITTEE APPOINTED REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

On motion of Senator McELVEEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

S. 968--Free Conference Powers Granted Free Conference Committee Appointed

Senator McELVEEN asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

Free Conference Powers were granted.

Whereupon, Senators SHEALY, YOUNG and McELVEEN were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

On motion of Senator McELVEEN, the Report of the Committee of Free Conference to S. 968 was adopted as follows:

S. 968--REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

On motion of Senator McELVEEN with unanimous consent, the Report of the Committee of Free Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

S. 968--Free Conference Report

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH

CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 11, Title 25 of the 1976 Code is amended by adding:

"Section 25-11-85. (A)(1) There is established and created in the State Treasury a fund separate and distinct from the general fund of the State and all other funds entitled the 'Veterans Service Organization Burial Honor Guard Support Fund'. The fund's exclusive purpose is to help offset the costs paid by South Carolina chapters of congressionally chartered veterans service organizations that provide well-equipped and properly trained honor guard burial details at the funerals of qualifying South Carolina veterans.

(2) Revenues of the fund may include gifts, grants, federal funds, or donations made to the fund, regardless of source, and amounts as may be appropriated to the fund by the General Assembly. Money deposited in the fund must be disbursed by the State Treasurer upon the warrant of the Secretary of the Department of Veterans' Affairs or his representative. Earnings on this fund must be credited to it, and a balance in the fund at the end of a fiscal year does not lapse to the general fund of the State, but is instead carried forward in the fund to the succeeding fiscal year to be used for the same purposes. The fund is not subject to midyear budget reductions, and disbursements awarded may not at any time exceed the fund balance at the time of the grant.

(B) Upon request by a South Carolina chapter of a congressionally chartered veterans service organization that provided an honor guard burial detail at the funeral of a qualifying South Carolina veteran, the Secretary of the Department of Veterans' Affairs or his representative may authorize a disbursement from the fund, in an amount not less than fifty dollars, but not exceeding the per funeral cap established annually by the secretary, for the purposes described in this section. Pursuant to his authority provided for in Section 25-11-20(D), the Secretary of the Department of Veterans' Affairs may promulgate regulations necessary to implement the provisions of this section.

(C) As used in this section:

(1) 'Veteran' means a person who has:

(a) served on active duty in the uniformed military services of the United States;

(b) served on active duty in the National Guard or any organized state militia; or

(c) served in the reserve components of the uniformed military services of the United States on active duty; and

(d) was released from this service other than by dishonorable discharge.

(2) 'Veterans service organization' means an association, corporation, or other entity that qualifies under Internal Revenue Code Section 501(c)(3) or Section 501(c)(19) as a tax exempt organization, a federally chartered veterans service corporation, or a veterans' affairs office or agency established by state law. This term also includes a member or employee of any such entity."

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. J. Thomas McElveen III	/s/Rep. Richard L. Yow
/s/Sen. Katrina F. Shealy	/s/Rep. Sandy N. McGarry
/s/Sen. Tom Young, Jr.	/s/Rep. Krystle N. Matthews
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

asks for a Committee of Conference, and has appointed Reps. B. Newton, Jordan and Bernstein to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 1025--CONFERENCE COMMITTEE APPOINTED

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Whereupon, Senators DAVIS, SHEALY and MATTHEWS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

S. 1025--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

S. 1025--Conference Report

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-63-80 of the 1976 Code is amended to read:

"Section 44-63-80. (A) Except as otherwise provided, certified copies of the original birth certificate or any new or amendatory certificate, exclusive of that portion containing confidential information, must be issued only by the state registrar and only to the registrant, if of legal age, his parent or guardian, or other legal representative, and upon request to the Department of Social Services or its designee for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation. The registrar shall include a copy of the pamphlet 'South Carolina Family Respect', as provided in Section 20-1-720, when it mails or sends the certified copy of the birth certificate. However, the certified copy of the birth certificate may not disclose the name of the father in any illegitimate birth unless the name of the father is entered on the certificate pursuant to Section 44-63-163 or Section 44-63-165. ~~The short form certificate or birth card may be furnished only to the registrant, his parent or guardian, or other legal representative by the state or county registrar.~~

(B) For purposes of this section and obtaining a birth certificate, the term 'other legal representative' shall include:

(1) a person or agency that has current legal custody of a registrant by any currently-effective order of a court of competent jurisdiction, including a temporary order;

(2) the Department of Social Services for any individual or registrant in foster care or its legal custody;

(3) a caregiver, including a kinship caregiver, providing care to a child pursuant to any currently-effective order of a court of competent jurisdiction, including a temporary order;

(4) an attorney representing the registrant or, if the parent is listed on the registrant's birth certificate, the registrant's parent;

(5) subject to the Department's verification process, on behalf of a homeless child or youth served by them:

(a) a director or designee of a South Carolina governmental agency or a nonprofit organization registered with the South Carolina Secretary of State's Office that receives public or private funding to provide services to the homeless, and

(b) a South Carolina school district's McKinney-Vento liaison for homeless children or youth.

(C) The Department of Social Services may obtain a birth certificate by requesting the certificate in writing pursuant to the terms of a written agreement that shall be entered into between the Department of Health and Environmental Control and the Department of Social Services, and no copies of court orders or other third-party records shall be required when the Department of Social Services requests a birth certificate pursuant to the written agreement.

(D) When one hundred years have elapsed after the date of birth, these records must be made available in photographic or other suitable format for public viewing."

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to read:

/TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, SO AS TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES. /

/s/Sen. Tom Davis	/s/Rep. Beth E. Bernstein
/s/Sen. Katrina Frye Shealy	/s/Rep. Wallace H. "Jay" Jordan,Jr.
/s/Sen. Margie Bright Matthews	/s/Rep. Brandon Michael Newton
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

S. 1025--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

asks for a Committee of Conference, and has appointed Reps. Simrill, G.M. Smith and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 1087--CONFERENCE COMMITTEE APPOINTED

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO

REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST

USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 1106--CONFERENCE COMMITTEE APPOINTED

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning,

Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE. asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3346--CONFERENCE COMMITTEE APPOINTED

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE

LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

H. 3588--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS

OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

On motion of Senator MASSEY, the Senate insisted upon its amendments to H. 3588 and asked for a Committee of Conference.

Whereupon, Senators MASSEY, SCOTT and TALLEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Simrill, G.M. Smith and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 5150--CONFERENCE COMMITTEE APPOINTED

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

asks for a Committee of Conference, and has appointed Reps. Willis, Jordan and Wheeler to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 17--CONFERENCE COMMITTEE APPOINTED

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

Whereupon, Senators TALLEY, CLIMER and SABB were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES

CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 133 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--26

NAYS

Allen	Fanning	Hutto
Johnson, Kevin	Malloy	Matthews

McElveen	McLeod	Sabb
Scott	Setzler	Stephens
Williams		

Total--13

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY. asks for a Committee of Conference, and has appointed Reps. Taylor, Elliott and Wheeler to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 133--CONFERENCE COMMITTEE APPOINTED

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF

OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Whereupon, Senators RICE, CAMPSEN and SABB were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THURSDAY, MAY 12, 2022

CONCURRENCE

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 202 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Fanning	Matthews	McLeod

Total--3

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

asks for a Committee of Conference, and has appointed Reps. Bernstein, Caskey and Collins to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 202--CONFERENCE COMMITTEE APPOINTED

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Whereupon, Senators HEMBREE, YOUNG and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Very respectfully,
Speaker of the House

Received as information.

S. 233--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

On motion of Senator VERDIN, the Senate insisted upon its amendments to S. 233 and asked for a Committee of Conference.

Whereupon, Senators VERDIN, DAVIS and WILLIAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Crawford, Hewitt and Weeks to the Committee of Conference on the part of the House on:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator YOUNG, the Senate agreed to waive the provisions of Rule 32A requiring S. 236 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING

PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

On motion of Senator YOUNG, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY

NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator CAMPSEN the Senate agreed to waive the provisions of Rule 32A requiring H. 3055 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Fanning	Malloy	Matthews
McLeod	Sabb	Stephens

Total--6

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION

50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED

WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

asks for a Committee of Conference, and has appointed Reps. Hixon, Forrest and Alexander to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3055--CONFERENCE COMMITTEE APPOINTED

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT

AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Whereupon, Senators CAMPSEN, CLIMER and STEPHENS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION

ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

On motion of Senator YOUNG, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION

ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

asks for a Committee of Conference, and has appointed Reps. Bernstein, Collins and Davis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 243--CONFERENCE COMMITTEE APPOINTED

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Whereupon, Senators YOUNG, SHEALY and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE

NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.
Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring S. 901 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Fanning	Matthews	McLeod
Sabb		

Total--4

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

THURSDAY, MAY 12, 2022

NONCONCURRENCE

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

On motion of Senator VERDIN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

asks for a Committee of Conference, and has appointed Reps. Crawford, Hewitt and Weeks to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 901--CONFERENCE COMMITTEE APPOINTED

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Whereupon, Senators VERDIN, DAVIS and WILLIAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator FANNING proposed the following amendment (WAB\935C054.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by adding an appropriately lettered subsection to read:

/ ( ) The State Treasurer shall not transfer funds into the Education Scholarship Account Fund during any fiscal year in which the General Assembly fails to fully fund the base student cost as calculated by the Office of Revenue and Fiscal Affairs pursuant to the Education Finance Act of 1977. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Fanning	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	McLeod	Sabb
Stephens		

Total--10

The amendment was laid on the table.

Senator STEPHENS proposed the following amendment (SA\935C001.JN.SA22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by adding a new section to read:

/ Section 59-8-210. An education service provider may not raise tuition more than three percent annually." /

Renumber sections to conform.

Amend title to conform.

Senator STEPHENS explained the amendment.

The question then was the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 14

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--29

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Williams	

Total--14

The amendment was laid on the table.

Motion Under Rule 15A Adopted

At 12:40 P.M., Senator MASSEY moved to waive the time periods required under the provisions of Rule 15A.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
Martin	Matthews	McElveen
McLeod	Rankin	Sabb
Setzler	Stephens	Williams

Total--15

The motion was adopted.

Motion Adopted

Senator MASSEY moved under the provisions of Rule 15A that no further amendments be allowed on the desk other than one amendment each by the Majority Leader and the Minority Leader, as provided for in Rule 15A; that no Senator be the primary sponsor of more than one amendment for consideration, if the amendment was on the desk prior to the adoption of this motion; that the primary sponsor be allowed up to

three minutes to explain each amendment; and upon consideration of all the amendments, the proponents and opponents be allowed up to three minutes for and three minutes against the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Reichenbach	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Martin	Matthews
McElveen	McLeod	Sabb
Setzler	Stephens	Williams

Total--15

The motion was adopted.

Senator HUTTO proposed the following amendment (SA\935C010.JN.SA22), which was not adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(A)(1) and inserting:

/ (1) ‘Cost of attendance’ means the published tuition, fees, textbooks, meals, and fees for transportation paid to a fee-for-service transportation provider as approved by the Education Oversight Committee for the student to travel to and from an eligible school as defined in this section, but not to exceed seven hundred and fifty dollars for each school year, but does not include tutoring. /

Renumber sections to conform.
Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 15; Nays 29

AYES

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--29

The amendment was not adopted.

Senator HUTTO proposed the following amendment (SA\935C011.JN.SA22), which was not adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(A)(4) and inserting:

/ (4) 'Independent school' means a school, other than a public school at which the compulsory attendance requirements of Section 59-65-10 may be met and:

(a) offers a general education to elementary students;

(b) does not discriminate in the admissions process on the basis of race, color, sex, religion, or national origin with the exception that schools serving a single sex may participate provided they meet all other requirements;

(c) not withstanding any exemptions to which they may be entitled, comply with all federal and state anti-discrimination laws including, but not limited to:

(1) Titles VI and VII of the Civil Rights Act of 1964,

(2) the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and

(3) Title IX of the Education Amendments of 1972;

(d) is located in this State;

(e) has an educational curriculum that includes courses set forth in the state's diploma requirements, and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(f) has school facilities that are subject to applicable federal, state, and local laws; and

(g) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, or Palmetto Association of Independent Schools. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

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The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 14; Nays 27

AYES

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod

Rankin	Sabb	Scott
Stephens	Williams	

Total--14

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Talley
Turner	Verdin	Young

Total--27

The amendment was not adopted.

Point of Order

Senator HARPOOTLIAN raised a Point of Order under Rule 24A that the Bill was out of order.

Senator FANNING spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Motion Adopted

On motion of Senator BENNETT, with unanimous consent, Senators BENNETT, CLIMER and MATTHEWS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senators FANNING and MARTIN proposed the following amendment (935MF.RFH.1), which was not adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting the following:

/ SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3791. (A) As used in this section:

(1) 'Eligible School' means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state's diploma requirements;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools, the American Montessori Society, the International Montessori Council, or the National Association of Private Schools or alternatively accredited by Cognia or the National Council for Private School Accreditation.

(2) 'Exceptional needs child' means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed as either permanently or within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) 'Disadvantaged child' means a child who is eligible for the federal free or reduced lunch program and whose family meets the qualifications for federal Medicaid benefits.

(4) 'PACE Scholarship child' means a child who is a South Carolina resident who, immediately before receiving a scholarship or tuition grant under this section and enrolling in an eligible school or program, was enrolled in a South Carolina secondary or primary public school or who is eligible to enroll in a qualified first grade, kindergarten, or prekindergarten program; provided, however, that if a student is considered to be an eligible student pursuant to this item, he shall continue to qualify as such until he graduates, reaches the age of twenty, or returns to a public school, whichever occurs first; and provided, further, that the enrollment requirement must be waived in the case of a student who, based on the school attendance zone of his primary residence, is or would be assigned to a public school that the South Carolina Department of Education determines to be a low-performing priority school, or who is the subject of an officially documented case of school-based physical or psychological violence or student-related verbal abuse threatening physical harm immediately before receiving a scholarship or tuition grant under this section.

(5) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the tax code;

(b) allocates at least ninety-five percent of its annual contributions received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this section and grants for home school curriculum fees, and incurs administrative expenses annually of not more than five percent of its annual contributions for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs, disadvantaged, PACE Scholarship children, or for home school curriculum fees;

(d) does not provide grants only for the benefit of one school, and if the Treasurer determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser, or member of its governing board, any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain; and

(h) does not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

(6) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(7) 'Person' means an individual, partnership, corporation, or other similar entity.

(8) 'Qualifying student' means a student who is either (i) an exceptional needs child, (ii) a disadvantaged child, or (iii) a PACE Scholarship child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the prekindergarten or later-year level for the applicable school year.

(9) 'Resident public school district' means the public school district in which a student resides.

(10) 'Transportation' means transportation to and from school only.

(11) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an eligible school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(12) 'School year' means July first through June thirtieth each year.

(13) 'Home school' means a home, residence, or location where a parent or legal guardian teaches one or more children as authorized pursuant to Section 59-65-40, 59-65-45, or 59-65-47.

(14) 'Home school child' means any child attending an eligible home school.

(15) 'Treasurer' means the Office of the State Treasurer.

(16) 'Home school curriculum fees' means the total amount of money charged for instruction-related expenditures of a home school child to attend an eligible home school including, but not limited to, curriculum packages, textbooks, digital education, and testing materials.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to disadvantaged children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(3) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to PACE Scholarship children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(4) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for home school curriculum fees to home school children attending a home school who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or home school as the beneficiary of the contribution.

(C)(1) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding eleven thousand dollars or the total cost of tuition, whichever is less, for qualifying students who are either (i) exceptional needs or (ii) disadvantaged at an eligible school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the

qualifying student is an exceptional needs or disadvantaged child. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(2) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding the average state expenditures for each student in fall enrollment in public elementary and secondary education for this State or the total cost of tuition, whichever is less, for qualifying students who are PACE Scholarship children at an eligible school. The Treasurer shall determine and publish such amount annually, no later than January first. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(3) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding one thousand dollars or the total cost of home school curriculum fees, whichever is less, for a qualifying home school child attending a home school. Before awarding any grant, a scholarship funding organization shall receive written documentation from the parent documenting that the student is a home school child. A scholarship funding organization may reimburse a parent directly for expenditures actually paid for home school curriculum fees, or pay vendors directly for home school curriculum fees on behalf of the home school child.

(D)(1)(a) The tax credits authorized by subsection (B)(1) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions made on behalf of exceptional needs students.

(b) The tax credits authorized pursuant to subsection (B)(2) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions on behalf of disadvantaged children.

(c) The tax credits authorized pursuant to subsection (B)(3) may not exceed cumulatively a total of forty million dollars each calendar year for contributions on behalf of PACE Scholarship children.

(d) The tax credits authorized pursuant to subsection (B)(4) may not exceed cumulatively a total of ten million dollars each calendar year for contributions on behalf of home school children.

(e) If the department determines that the total of the credits claimed in this subsection by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(f) The tax credits authorized pursuant to subsection (B)(1), (2), (3), or (4) are automatically and permanently increased by twenty-five percent in the succeeding calendar year whenever the total of the specific individual credit claimed meets the limit amount.

(g) The department, in coordination with the Treasurer, shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than one hundred percent of his total tax liability for the tax year in contributions toward the tax credits authorized by subsection (B). This credit is not refundable. If the credit exceeds the taxpayer's tax liability for the taxable year, the excess amount may be carried forward for credit against income or bank taxes in the next ten succeeding taxable years.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this section, then the taxpayer shall add back the amount of the deduction for purposes of South Carolina income or bank taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credits authorized by subsection (B). Also, the department, in coordination with the Treasurer, shall develop a method of informing taxpayers if the credit limit is met at any time during the year.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, the Department of Education, the Department of Revenue, the Treasurer, or any other state agency may not regulate the educational programs of an eligible school that accepts students receiving scholarship grants pursuant to this section.

(G)(1) The Treasurer shall approve and oversee the scholarship funding organizations and address any citizen concerns about the programs' administration at eligible schools or with the scholarship funding organizations.

(2) By August first of each year, each nonprofit scholarship funding organization shall apply with the Treasurer to be considered an eligible organization for the succeeding calendar year for which its contributors are allowed the tax credit provided by this section. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization must not be allowed for purposes of the credit allowed by this section. A nonprofit scholarship funding organization's application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding school year;

(b) for each grant issued to an eligible school in the preceding school year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(5) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(3) The Treasurer shall disclose on its website the names of qualifying nonprofit scholarship funding organizations and eligible schools. The Treasurer also may disclose the names of nonprofit scholarship funding organizations that applied but were not qualified by the Treasurer and those organizations whose eligibility has been revoked

in accordance with subsection (H)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Treasurer shall publish on its website a list of all qualifying nonprofit scholarship funding organizations for the succeeding calendar year, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (2)(e) must be published with the list.

(5) By January fifteenth of each year, the Treasurer shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools by each scholarship funding organization in the prior school year;

(b) the identity of the school and the amount of each grant issued to an eligible school in the prior school year by each scholarship funding organization;

(c) an itemization and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school by any scholarship funding organization;

(d) a copy of the each scholarship funding organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of each scholarship funding organization conducted by a certified public accounting firm as provided to the Treasurer by each scholarship funding organization in their application to participate in the program; and

(f) the criteria and eligibility requirements for scholarship awards of each scholarship funding organization as provided to the Treasurer by each scholarship funding organization in their application to participate in the program.

(6) The Treasurer may request an audit of a scholarship funding organization by the department if the Treasurer believes an organization is in violation of the provisions of this section.

(H)(1) The department has authority to examine and audit the nonprofit scholarship funding organizations when requested by the Treasurer, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the

requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this section.

(2)(a) If during a requested audit the department acquires evidence that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other substantial provision of this section, the department immediately may revoke the organization's participation in the program and shall notify the organization and the Treasurer in writing of the revocation.

(b) Actual notice of revocation may be provided to the organization by personal delivery to the organization, by certified return receipt mail to the last known address of the organization, or by other means reasonably designed to provide actual notice to the organization.

(c) Any donations made following the date the actual notice of revocation are received by the organization do not qualify for the credit and the donated funds must be returned to the donor by the organization.

(d)(i) Within thirty days after the day on which the organization is provided actual notice of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within seven days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is 'reasonable' if the department has substantial credible evidence that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with other substantial provisions of this section. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation is permanent.

(ii) If the administrative law judge determines that the immediate revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties may raise new issues and arguments in addition to those issues and arguments previously presented at the immediate revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation must be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department may reinstate the organization and notify the Treasurer.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the department has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(I) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially if the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. The funds that are transferred by one nonprofit scholarship funding organization to another only may be considered by one organization when calculating its administrative expenses."

SECTION 2. Section 12-6-3790 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor and applies to income tax years beginning after 2021. All tax credits earned as a result of a contribution made to a scholarship funding organization in 2022 apply to the cumulative total of twenty-five million dollars for exceptional needs children, twenty-five million dollars for disadvantaged children, forty million dollars to PACE Scholarship children, and ten million dollars for home school children, regardless of when in 2022 the contribution is made. All necessary reports and forms must be submitted as soon as practicable upon the enactment of this act./

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 19; Nays 24

AYES

Allen	Corbin	Davis
Fanning	Gustafson	Hutto
Jackson	*Johnson, Kevin*	Malloy
Martin	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Shealy	Stephens
Williams		

Total--19

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Gambrell	Garrett
Goldfinch	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Rankin
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--24

The amendment was not adopted.

There being no further amendments, the question being concurrence in the House amendments.

Senator FANNING spoke against the Bill.
Senator MARTIN spoke in favor of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 4; Nays 39

AYES

Fanning	McLeod	Sabb
Stephens		

Total--4

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

The Senate nonconcurred in the House amendments.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE

ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

asks for a Committee of Conference, and has appointed Reps. Erickson, Whitmire and Hayes to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 935--CONFERENCE COMMITTEE APPOINTED

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP

ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Whereupon, Senators HEMBREE, GROOMS and JACKSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring S. 969 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring S. 984 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 5; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler

Shealy	Talley	Turner
Verdin	Williams	

Total--35

NAYS

Fanning	Matthews	McLeod
Sabb	Stephens	

Total--5

ABSTAIN

Young

Total--1

The motion was adopted.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (DG\984C003.NBD.DG22), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 6-1-300(6) of the 1976 Code is amended to read:

"(6) 'Service or user fee' means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members of the general public not paying the fee~~. 'Service or user fee' also includes 'uniform service charges'. The revenue generated from the fee must:

(a) be used to the benefit of the payers, even if the general public also benefits;

(b) only be used for the specific improvement contemplated;

(c) not exceed the cost of the improvement; and

(d) be uniformly imposed on all payers."

SECTION 2. Section 6-1-330(A) of the 1976 Code is amended to read:

"(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the governing body prior to the final reading of the ordinance to adopt a new service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article."

SECTION 3. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

"( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( ) A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county's website."

SECTION 4. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 1.

SECTION 5. This act takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Recorded Vote

Senator YOUNG desired to be recorded as abstaining from the vote on the amendment.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED

INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 1011 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SENN explained the amendments.

On motion of Senator SENN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO

AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

On motion of Senator SETZLER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator CAMPSEN, the Senate agreed to waive the provisions of Rule 32A requiring S. 1031 to be printed on the Calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Matthews	McLeod

Total--2

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Very respectfully,

Speaker of the House

Received as information.

S. 1031--ENROLLED FOR RATIFICATION

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1032 -- Senators Martin, Verdin, Kimbrell, Garrett, Senn and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND

DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod,

M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

asks for a Committee of Conference, and has appointed Reps. West, Ott and Jeff Johnson to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

S. 1077--CONFERENCE COMMITTEE APPOINTED

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Whereupon, Senators RANKIN, TALLEY and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SENN explained the amendments.

On motion of Senator SENN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from it amendments on:

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Very respectfully,
Speaker of the House

Received as information.

S. 1092--ENROLLED FOR RATIFICATION

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

On motion of Senator VERDIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Very respectfully,

Speaker of the House

Received as information.

S. 506--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW

HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

On motion of Senator KIMBRELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator KIMBRELL spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 506--Conference Report

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 44-1-143 of the 1976 Code is amended to read:

"Section 44-1-143. (A) For the purposes of this section:

(1) 'Home-based food production operation' means an individual, operating out of the individual's dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person, including online and by mail order, or to retail stores, including grocery stores. 'Home-based food production operation' does not include preparing, processing, packaging, storing, or distributing aluminum canned goods or charcuterie boards.

(2) 'Nonpotentially hazardous foods' are foods ~~candy and baked goods~~ that are not potentially hazardous ~~foods~~.

(3) 'Person' means an individual consumer.

(4) 'Potentially hazardous foods' includes:

(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent

microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values		pH values	
		4.6 or less	>4.6—5.6
	>5.6		
(1)	<0.92	non-PHF	non-PHF
(2)	>0.92 — 0.95	non-PHF	non-PHF	PHF
(3)	>0.95	non-PHF	PHF	PHF

Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items, including but not limited to:

(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and

(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food

production operation are knowledgeable of and follow safe food handling practices.

(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:

(1) department-approved water supply;

(2) a separate storage place for ingredients used in foods intended for sale;

(3) a properly functioning refrigeration unit;

(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;

(5) adequate facilities for the storage of utensils and equipment;

(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;

(7) a properly functioning toilet facility;

(8) no evidence of insect or rodent activity; and

(9) department-approved sewage disposal, either onsite treatment or publicly provided.

(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:

(1) the name and address of the home-based food production operation. If a home-based food production operator does not want to include his address on the label, then the department shall provide an identification number to the operator, upon the operator's request, that can be used on the label instead;

(2) the name of the product being sold;

(3) the ingredients used to make the product in descending order of predominance by weight; and

(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: '~~NOT FOR RESALE~~ PROCESSED AND PREPARED BY A HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'

(E) Home-based food operations only may sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail stores, including grocery stores ~~for his own use and not for resale~~. ~~A home-based food operation may not sell, or offer to sell, food items at wholesale~~. Food produced from a home-based food production operation

~~must not~~ shall be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.

(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.

(G) The provisions of this section do not apply to an operation with net earnings of less than ~~five~~ fifteen hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

(H) [Deleted]

(I) The provisions of this section apply in the absence of a local ordinance to the contrary."

SECTION 2. This act takes effect upon approval by the Governor. /

A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

/s/Sen. David Wesley "Wes" Climer	/s/Rep. Stewart O. Jones
/s/Sen. Michael William "Mike" Fanning	/s/Rep. Krystle N. Matthews
/s/Sen. Josh Kimbrell	/s/Rep. Sandy N. McGarry
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

S. 506--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND

SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

CARRIED OVER

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

On motion of Senator HUTTO, the Bill was carried over.

AMENDED, READ THIRD TIME

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND

COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (4775R002.SP.SS), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. A.Chapter 1, Title 48 of the 1976 Code is amended by adding:

"Section 48-1-92. (A) The department is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. Pursuant to the program:

(1) pre-production plastics are those products, to include pellets, powders, and flakes, that are utilized in the production of plastic products;

(2) post-production plastics are those products created by activities including the melting, shaping, and molding of pre-production plastics;

(3) the department shall promulgate regulations to add an additional category of industrial activity so that the operators of facilities that are primarily engaged in the transportation, transloading, packaging, wholesale, or storing of pre-production plastics are subject to regulation by the program. The operators of facilities that transport, transload, package, wholesale, or store post-production plastics shall not be included; and

(4) pre-production plastic shall be classified as 'other refuse' for the purposes of the Water Classifications and Standards.

(B) The department shall promulgate regulations to implement best practice requirements for facilities that are brought under regulation pursuant to this section, including:

(1) the installation of containment systems at all storm drain discharge locations at a facility that are down-gradient of an area where pre-production plastic is handled;

(2) measures to contain pre-production plastic during the storage, handling, or transfer of the pre-production plastic, including the use of:

(a) sealed containers that will not rupture under typical loading or unloading activities;

(b) capture devices under all transfer valves and devices used in loading, unloading, or otherwise transferring pre-production plastic; and

(c) vacuums or vacuum-type systems for the quick cleanup of fugitive pre-production plastic; and

(3) new best management practices reflecting updates in science and technology, or advances in detection and treatment technologies, as appropriate.

(C) The department must promulgate regulations necessary to implement the program and to provide additional requirements regarding the regulation of releases of pre-production plastic from facilities into the waters or onto the land of this State.

(D) A facility that violates a provision of this section shall be subject to the department's enforcement procedures, and such a facility shall further:

(1) for a first violation during a five-year period, be fined up to twenty-five thousand dollars;

(2) for a second violation during a five-year period, be fined up to fifty thousand dollars; and

(3) for a third or subsequent violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years."

B.The Department of Health and Environmental Control shall implement the program pursuant to Section 48-1-92, as added by this act, no later than January 1, 2023." /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Climer	Corbin

Total--2

There being no further amendments, the Bill, as amended, was read the third time, and ordered returned to the House.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH

CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Very respectfully,

Speaker of the House

Received as information.

H. 4775--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO

ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator TALLEY, the Senate insisted upon its amendments to H. 4775 and asked for a Committee of Conference.

Whereupon, Senators TALLEY, KIMBRELL and STEPHENS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hixon, Forrest and Atkinson to the Committee of Conference on the part of the House on:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE

RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH

CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

H. 4776--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

On motion of Senator KIMBRELL, the Senate insisted upon its amendments to H. 4776 and asked for a Committee of Conference.

Whereupon, Senators KIMBRELL, GROOMS and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. McCravy, Willis and Hayes to the Committee of Conference on the part of the House on:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Matthews

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was ordered enrolled for Ratification.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson,

Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Very respectfully,
Speaker of the House

Received as information.

H. 4831--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 4831 and asked for a Committee of Conference.

Whereupon, Senators DAVIS, REICHENBACH and ALLEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THURSDAY, MAY 12, 2022

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. West, Blackwell and Ott to the Committee of Conference on the part of the House on:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

asks for a Committee of Conference, and has appointed Reps. B. Newton, Jordan and Bernstein to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

S. 560--CONFERENCE COMMITTEE APPOINTED

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Whereupon, Senators GARRETT, M. JOHNSON and SCOTT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL

CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

S. 628--SENATE INSISTS ON THEIR AMENDMENTS CONFERENCE COMMITTEE APPOINTED

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN

INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

On motion of Senator DAVIS, the Senate insisted upon its amendments to S. 628 and asked for a Committee of Conference.

Whereupon, Senators DAVIS, CROMER and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Jordan, Ott and Lowe to the Committee of Conference on the part of the House on:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976

CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

S. 628--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO

PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CROMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CROMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Report of the Committee of Conference was adopted as follows:

S. 628--Conference Report

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN

INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act shall be referred to as the "Pharmacy Access Act".

SECTION 2. Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-210. As used in this chapter:

(1) 'Administer' has the same meaning as in Section 40-43-30.

(2) 'Department' means the Department of Labor, Licensing and Regulation.

(3) 'Dispense' has the same meaning as in Section 40-43-30.

(4) 'Injectable hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that a practitioner administers to a patient by injection. 'Injectable hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

(5) 'Patient counseling' has the same meaning as in Section 40-43-30.

(6) 'Pharmacist' has the same meaning as in Section 40-43-30.

(7) 'Practitioner' has the same meaning as in Section 40-47-20.

(8) 'Prescriber' means a physician licensed pursuant to Chapter 47, Title 40; an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter; or a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

(9) 'Self-administered hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may administer to himself. 'Self-administered hormonal contraceptive' includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch. 'Self-administered hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and exercising reasonable care as a pharmacist and who is employed by a hospital or a pharmacy that is permitted by this State may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing order by a prescriber to a patient who is:

(1) eighteen years of age or older; or

(2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive.

(B) Nothing in this section requires a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive. Nothing in this article shall be construed to amend a pharmacist's duties to dispense or otherwise provide contraception prescribed by another provider.

Section 40-43-240. (A) The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol to authorize a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive without a patient-specific written order.

(B) The written joint protocol must address, at a minimum, the following requirements:

(1) education or training requirements that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary for a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive;

(2) information that a pharmacist must provide to a patient prior to dispensing a self-administered hormonal contraceptive or administering an injectable hormonal contraceptive and confirmation that the required information was provided to the patient;

(3) documentation regarding the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive;

(4) notification to a patient's designated practitioner that a self-administered hormonal contraceptive was dispensed to the patient or that an injectable hormonal contraceptive was administered to the patient;

(5) evaluation and review of the dispensing and administration practices used by pharmacists authorized to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive; and

(6) any additional provisions that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary or appropriate for inclusion in the protocol, including any reporting requirements.

(C) For each new patient requesting contraception and at least every twelve months for each returning patient, the written joint protocol must require a pharmacist dispensing or administering contraceptives pursuant to this chapter to:

(1) obtain a completed self-screening risk assessment;

(2) utilize a standardized procedure as established by the Board of Medical Examiners and the Board of Pharmacy to perform a patient assessment;

(3) dispense, if clinically appropriate, a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive, or refer the patient to a practitioner;

(4) provide the patient with a visit summary;

(5) advise the patient to consult with a practitioner;

(6) refer any patient who may be subject to abuse to the appropriate social services agency; and

(7) ensure that the pharmacy provides appropriate space to prevent the spread of infection and ensure confidentiality.

(D) The Board of Medical Examiners and the Board of Pharmacy may appoint an advisory committee of healthcare professionals licensed in this State to advise and assist in the development of the joint protocol for their consideration.

Section 40-43-250. (A) Prior to dispensing self-administered hormonal contraceptives or administering injectable hormonal

contraceptives pursuant to Section 40-43-240, a pharmacist must have completed a certificate program that has been accredited by the American Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners, as specified in the joint protocol, that is program-specific to self-administered hormonal contraceptives or injectable hormonal contraceptives, that includes the application of the United States Medical Eligibility Criteria for Contraceptive Use, and that includes other Centers for Disease Control and Prevention guidance on contraception. To maintain eligibility, a pharmacist must complete at least one hour of continuing education per year that is offered by an entity approved by the Board of Medical Examiners and the Board of Pharmacy.

(B) An equivalent, curriculum-based training program completed on or after January 2021 in an accredited South Carolina pharmacy school satisfies the initial education requirement.

Section 40-43-260. (A) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive pursuant to this chapter shall:

(1) obtain a completed self-screening risk assessment questionnaire that has been approved by the department, in collaboration with the Board of Pharmacy and the Board of Medical Examiners, from the patient before dispensing the self-administered hormonal contraceptive or administering the injectable hormonal contraceptive. If the results of the assessment indicate that it is unsafe to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to a patient, then the pharmacist may not dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient, shall refer the patient to a practitioner, and may not continue to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient for more than twenty-four months after the date of the initial prescription without evidence that the patient has consulted with a practitioner during the preceding twenty-four months; and

(2) provide the patient with written information regarding:

(a) the importance of seeing the patient's practitioner annually to obtain recommended tests and screening;

(b) the effectiveness and availability of long-acting reversible contraceptives as an alternative to self-administered hormonal contraceptives or injectable hormonal contraceptives;

(c) a copy of the record of the encounter with the patient that includes the patient's completed assessment questionnaire pursuant to item (1);

(d) a description of the contraceptive dispensed or administered, or the basis for not dispensing or administering a contraceptive;

(e) the South Carolina Medicaid program and how to apply for Medicaid benefits; and

(f) the effectiveness of abstinence in preventing pregnancy and contracting a sexually transmitted infection or disease. The materials shall include the following: Abstinence is the choice not to have sex. This method is one hundred percent effective in preventing pregnancy and infection as long as all sexual contact is avoided, including vaginal, oral, and anal sex.

(B) If a pharmacist dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive to a patient, then the pharmacist shall, at a minimum, provide patient counseling to the patient regarding:

(1) the appropriate administration and storage of a self-administered hormonal contraceptive, if appropriate;

(2) any potential side effects and risks of a self-administered hormonal contraceptive or injectable hormonal contraceptive;

(3) the need for backup contraception;

(4) when to seek emergency medical attention; and

(5) the risk of contracting a sexually transmitted infection or disease, along with ways to reduce the risk of contraction.

Section 40-43-270. (A) A prescriber who issues a standing prescription drug order in accordance with Section 40-43-260 is not liable for any civil damages for acts or omissions resulting from the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive under this chapter.

(B) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive in accordance with the provisions of this article is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action."

SECTION 3. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

"Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law, including, but not limited to, this chapter or the Medicaid state plan."

SECTION 4. The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol pursuant to Section 40-43-240 not later than six months after the passage of this act.

SECTION 5. A.Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-195. (A) For purposes of this section:

(1) 'Central fill' means the filling of a prescription drug order by one central fill pharmacy permitted by this State at the request of an originating pharmacy permitted by this State.

(2) 'Central fill pharmacy' means a permitted pharmacy facility that, upon the request of an originating pharmacy, fills a prescription drug order and returns the filled prescription to the originating pharmacy for delivery to the patient or patient's agent. A central fill pharmacy that returns filled prescriptions to an originating pharmacy must not be required to obtain a wholesaler/distributor permit.

(3) 'Originating pharmacy' means a pharmacy permitted by and located in this State that, upon receipt of a prescription drug order from a patient, requests a central fill pharmacy to fill the order and upon receipt of the filled prescription drug order, delivers the prescription to the patient or patient's agent.

(B)(1) An originating pharmacy permitted by this State may outsource a prescription drug order filling to a central fill pharmacy permitted by this State if the pharmacies:

(a) have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations;

(b) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order;

(c) ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed; and

(d) maintain the prescription information in a readily retrievable manner.

(2) The pharmacist-in-charge of a central fill pharmacy shall ensure that:

(a) the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. These shipping processes must include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and

(b) the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with.

(3) To the extent that a central fill pharmacy dispenses controlled substances, the central fill pharmacy must obtain a registration from the Department of Health and Environmental Control, Bureau of Drug Control. Controlled substance prescriptions filled by a central fill pharmacy must comply with both state and federal statutes and regulations.

(4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a prescription directly to a patient or an individual practitioner; or

(d) provide or dispense cannabis products not approved by the Federal Drug Administration.

(C)(1) An originating pharmacy that outsources prescription filling to a central fill pharmacy must, prior to outsourcing the prescription:

(a) notify patients that their prescription may be filled by another pharmacy; and

(b) provide the name of that pharmacy or notify the patient if the pharmacy is part of a network of pharmacies under common ownership and that any of the network pharmacies may fill the prescription.

(2) Patient notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.

(D)(1) A central fill pharmacy must provide written information regarding the prescription with the filled prescription and a toll-free phone number for patient questions. The following statement must be provided with the prescription before delivery to the patient:

'Written information about this prescription has been provided for you. Please read this information before you take the medication. If you have questions concerning this prescription, a pharmacist is available during normal business hours to answer these questions'.

(2) A pharmacist at the originating pharmacy shall offer the patient or the patient's agent information about the prescription drug or device in accordance with Section 40-43-86(L).

(3) This subsection does not apply to patients in facilities including, but not limited to, hospitals or nursing homes, where drugs are administered to patients by a person authorized to do so by law.

(E) The central fill pharmacy must:

(1) place on the prescription label:

(a) the name and address or name and pharmacy license number of the pharmacy filling the prescription;

(b) the name and address of the originating pharmacy which receives the filled prescription for delivery to the patient or the patient's agent; and

(c) in some manner indicate which pharmacy filled the prescription (e.g., 'Filled by ABC Pharmacy for XYZ Pharmacy'); and

(2) comply with all other labeling requirements of federal and state law including, but not limited to, Section 40-43-86.

(F) A central fill policy and procedure manual must be maintained at both pharmacies and must be available for inspection. The originating and central fill pharmacies are required to maintain only those portions

of the policy and procedure manual that relate to that pharmacy's operations. The manual must at minimum contain:

(1) An outline of the responsibilities of the central fill pharmacy and the originating pharmacy including, but not limited to:

(a) patient notification of central fill processing;

(b) confidentiality and integrity of patient information procedures;

(c) drug utilization review;

(d) record keeping and logs, including a list of the names, addresses, phone numbers, and license or registration numbers of the pharmacies, pharmacists, and pharmacy technicians at the central fill pharmacy and at the originating pharmacy;

(e) counseling responsibilities;

(f) procedures for return of prescriptions not delivered to a patient and procedures for invoicing medication transfers;

(g) policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;

(h) safe delivery of prescriptions to patients;

(i) processes to ensure stability and potency of medication;

(j) requirements for storage and shipment of prescription medication; and

(k) procedures for conducting an annual review of written policies and procedures and for documentation of this review.

(2) Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to this chapter and the Department of Health and Environmental Control, controlled substances laws and regulations.

(G)(1) Records may be maintained in an alternative data retention system including, but not limited to, a data processing system or direct imaging system, if:

(a) the records maintained in the alternative system contain all of the information required on the manual record; and

(b) the data processing system is capable of producing a hard copy of the record upon the request of the board, its representative, or other authorized local, state, or federal law enforcement or regulatory agency.

(2) Each pharmacy must maintain records in accordance with the provisions of Section 40-43-86 and must be able to produce records as requested by the board.

(3) The originating pharmacy records must include the date the request for filling was transmitted to the central fill pharmacy.

(4) The central fill pharmacy records must include:

(a) the date the filled prescription was mailed by the central fill pharmacy; and

(b) the name and address to which the filled prescription was shipped.

(H)(1) A central fill pharmacy must complete a central fill pharmacy permit application provided by the board, following the procedures as specified in Section 40-43-83, and also provide the following information:

(a) evidence that the applicant holds a pharmacy license, registration, or permit issued by the state in which the pharmacy is located;

(b) the name of the owner, permit holder, and pharmacist-in-charge of the pharmacy for service of process;

(c) evidence of the applicant's ability to provide to the board a record of a prescription drug order dispensed by the applicant to a resident of this State not later than seventy-two hours after the time the board requests the record;

(d) an affidavit by the pharmacist-in-charge which states that the pharmacist has read and understands the laws and regulations relating to a central fill pharmacy in this State; and

(e) pay the required fee as set by the board through regulation.

(2) A central fill pharmacy must comply with all provisions of this chapter.

(I) Nothing in this section may be construed to circumvent any requirement of Section 40-43-86 of the South Carolina Pharmacy Practice Act.

(J) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy."

B. This SECTION takes effect upon approval by the Governor.

SECTION 6. Except as otherwise specifically provided, this act takes effect upon the issuance of a written joint protocol pursuant to SECTION 4 of this act. /

Amend title to conform.

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40-43-210, 40-43, 230, 40-43-240, 40-43-250, 40-43-260, AND 40-43-270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF-ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44-6-115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40-43-195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

/s/Sen. Ronnie W. Cromer	/s/Rep. Russell L. Ott
/s/Sen. Brad Hutto	/s/Rep. Wallace H. "Jay" Jordan, Jr.
/s/Sen. Tom Davis	/s/Rep. Phillip Dean Lowe
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

OBJECTION

H. 3788 -- Reps. G.M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON

PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Senator HUTTO objected to consideration of the Bill.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

The Senate proceeded to a consideration of the Bill.

Senator CASH proposed the following amendment (DG\3998C004.NBD.DG22), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ___. A.This SECTION may be known and cited as the "Perinatal Integration Act of 2021".

B.Chapter 89, Title 44 of the 1976 Code is amended by adding:

"Section 44-89-110. (A) For the purposes of this section:

(1) 'Integrate' means to facilitate the full exercise of a scope of practice, autonomy, self-regulation, collaboration, and a smooth

transition between midwives, birthing centers, and hospitals that provide perinatal services. 'Integrate' does not mean to supervise midwives or birthing centers.

(2) 'Perinatal levels of care' means the regulatory implementation of perinatal services.

(B) The department shall promulgate regulations that recognize midwives within the definition of facilities and integrate midwives and birthing centers into the organization of perinatal levels of care. These regulations must include, but are not limited to:

(1) access to physician-to-provider consultation available twenty-four hours a day;

(2) transfer methods and protocols from a midwife or birthing center to a hospital within a fifty-mile radius that provides level one or higher perinatal services;

(3) access to professional continuing education relating to safe transfers and the escalation of care; and

(4) the collection of data on transfer outcomes to evaluate the effectiveness and safety of the transfer of care from a midwife or birthing center to a hospital.

(C) Nothing in this section may be construed to:

(1) allow or require the department or hospitals to promulgate regulations or requirements that restrict the scope of practice, change existing licensure requirements, or impose any other regulation or requirement on midwives or birthing centers, other than methods and protocols for the transfer of a patient to a hospital; or

(2) require hospitals to give midwives hospital-admitting privileges." /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Point of Order

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator SENN proposed the following amendment (JUD3998.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

"Section 16-3-80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance, commits the felony offense of fentanyl-induced homicide.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person."

SECTION 2. Section 16-1-10(D) of the 1976 Code is amended by adding a new offense to read:

"16-3-80 Fentanyl-induced homicide"

SECTION 3. Section 44-53-190(B) of the 1976 Code is amended by adding appropriately numbered new items at the end to read:

"__. Fentanyl related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

a. replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino, or nitro groups;

c. substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

d. replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

e. replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta hydroxyfentanyl, Beta hydroxy 3 methylfentanyl, 3 Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylfentanyl, Butyrylfentanyl, Beta hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fenantyl.

__. Benzamidazole-compounds to include:

a. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N, N diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: butonitazene);

b. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: etodesnitazene, etazene);

c. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: flunitazene);

d. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl) ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metodesnitazene);

e. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1Hbenzimidazol -1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metonitazene);

f. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: N-pyrrolidino etonitazene, etonitazepyne);

g. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-enzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: protonitazene)."

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

AMENDED, OBJECTION

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11,

WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

The Senate proceeded to a consideration of the Resolution.

Senator ALEXANDER proposed the following amendment (DG\5270C001.NBD.DG22), which was adopted:

Amend the concurrent resolution, as and if amended, page 1, by striking line 11 and inserting:

/ TO FIX 3:00 P.M. ON WEDNESDAY, JUNE 15, 2022, AS THE TIME /

Amend the concurrent resolution further, page 2, by striking line 9 and inserting:

/ Wednesday, June 15, 2022, at 3:00 P.M. for the purpose of electing one /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator HUTTO objected to further consideration of the Resolution.

ADOPTED

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN LAURENS COUNTY "BILL RAMEY WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5285 -- Reps. Dabney, J.L. Johnson and Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 1056 EHRENCLOU DRIVE IN THE CITY OF CAMDEN IN KERSHAW COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT MAJOR AND MRS. THOMAS PATRICK PAYNE.

The Resolution was adopted, ordered returned to the House.

Message from the House

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS

TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,

Speaker of the House

Received as information.

H. 3729--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING

COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

On motion of Senator CLIMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLIMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

H. 3729--Conference Report

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS

SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 16-11-760(B) of the 1976 Code is amended to read:

"(B) A vehicle found parked on private property may be towed and stored at the expense of the registered owner or lienholder, subject to the limitations on allowed storage charges set forth in Section 29-15-10, and charges for towing, storing, preserving the vehicle, and expenses incurred if the owner and lienholder are notified pursuant to Section 29-15-10 constitute a lien against the vehicle, provided that the towing company makes notification to the law enforcement agency pursuant to Section 56-5-2525."

SECTION 2. Section 29-15-10(A), (B), (C), (D), and (E) of the 1976 Code is amended to read:

"(A) A proprietor, an owner, or an operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes any material for repairs to an article may sell the article at public auction to the highest bidder if:

(1) the article has been left at the shop for repairs or storage and the repairs have been completed or the storage contract has expired;

(2) the article has been continuously retained in his possession; and

(3) thirty days have passed since written notice was given to the owner of the article and to any lienholder by registered or certified mail, return receipt requested, or certified mail with electronic tracking that the repairs have been completed or the storage contract has expired.

The article must be sold by a magistrate of the county in which the repairs were done or the article was stored.

(B) ~~Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the article. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities. If the notice is not mailed within this period, storage costs after the five-day period must not~~

~~be charged until the notice is mailed.~~ A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholder for only such storage costs that accrue for a maximum period of seven (7) business days before notice of the location of the article is sent by registered or certified mail, return receipt requested, or certified mail with electronic tracking to the owner and lienholders of the article. No other storage costs can be charged to the owner or lienholders for such time period before the notice of the location of the article is sent to the owner and lienholders. The notice must be sent within five business days after receiving the owner's and lienholder's identities from the search required in subsection (C). The notice must include a description of the article and the amount of daily storage costs that will accrue after the notice is sent. A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholders storage costs that accrue for the time period after such notice is sent as required herein.

(C)(1) Before the article is sold, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article must apply to the appropriate titling facility for the name and address of any owner or lienholder. ~~including~~ The appropriate titling facility may include, but is not limited to~~,~~:

(a) the Department of Motor Vehicles;

(b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;

(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or

(e) the Department of Natural Resources~~, for the name and address of any owner or lienholder~~.

(2) For nontitled articles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the article has an out-of-state registration, an application must be made

to that state's appropriate titling facility. When the article is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may apply to the sheriff or chief of police in the jurisdiction where the article is stored to determine the state where the article is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the article's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs the name of the state in which the article is titled.

(D) The magistrate, before selling the article, shall ensure that the owner or any lienholder of record has been notified of the pending sale. The magistrate must advertise the article for at least fifteen days by posting a notice in three public places in his township. The magistrate must pay to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article the money due, receiving a receipt in return. Any remainder of the sale proceeds must be held by the magistrate for the owner of the vehicle or entitled lienholder for ninety days. The magistrate must notify the owner and all lienholders by ~~certified or~~ registered <u>or certified</u> mail, return receipt requested, <u>or certified mail with electronic tracking,</u> that the article owner or lienholder has ninety days to claim the proceeds from the sale of the article. If the article proceeds are not collected within ninety days from the day after the notice to the owner and all lienholders is mailed, then the article proceeds must be deposited in the general fund of the county or municipality.

(E) A proprietor, an owner, or an operator of the towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may hold the license tag of any vehicle until all towing and storage costs <u>allowed under this section</u> have been paid, or if the vehicle is not reclaimed, until it is declared abandoned and sold."

SECTION 3. Section 56-5-5630(A), (B), and (C) of the 1976 Code is amended to read:

"(A)(1) For purposes of this article, 'vehicle' means a motor vehicle, trailer, mobile home, watercraft, or any other item or object that is

subject to towing and storage, and applies to any vehicle in custody at the time of the enactment of this section. 'Vehicle' includes:

(a) items that are towed and left in the possession of a towing, storage, garage, or repair facility;

(b) contents contained in the vehicle; and

(c) personal property affixed to the vehicle.

~~Storage costs for those vehicles in custody at the time of the enactment of this section must not exceed sixty days.~~

(2) When an abandoned vehicle has been taken into custody, the towing company and storage facility having towed and received the vehicle shall notify by registered or certified mail, return receipt requested, the last known registered owner of the vehicle and all lienholders of record that the vehicle has been taken into custody. Notification of the owner and all lienholders by ~~certified or~~ registered or certified mail, return receipt requested, or certified mail with electronic tracking constitutes notification for purposes of this section. This notification must satisfy the notification requirements contained in Section 29-15-10. The notice must:

(a) give a description of the year, make, model, and identification number of the vehicle;

(b) set forth the location where the vehicle is being held;

(c) inform the owner and all lienholders of the right to reclaim the vehicle within thirty days beginning the day after the notice is mailed by registered or certified mail, return receipt requested, or certified mail with electronic tracking upon payment of all towing, preservation, the storage charges allowable pursuant to Section 29-15-10(B), notification, publication, and court costs resulting from placing the vehicle in custody; and

(d) state that the failure of the owner and all lienholders to exercise their right to reclaim the vehicle within the time provided is considered a waiver by the owner and lienholders of all rights, title, and interest in the vehicle and is considered as their consent to the sale of the vehicle at a public auction.

If a vehicle has been towed pursuant to the provisions of this section, the towing company and storage facility must accept as payment for the release of the vehicle the same manner of payment that they would accept if the owner of the vehicle had requested his vehicle towed.

(B) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper

of general circulation in the area where the vehicle was abandoned is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles. This notice must be within the time requirements prescribed for notice by registered or certified mail, return receipt requested, or certified mail with electronic tracking, and must have the same contents required for a notice by registered or certified mail.

(C) A lienholder is not subject to a criminal penalty imposed by law in this State for abandonment unless the vehicle is abandoned by the lienholder or his agent or if a false statement or report to a law enforcement officer is made as provided by Section 16-17-722. The owner of a vehicle which has been stolen, whether or not the vehicle was subsequently abandoned, is liable for:

(1) actual recovery and towing charges; and

(2) only the storage costs ~~that accrue beginning seven days after the vehicle was towed~~ allowable pursuant to Section 29-15-10(B).

The law enforcement agency must, within two business days after the vehicle's towing, notify the owner that the vehicle has been recovered, provide the owner with the location of the vehicle, and explain that daily storage charges ~~will~~ may begin to accrue ~~if the vehicle is not reclaimed within seven days of the towing date~~.

A vehicle is considered to be stolen when the registered owner notifies a police officer and files a report which is accepted and placed on the records of the sheriff or chief of police as a stolen vehicle. The law enforcement agency that requested the tow must provide the towing company and storage facility, at no cost to the towing company and storage facility, the owner's name and address. A law enforcement agency is not liable for any costs or fees associated with the towing and storage of a vehicle as provided by this section."

SECTION 4. Section 56-5-5635 of the 1976 Code is amended to read:

"Section 56-5-5635. (A) Notwithstanding another provision of law, a law enforcement officer who directs that a vehicle be towed for any reason, whether on public or private property, must use the established towing procedure for his jurisdiction. A request by a law enforcement officer resulting from a law enforcement action including, but not limited to, a vehicle collision, vehicle breakdown, or vehicle recovery incident to an arrest, is considered a law enforcement towing for purposes of recovering costs associated with the towing and storage of the vehicle unless the request for towing is made by a law enforcement officer at the direct request of the owner or operator of the vehicle.

(B) Within ten days following a law enforcement's towing request, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop must provide to the sheriff or chief of police a list describing the vehicles remaining in the possession of the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop. ~~A person who fails to provide the law enforcement agency with this list forfeits recovery of any storage fees that have accrued from the date of towing until the day after the mailing of the notification to the owner and all lienholders by certified or registered mail, return receipt requested, pursuant to Section 29-15-10.~~ Within ten days of receipt of this list, the sheriff or chief of police must provide to the towing company or storage facility, the current owner's name, address, and a record of all lienholders along with the make, model, and identification number or a description of the vehicle at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop having towed or received the vehicle must notify by registered or certified mail, return receipt requested, or certified mail with electronic tracking the last known registered owner and all lienholders of record that the vehicle has been taken into custody, pursuant to Section 29-15-10.

(C) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must provide notice by one publication in one newspaper of general circulation in the area from which the vehicle was abandoned which is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles.

(D)(1) Before a vehicle is sold, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must apply to the appropriate titling facility for the name and address of any owner or lienholder. ~~including~~ The appropriate titling facility may include, but is not limited to~~,~~:

(a) the Department of Motor Vehicles;

(b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;

(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as

provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or

(e) the Department of Natural Resources~~, for the name and address of any owner or lienholder~~.

(2) For nontitled vehicles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the vehicle has an out-of-state registration, an application must be made to that state's appropriate titling facility. When the vehicle is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may apply to the sheriff or chief of police in the jurisdiction where the vehicle is stored to determine the state where the vehicle is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the vehicle's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the name of the state in which the vehicle is titled.

(E) The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop that has towed and stored a vehicle has a lien against the vehicle and may have the vehicle sold at public auction pursuant to Section 29-15-10. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may hold the license tag of any vehicle until all towing and the storage costs have been paid, or if the vehicle is not reclaimed, until it is declared abandoned and sold. ~~Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the vehicle. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities from the appropriate law enforcement agency. If the notice is not mailed within this period, storage costs after the five-day period must not be charged until the notice is mailed. If the vehicle is not reclaimed within thirty days after the day the notice is mailed, return receipt requested, the vehicle is~~

~~considered abandoned and may be sold by the magistrate pursuant to the procedures set forth in Section 29-15-10.~~

(F) After the vehicle is in the possession of the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the owner of the vehicle as demonstrated by providing a certificate of registration has one opportunity to remove from the vehicle any personal property not attached to the vehicle. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must release any personal property that does not belong to the owner of the vehicle to the owner of the personal property.

(G) When a law enforcement agency stores a vehicle at a law enforcement facility, the agency must follow the notification procedures contained in this section and submit vehicle information to a magistrate in the county where the vehicle is stored to provide for the sale of the vehicle at public auction. A law enforcement agency is exempt from paying filing fees in any matter related to the towing and storing of a vehicle."

SECTION 5. Section 56-5-5640 of the 1976 Code is amended to read:

"Section 56-5-5640. If an abandoned vehicle has not been reclaimed pursuant to Section 56-5-5630, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may have the abandoned vehicle sold at a public auction pursuant to Section 29-15-10. The vehicle's purchaser shall take title to the vehicle free and clear of all liens and claims of ownership, shall receive a magistrate's order of sale, and is entitled to register the purchased vehicle and receive a certificate of title. The Office of Court Administration shall design a uniform magistrate's order of sale for purposes of this section, Section 56-5-5670, and Section 56-5-5945, and shall make the order available for distribution to the magistrates. The magistrate's order of sale given at the sale must be sufficient title for purposes of transferring the vehicle to a demolisher or secondary metals recycler for demolition, wrecking, or dismantling, and in such case no further titling of the vehicle is necessary. The expenses of the auction, the costs of towing, preserving, and storing the vehicle <u>allowed under Section 29-15-10(B)</u> which resulted from placing the vehicle in custody, and all notice and publication costs incurred pursuant to Section 29-15-10 must be reimbursed up to the amount of the auction sale price from the vehicle's sale proceeds. The remaining sale proceeds must be held for the vehicle's owner or entitled lienholder for ninety days. The magistrate shall notify the vehicle's owner and all lienholders by certified or registered mail,

return receipt requested, that the vehicle's owner or lienholder has ninety days to claim the proceeds from the vehicle's sale. If the vehicle's proceeds are not collected within ninety days from the day after the notice to the vehicle's owner and all lienholders is mailed, then the vehicle's proceeds must be deposited in the county or municipality's general fund."

SECTION 6. This act takes effect upon approval by the Governor. /

/s/Sen. David Wesley "Wes" Climer
/s/Rep. Christopher Sloan "Chris" Wooten
Sen. Margie Bright Matthews
/s/Rep. Bart T. Blackwell
/s/Sen. Sean M. Bennett
/s/Rep. Joseph Herman Jefferson, Jr.
On Part of the Senate.
On Part of the House.

On motion of Senator CLIMER, with unanimous consent, the Conference Report was adopted.

, and a message was sent to the House accordingly.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under Rule 32A to vary the order of the day and proceed directly to Bills Returned from the House.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Davis	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Reichenbach	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Allen	Corbin	Fanning
Hutto	Jackson	*Johnson, Kevin*
Malloy	Martin	Matthews
McElveen	Sabb	Stephens
Williams		

Total--13

The motion to Vary the Order of the Day was adopted.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator HUTTO explained the Bill.

Senator HUTTO asked unanimous consent, while retaining the floor, to proceed to Amendment No. 9.

There was no objection.

Amendment No. 9

Senators YOUNG, McELVEEN, WILLIAMS, HARPOOTLIAN, TALLEY, JACKSON, M. JOHNSON, VERDIN and CROMER proposed the following amendment (5198R015.SP.TRY), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 59-117-10 of the 1976 Code is amended to read:

"Section 59-117-10. (A) The board of trustees of the University of South Carolina ~~shall be composed of the Governor of the State (or his designee), the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three shall be members ex officio of the board; and seventeen other members including one member from each of the sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at-large member appointed by the Governor~~ is composed of:

(1) the Governor of the State, who shall serve as a nonvoting ex officio member;

(2) the President of the student body of the University of South Carolina's Columbia campus, who shall serve as a nonvoting ex officio member;

(3) three at-large members appointed by the Governor, one of whom must be based upon the recommendation of the Greater University of South Carolina Alumni Association and shall be a nonvoting member; and

(4) one member from each of the sixteen judicial circuits elected by a general vote of the General Assembly pursuant to Section 59-117-20(A).

(B) The Governor shall make the ~~appointment~~ appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

SECTION 2. Section 59-117-20 of the 1976 Code is amended to read:

"Section 59-117-20. (A)(1) The regular term of office of each trustee elected by the General Assembly is four years; however, the trustee shall continue to function as a trustee after his term has expired until his successor is elected and qualifies. ~~Trustees from the first, third, fifth, seventh, ninth, eleventh, twelfth, and thirteenth judicial circuits whose~~

~~terms expire March 31, 1982, must next be elected for terms commencing on April 1, 1982, and those terms expire on June 30, 1986. Trustees from the second, fourth, sixth, eighth, tenth, fourteenth, fifteenth, and sixteenth judicial circuits elected for terms to commence April 1, 1984, shall have their terms extended to June 30, 1988, and must next be elected for terms commencing on July 1, 1988. Thereafter,~~

(2) The terms of current elected and appointed trustees serving in office on June 30, 2023, expire on that date, and they shall not serve in holdover status. Before June 30, 2023, the General Assembly shall elect sixteen new voting trustees pursuant to Section 59-117-10(A)(4). The initial terms of these sixteen new trustees begin on July 1, 2023, as follows:

(a) trustees elected to represent odd-numbered judicial circuits are elected for initial terms of two years and until their successors are elected and qualify, and thereafter are elected to terms of four years and until their successors are elected and qualify;

(b) trustees elected to even-numbered seats are elected for initial terms of four years, and thereafter are elected to terms of four years and until their successors are elected and qualify.

(3) After the initial elections held pursuant to item (2) occur, the General Assembly shall hold elections every two years for the purpose of selecting successors of those trustees whose terms are then expiring. The term of office of an elective trustee commences on the first day of July of the year in which the trustee ~~under this plan~~ is scheduled to be elected and the term continues until the thirtieth day of June of the year in which the term is scheduled to expire. ~~After its 1984 session,~~ The General Assembly shall elect successors to those elective trustees whose terms are expiring not earlier than the first day of April of the year the term expires.

(4) In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

(B) The term of office of the at-large ~~trustee~~ trustees appointed by the Governor is effective upon certification to the Secretary of State and is four years, with the exception of the appointment made upon the recommendation of the Greater University of South Carolina Alumni Association, which shall be for a term of two years. ~~If the Governor, chooses to designate a member to serve in his stead as permitted by Section 59-117-10, the appointment is effective upon certification to the Secretary of State and shall continue, at the pleasure of the Governor~~

~~making the appointment, so long as he continues to hold the specified office.~~

(C) The term of the ~~President of the Greater University of South Carolina Alumni Association~~ President of the student body of the University of South Carolina's Columbia campus is for the active term of office as president.

(D) There is no prohibition on members previously serving prior to June 30, 2023, from future election or appointment as a trustee."

SECTION 3. Sections 59-117-40(5) and (16) through (18) of the 1976 Code are amended to read:

"(5) to appoint a chairman of the board of trustees who shall serve a two-year term and may serve no more than two terms as chairman, and to appoint a university president, treasurer, and secretary, and in the appointment of these latter three to prescribe their duties and their terms of office and to fix their compensation;

(16) to remove any officer, faculty member, agent, or employee for incompetence, neglect of duty, violation of University regulations, or conduct unbecoming a person occupying such a position; and

(17) to appoint ~~an executive committee not exceeding six members of the board who have all the powers of the board during the interim between meetings of the board, but not the power to do anything which is inconsistent with the policy or action taken by the board. The executive committee at each meeting of the board shall report fully all action taken by it during the interim; and~~

~~(18) to appoint~~ committees of the board of trustees or officers or members of the faculty of the University, with such power and authority and for such purposes in connection with the operation of the University as the board of trustees ~~may deem wise~~ considers appropriate."

SECTION 4. Section 59-117-50 of the 1976 Code is amended to read:

"Section 59-117-50. The board of trustees shall meet not less frequently than quarterly, the time and place of each such regular meeting to be fixed by the chairman of the board or otherwise as the board of trustees shall provide. ~~If the Governor chooses to serve as an ex officio member of the board, he shall preside at all regular and special meetings of the board of trustees in which he is in attendance. At those meetings at which the Governor is not in attendance~~ The chairman of the board of trustees shall preside and in his absence ~~such member shall preside as~~ the board may select another member to preside. ~~The Governor of the State (if serving as an ex officio member of the board),~~ The chairman of the board ~~of trustees,~~ and the president of the university

~~shall~~ each ~~have~~ has the power to call a special meeting of the board ~~of trustees~~ and fix the time and place ~~thereof~~ of the meeting. Any five voting members of the board ~~shall~~ likewise ~~have~~ has this power. A majority of the voting members of the board ~~of trustees~~ shall constitute a quorum for the transaction of all business of the board but not less than a majority vote of the whole board ~~shall be~~ is required for the election or removal of a president. It ~~shall be~~ is the duty of the president and other officers, as well as members of the faculty, to attend meetings of the board ~~of trustees when requested to so~~ at the request of the board.

(B) The secretary or his assistant shall mail notice of the time and place of all meetings, both regular and special meetings, of the board ~~of trustees of the University of South Carolina shall be mailed by the secretary or his assistant~~ to each trustee not less than five days before each meeting ~~thereof~~."

SECTION 5. This act takes effect upon approval by the Governor."/

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator HUTTO spoke on the Bill.

Debate was interrupted by adjournment.

STATEWIDE APPOINTMENT
Confirmation

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2022, and to expire June 30, 2025

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

On motion of Senator RANKIN, the question was confirmation of Sharon L. Sellers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Sharon L. Sellers was confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Charleston County Master-in-Equity, with the term to commence December 24, 2022, and to expire December 24, 2028

Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401

Reappointment, Clarendon County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

Joseph K. Coffey, P. O. Box 1292, Manning, SC 29102

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Seldon T. Peden, 100 Georgianna Lane, Greenville, SC 29605-3337

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gwen Bampfield, 113 Kinard Lane, Hampton, SC 29924-0132

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927-1125

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jacquelyn I. Duckett, 204 Hawthorne Dr., Simpsonville, SC 29680-6120

ADJOURNMENT

At 5:00 P.M., the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

* * *

Wednesday, June 15, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joshua 4:8b, 9a

We read in the writings of Joshua that: "They took twelve stones from the middle of the Jordan . . . and they carried them over with them to their camp . . . Joshua set up the twelve stones."

Will you please bow with me as we pray: O Ever-loving, almighty God, as we return to this Senate Chamber, we recall how Joshua so long ago created a meaningful memorial with just twelve stones, a simple monument that would help his people remember God's faithfulness and their unity. So it is not too far a jump for us today to wonder -- what will the people of South Carolina remember about the work of this Senate? How might these Senators and their staff members be thought about in days, weeks and years ahead? Naturally, it is our hope and prayer that the actions of these leaders will be recalled in ways that are positive, that the people of South Carolina will truly benefit from the careful and conscientious work of these servants. May it be so, dear Lord. May it be so. In Your loving and hopeful name we pray, O Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey

Matthews	McElveen	Peeler
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 18, 2022, at 10:30 A.M. and the following Acts and Joint Resolution were ratified:

(R197, H. 3166) -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: AN ACT TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\3166VR22.DOCX

(R235, S. 236) -- Senator Young: AN ACT TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE, AMONG OTHER THINGS, THAT FOR PURPOSES OF MUNICIPAL PRIMARY ELECTIONS,

ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS SHALL HAVE ITS OWN POLLING PLACE, THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS MAY NOT EXCEED THREE THOUSAND, AND THAT POOLED MUNICIPAL POLLING PLACES MUST NOT BE MORE THAN THREE MILES FROM THE NEAREST PART OF ANY POOLED PRECINCT.
L:\COUNCIL\ACTS\236ZW22.DOCX

(R236, S. 506) -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: AN ACT TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, AND TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES.
L:\COUNCIL\ACTS\506VR22.DOCX

(R237, S. 533) -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES; TO PROVIDE DEFINITIONS; AND TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT", SO AS TO DEFINE TERMS, ENCOURAGE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO ENCOURAGE COMPETITIVE EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES, TO CREATE THE SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION, AND TO OUTLINE ITS DUTIES AND OBLIGATIONS.
L:\COUNCIL\ACTS\533PH22.DOCX

(R238, S. 628) -- Senator Davis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40-43-210, 40-43-230, 40-43-240, 40-43-250, 40-43-260, AND 40-43-270 SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF-ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44-6-115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40-43-195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\628VR22.DOCX

(R239, S. 1011) -- Senators Senn, Shealy, Stephens and Setzler: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES;

TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES; AND BY ADDING SECTION 44-130-75 SO AS TO ALLOW FOR DISTRIBUTION OF OPIOID ANTIDOTES BY HOSPITALS.
L:\COUNCIL\ACTS\1011VR22.DOCX

(R240, S. 1025) -- Senators Shealy, Hutto and Jackson: AN ACT TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, SO AS TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.
L:\COUNCIL\ACTS\1025VR22.DOCX

(R241, S. 1031) -- Senators Campsen, Grooms, Senn, Loftis and Verdin: AN ACT TO AMEND SECTION 30-5-5, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS FOR ELIGIBILITY TO SERVE OR CONTINUE TO SERVE AS A REGISTER OF DEEDS, AND TO PROVIDE QUO WARRANTO ACTIONS MAY BE BROUGHT TO DETERMINE THE ELIGIBILITY OF A PERSON TO SEEK OR CONTINUE TO SERVE AS A REGISTER OF DEEDS; TO AMEND SECTION 30-5-90, RELATING TO THE TIME WITHIN WHICH A REGISTER OF DEEDS SHALL RECORD CERTAIN INSTRUMENTS, SO AS TO PROVIDE SUCH A REGISTER OF DEEDS SHALL FILE SUCH INSTRUMENTS WITHIN THIRTY DAYS AFTER ITS LODGMENT; TO PROVIDE CERTAIN PROVISIONS OF THIS ACT DO NOT APPLY TO PERSONS WHO HOLD THE OFFICE OF REGISTER OF DEEDS ON THE EFFECTIVE DATE OF THIS ACT AND DURING HIS TENURE IN OFFICE; AND TO PROVIDE AFFIRMATIVE DEFENSE TO QUO WARRANTO ACTIONS BROUGHT PURSUANT TO THIS ACT.
L:\COUNCIL\ACTS\1031WAB22.DOCX

(R242, S. 1045) -- Senators Alexander and M. Johnson: AN ACT TO AMEND SECTION 58-23-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLES FOR COMPENSATION, SO AS TO PROVIDE FOR THE TRANSPORTATION OF HAZARDOUS WASTE FOR DISPOSAL OR HOUSEHOLD GOODS AND EXCEPTIONS; TO AMEND SECTION 58-23-25, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, SO AS TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30, RELATING TO THE DEFINITION OF "FOR COMPENSATION", SO AS TO PROPERLY DEFINE TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-40, RELATING TO CERTIFICATE AND FEE REQUIREMENTS, SO AS TO PROPERLY DEFINE TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-60, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, SO AS TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTIONS 58-23-210, 58-23-220, 58-23-230, 58-23-240, 58-23-250, 58-23-260, 58-23-270, AND 58-23-290, ALL RELATING TO CLASSES OF CERTIFICATES, ALL SO AS TO PROVIDE THE MANNER IN WHICH THE OFFICE OF REGULATORY STAFF ISSUES CLASS CERTIFICATES; TO AMEND SECTION 58-23-560, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, SO AS TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, SO AS TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600, RELATING TO TIME FOR PAYMENT OF FEES, SO AS TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910, RELATING TO INSURANCE AND BOND, SO AS TO PROVIDE INSURANCE REQUIREMENTS; TO AMEND SECTION 58-23-930, RELATING TO EXCEPTIONS FOR THE REQUIREMENT OF INSURANCE, SO AS TO REMOVE REFERENCES TO THE INTERSTATE COMMERCE COMMISSION; TO AMEND SECTIONS 58-23-1010,

58-23-1020, 58-23-1080, AND 58-23-1090, RELATING TO RIGHTS AND DUTIES GENERALLY, SO AS TO PROVIDE FOR REGULATIONS FOR FEES, LICENSES, AND OTHER MARKERS; TO AMEND SECTION 58-4-60, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, SO AS TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 4-11-290, RELATING TO THE DISSOLUTION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR THE DISSOLUTION OF A HOSPITAL DISTRICT THAT HAS AN AFFILIATED ORGANIZATION EXEMPT FROM TAX UNDER SECTION 501(C)(3) OR (4); TO REPEAL SECTIONS 58-23-300, 58-23-330, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060; AND TO REQUIRE THE PUBLIC SERVICE COMMISSION TO MAKE INFORMATION READILY AVAILABLE TO THE PUBLIC.
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(R243, S. 1092) -- Senator Martin: AN ACT TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, SO AS TO ESTABLISH THE MINIMUM AGE FOR CERTAIN DETENTION AND CORRECTIONAL OFFICER CANDIDATES AS EIGHTEEN YEARS OF AGE.
L:\COUNCIL\ACTS\1092CM22.DOCX

(R244, S. 1237) -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: AN ACT TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT; TO AMEND SECTION 56-3-14970, RELATING TO THE ISSUANCE OF CERTAIN MILITARY SERVICE SPECIAL

LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "US SPACE FORCE" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14940, RELATING TO THE ISSUANCE OF SERVICE-CONNECTED DISABILITY SPECIAL LICENSE PLATES, SO AS TO EXEMPT THESE LICENSE PLATES FROM THE REGULAR MOTOR VEHICLE REGISTRATION FEE, AND PROVIDE FOR REFUNDS OF CERTAIN REGISTRATION FEES; TO AMEND SECTION 56-3-14960, RELATING TO THE ISSUANCE OF MERITORIOUS SERVICE SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "MERITORIOUS SERVICE MEDAL" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14980, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES SHOWING SUPPORT FOR MILITARY-RELATED PRIVATE ORGANIZATIONS, SO AS TO PROVIDE FOR THE ISSUANCE OF "SUPPORT OUR TROOPS" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-14990, RELATING TO SURVIVING SPOUSES OBTAINING CERTAIN SPECIAL LICENSE PLATES ISSUED TO THEIR DECEASED SPOUSES, SO AS TO REVISE THE SPECIAL LICENSE PLATES SUBJECT TO THIS PROVISION; TO AMEND SECTION 56-3-15000, RELATING TO LICENSE PLATES ISSUED UNDER PREVIOUS AWARD CRITERIA, SO AS TO MAKE TECHNICAL CHANGES; AND TO REPEAL ARTICLE 20, CHAPTER 3, TITLE 56 RELATING TO SPECIAL LICENSE PLATES ISSUED TO MEMBERS OF FOREIGN CONSULATES.
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(R245, H. 3037) -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: AN ACT TO AMEND SECTION 56-1-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR DRIVERS' LICENSES AND PERMITS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A FORM THAT ALLOWS APPLICANTS TO VOLUNTARILY DISCLOSE PERMANENT MEDICAL CONDITIONS, TO PROVIDE FOR A LIMITED NUMBER OF PERMANENT MEDICAL CONDITIONS THAT MAY BE CONTAINED IN MOTOR VEHICLE DRIVERS' RECORDS, AND TO REVISE THE LIST OF PERSONS WHO MAY ACCESS MEDICAL INFORMATION CONTAINED IN DRIVERS' RECORDS, TO AMEND SECTION 56-1-3350, AS AMENDED,

RELATING TO APPLICATIONS FOR SPECIAL IDENTIFICATION CARDS, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE APPLICANTS MAY OBTAIN SPECIAL IDENTIFICATION CARDS THAT INDICATE THEY HAVE VOLUNTARILY DISCLOSED PERMANENT MEDICAL CONDITIONS, AND PROVIDE FOR LIMITED DISCLOSURE OF THIS INFORMATION.
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(R246, H. 3050) -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: AN ACT TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE THIS PROVISION APPLIES TO LAW ENFORCEMENT OFFICERS EMPLOYED OR APPOINTED AFTER JULY 1, 2022, TO PROVIDE NONCERTIFIED LAW ENFORCEMENT OFFICERS SHALL ONLY PERFORM DUTIES AS LAW ENFORCEMENT OFFICERS WHILE ACCOMPANIED BY CERTIFIED LAW ENFORCEMENT OFFICERS, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 23-23-150, RELATING TO THE ADJUDICATION OF ALLEGATIONS OF MISCONDUCT BY LAW ENFORCEMENT OFFICERS, SO AS TO DEFINE THE DEFINITION OF THE TERM "MISCONDUCT", TO REVISE THE CRITERIA A SHERIFF OR CHIEF EXECUTIVE OFFICER OF A LAW ENFORCEMENT AGENCY OR DEPARTMENT MUST USE WHEN FILING A REPORT OF MISCONDUCT AGAINST A LAW ENFORCEMENT OFFICER, TO PROVIDE THE PROCEDURE FOR PROSECUTING INCIDENCES OF MISCONDUCT, AND TO PROVIDE FOR THE IMPOSITION OF CIVIL FINES AGAINST AGENCIES THAT FAIL TO COMPLY WITH THIS SECTION; BY ADDING SECTION 23-1-250 SO AS TO PROVIDE FOR THE LAWFUL USE OF CHOKEHOLDS OR CAROTID HOLDS, TO PROVIDE WILFUL USE OF EXCESSIVE FORCE MAY BE CONSIDERED MISCONDUCT BY A LAW ENFORCEMENT OFFICER AND SUBJECT TO DISCIPLINARY ACTION, AND TO PROVIDE FOR THE DEVELOPMENT OF CURRICULA AND STANDARDS TO ADDRESS JUSTIFIABLE USE OF CHOKEHOLDS AND CAROTID HOLDS; BY ADDING SECTION 23-23-85 SO AS TO PROVIDE FOR ESTABLISHMENT OF MINIMUM STANDARDS REQUIRED OF LAW ENFORCEMENT AGENCIES BY THE LAW ENFORCEMENT

TRAINING COUNCIL, AND PROVIDE THE COUNCIL WITH THE AUTHORITY TO TAKE PUNITIVE ACTION AGAINST LAW ENFORCEMENT AGENCIES THAT FAIL TO COMPLY WITH STANDARDS ISSUED PURSUANT TO THIS SECTION; BY ADDING SECTION 23-23-160 SO AS TO ESTABLISH A COMPLIANCE DIVISION WITHIN THE LAW ENFORCEMENT TRAINING COUNCIL AND PROVIDE ITS RESPONSIBILITIES; TO AMEND SECTION 23-23-100, RELATING TO COMPLIANCE WITH PROVISIONS ENFORCED BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO REVISE THIS PROVISION; TO AMEND SECTION 23-23-60, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE BY THE LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO ADD ADDITIONAL EVIDENCES A LAW ENFORCEMENT AGENCY MUST SUBMIT TO THE COUNCIL ABOUT A CANDIDATE BEING CONSIDERED FOR CERTIFICATION; AND TO AMEND SECTION 16-23-20, AS AMENDED, RELATING TO THE UNLAWFUL CARRYING OF HANDGUNS, SO AS TO ALLOW RETIRED COMMISSIONED LAW ENFORCEMENT OFFICERS TO CARRY THEM ABOUT THEIR PERSONS.
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(R247, H. 3291) -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: AN ACT TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.
L:\COUNCIL\ACTS\3291AHB22.DOCX

(R248, H. 4062) -- Reps. Sandifer and West: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-21 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSIONERS TO RECEIVE SUBSISTENCE ALLOWANCES UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-3-22 SO AS TO PROVIDE PROCEDURES FOR THE PUBLIC SERVICE COMMISSION TO RECEIVE TECHNICAL AND LEGAL ADVICE NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT; TO AMEND SECTION 58-3-20, RELATING TO THE

MEMBERSHIP AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REVISE THE QUALIFICATIONS; AND TO EXPRESS FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE IMPORTANCE OF ECONOMIC DEVELOPMENT AND THE ROLE THAT ELECTRICITY AND RENEWABLE ENERGY PLAY IN IT, TO DEFINE NECESSARY TERMS, TO ENCOURAGE ELECTRIC UTILITIES TO PROVIDE THE DEPARTMENT OF COMMERCE OR A PROSPECTIVE MANUFACTURING ENTITY WITH RATE PROPOSALS, TO PROVIDE PARAMETERS FOR AGREEMENTS THAT CONTAIN ECONOMIC DEVELOPMENT RATES, AND TO PROVIDE THAT FEDERAL, STATE, AND LOCAL LAWS AND ORDINANCES MUST BE FOLLOWED, AMONG OTHER THINGS. L:\COUNCIL\ACTS\4062AHB22.DOCX

(R249, H. 4075) -- Reps. Wetmore, Stavrinakis and Weeks: AN ACT TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO DELETE THE TERM "ADJUDICATED DELINQUENT", MAKE TECHNICAL CHANGES, TO PROVIDE PERSONS CONVICTED OF CERTAIN OFFENSES WOULD BE REFERRED TO AS EITHER TIER I , TIER II, OR TIER III OFFENDERS; BY ADDING SECTION 23-23-436 SO AS TO REQUIRE CERTAIN PERSONS ADJUDICATED DELINQUENT FOR A TIER III OFFENSE TO REGISTER AS SEX OFFENDERS; TO AMEND SECTION 23-3-460, RELATING TO BIANNUAL LIFETIME REGISTRATION FOR SEX OFFENDERS, SO AS TO PROVIDE OFFENDERS CAN BE REMOVED FROM THE SEX OFFENDER REGISTRY UNDER CERTAIN CIRCUMSTANCES, AND TO REQUIRE SEX OFFENDERS REGISTER WITHIN THREE DAYS OF BEGINNING EMPLOYMENT AT A SCHOOL; BY ADDING SECTIONS 23-3-462 AND 23-3-463 SO AS TO PROVIDE FOR THE TERMINATION OF THE REGISTRATION REQUIREMENTS FOR SEX OFFENDERS WHO HAVE SUCCESSFULLY COMPLETED CERTAIN REQUIREMENTS OR UPON COURT ORDER; TO AMEND SECTION 23-3-490, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, SO AS TO PROVIDE INFORMATION CONTAINED IN THE REGISTRY MAY BE MADE AVAILABLE BY ELECTRONIC MEANS AND TO ELIMINATE CERTAIN RESTRICTIONS PLACED ON THE RELEASE OF THIS INFORMATION, AND TO

PROVIDE FOR THE RELEASE OF INFORMATION FOR PERSONS ADJUDICATED DELINQUENT FOR COMMITTING TIER III OFFENSES; BY ADDING SECTION 23-3-538 SO AS TO PROVIDE CERTAIN TERMS AND THEIR DEFINITIONS, TO PROVIDE LAW ENFORCEMENT AGENCIES THAT DETERMINE SEX OFFENDERS ARE IN VIOLATION OF THIS SECTION MUST NOTIFY THE SEX OFFENDERS OF THE VIOLATION, AND TO PROVIDE PENALTIES FOR CERTAIN SEX OFFENDERS WHO CONTINUE TO ENGAGE IN CERTAIN ACTIVITIES AFTER RECEIVING NOTICE; TO PROVIDE THAT THIS ACT IS RETROACTIVE AND APPLIES TO CERTAIN RESIDENTS WHO CURRENTLY ARE REQUIRED TO REGISTER AS SEX OFFENDERS; AND BY ADDING SECTION 23-3-437 SO AS TO PROVIDE FOR REMOVAL FROM THE SEX OFFENDER REGISTRY FOR CERTAIN JUVENILES UNDER CERTAIN CIRCUMSTANCES.
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(R250, H. 5182) -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 58 TO TITLE 11 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.
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MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

WEDNESDAY, JUNE 15, 2022

Local Appointments

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Carolyn W. Brownlee, 417 Hanover Road, Abbeville, SC 29620-5234

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Susan B. Gladden, 438 Highway 20, Abbeville, SC 29620-4130

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620-4115

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Frederick Corley, 3 Cotton Court, Beaufort, SC 29907-2034

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Thomas A. Holloway, 386 Wahoo Dr., Fripp Island, SC 29920-7022
VICE Rod H. Sproatt

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Angela McCall-Tanner, 1 Hathaway Lane, Bluffton, SC 29910-5725

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jean K. McCormick, 7 Sunset Bluff, Beaufort, SC 29907-1453

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Nancy D. Sadler, 130 Old Plantation Dr., Beaufort, SC 29907-1004

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
LaShonda G. Scott, 14 African Baptist Road, Yemassee, SC 29945-7601

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Erin Vaux, 56 Alljoy Road, Bluffton, SC 29910-7201

Initial Appointment, Colleton County Probate Judge, with the term to commence June 3, 2022, and to expire June 3, 2023
Arthur Cecil Utsey IV, 208 Greenbay Street, Walterboro, SC 29488 *VICE* Hon. Ashley H. Amundson

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Ernest M. O'Brien, 102 Cherokee Dr., Greenville, SC 29615-1117

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Darrell Drakeford, P. O. Box 1528, Camden, SC 29021-8528

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Brian McKnight, 209 Short Street, Kingstree, SC 29556-3926

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jacob D. Wilson, 608 Virginia Street, Kingstree, SC 29556-3231 *VICE* Vasker C. Bartell

Leave of Absence

On motion of Senator McELVEEN, at 12:08 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 12:08 P.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 12:08 P.M., Senator GUSTAFSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator MATTHEWS, at 12:12 P.M., Senator McLEOD was granted a leave of absence until 2:50 P.M.

WEDNESDAY, JUNE 15, 2022

Leave of Absence

At 3:17 P.M., Senator MARTIN requested a leave of absence until Tuesday, June 28, 2022.

Leave of Absence

On motion of Senator YOUNG, at 6:20 P.M., Senator SHEALY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TALLEY, at 6:20 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 7:17 P.M., Senator SABB was granted a leave of absence for the balance of the day.

Leave of Absence

At 7:27 P.M., Senator DAVIS requested a leave of absence until Tuesday, June 28, 2022.

Leave of Absence

On motion of Senator CLIMER, at 9:26 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator YOUNG, at 9:26 P.M., Senator TURNER was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1338 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE BERRY HAWKINS UPON THE OCCASION OF HIS RETIREMENT AS CUSTODIAN, TO COMMEND HIM FOR HIS THIRTY-ONE YEARS OF DEDICATED SERVICE TO

LEXINGTON SCHOOL DISTRICT TWO, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1339 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE DR. MARCELLA SHAW FOR BEING NAMED THE 2023 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR AND TO THANK HER FOR HER SERVICE TO THE STUDENTS, TEACHERS, AND EDUCATION SYSTEM EMPLOYEES OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1340 -- Senators Fanning and McLeod: A SENATE RESOLUTION TO CONGRATULATE SHARRELL TONYA ODOM, A LICENSED FAMILY NURSE PRACTITIONER, UPON THE OCCASION OF HER RETIREMENT AFTER TWO DECADES OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 1341 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE KEOWEE KEY UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND KEOWEE KEY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LAKE KEOWEE COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1342 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR AZALEE FLOYD FOR HER MANY CONTRIBUTIONS TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1343 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE CHAPIN GIRLS VARSITY DANCE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING TWO STATE CHAMPION TITLES AT THE SECOND ANNUAL SOUTH CAROLINA DANCE ASSOCIATION STATE CHAMPIONSHIP.
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The Senate Resolution was adopted.

S. 1344 -- Senators Scott, Grooms, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GEORGE L. SCHROEDER AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1345 -- Senator Verdin: A SENATE RESOLUTION TO CONGRATULATE JOSEPH "JOEY" SAMUEL AVERY, JR. UPON THE OCCASION OF HIS RETIREMENT AS EMERGENCY MANAGEMENT DIRECTOR OF LAURENS COUNTY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1346 -- Senator Martin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MILFORD H. BEAGLE, JR. FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES ARMY AND TO COMMEND HIM FOR HIS SELECTION TO LIEUTENANT GENERAL.
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The Senate Resolution was adopted.

S. 1347 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE JOE W. KING UPON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR FOR FLORENCE COUNTY ECONOMIC DEVELOPMENT, TO COMMEND HIM FOR HIS EIGHTEEN YEARS OF DEDICATED SERVICE TO FLORENCE COUNTY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1348 -- Senators Hutto, Matthews, Kimpson and Stephens: A BILL TO ENACT THE "REPRODUCTIVE HEALTH RIGHTS ACT", BY ADDING CHAPTER 139 TO TITLE 44 OF THE SOUTH CAROLINA CODE, TO PROVIDE THAT A WOMAN MAY HAVE AN ABORTION PRIOR TO THE VIABILITY OF HER EMBRYO OR FETUS, TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH A WOMAN MAY HAVE AN ABORTION AFTER THE VIABILITY OF HER FETUS, TO PROVIDE FOR THE PROCESS THROUGH WHICH A MINOR MAY HAVE AN ABORTION, TO PROVIDE THAT ASSISTIVE REPRODUCTIVE TECHNOLOGIES AND CONTRACEPTIVES SHALL BE AVAILABLE IN SOUTH CAROLINA, TO PROVIDE THAT PREGNANT WOMEN ARE ENTITLED TO QUALITY PRENATAL AND POSTNATAL HEALTHCARE, AND TO EXPAND MEDICAID TO FACILITATE THE DELIVERY OF QUALITY PRENATAL AND POSTNATAL HEALTHCARE; TO AMEND SECTION 40-47-37(C)(6) OF THE SOUTH CAROLINA CODE TO PERMIT DOCTORS TO PRESCRIBE ABORTION INDUCING DRUGS VIA TELEMEDICINE; TO AMEND CHAPTER 71, TITLE 38 OF THE SOUTH CAROLINA CODE BY ADDING SECTION 38-71-48, TO PROVIDE THAT HEALTH INSURANCE POLICIES THAT PROVIDE PREGNANCY AND CHILD BIRTH COVERAGE MUST ALSO OFFER COVERAGE FOR ABORTIONS AND RELATED SERVICES AND MEDICAL PROCEDURES INTENDED TO PERMANENTLY PREVENT PREGNANCY INCLUDING, BUT NOT LIMITED TO, TUBAL LIGATION, HYSTERECTOMY, AND VASECTOMY; TO AMEND CHAPTER 71, TITLE 38 OF THE SOUTH CAROLINA CODE BY ADDING SECTION 38-71-49, TO PROVIDE THAT HEALTH INSURANCE POLICIES MUST OFFER COVERAGE FOR ASSISTIVE REPRODUCTIVE TECHNOLOGIES; TO AMEND SECTION 59-32-10(2) OF THE SOUTH CAROLINA

CODE TO PROVIDE THAT REPRODUCTIVE HEALTH EDUCATION MEANS AGE APPROPRIATE, UNBIASED, COMPREHENSIVE, AND MEDICALLY ACCURATE INSTRUCTION, AND TO FURTHER PROVIDE THAT ABSTINENCE EDUCATION CAN BE TAUGHT BUT NOT TAUGHT AS THE PRIMARY OR ONLY WAY TO PREVENT PREGNANCY; TO AMEND SECTION 59-32-10(4) OF THE SOUTH CAROLINA CODE TO PROVIDE THAT ABSTINENCE FROM SEX BEFORE MARRIAGE CAN BE ENCOURAGED AS A WAY TO PREVENT PREGNANCY; AND TO REPEAL CHAPTER 41, TITLE 44 OF THE SOUTH CAROLINA CODE, RELATING TO ABORTION.
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Senators HUTTO and MATTHEWS spoke on the Bill.

Read the first time and referred to the Committee on Medical Affairs.

S. 1349 -- Senators Jackson and Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO THE LARGE AND LOVING FAMILY AND MANY FRIENDS OF MRS. CARRIE MAE REESE OF RICHLAND COUNTY UPON HER PASSING.
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The Senate Resolution was adopted.

S. 1350 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE ZION MOUNT MORIAH BAPTIST CHURCH, UPON THE OCCASION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY, AND TO WISH THE PASTOR AND THE CONGREGATION MANY MORE YEARS OF SERVICE TO THE SPIRITUAL NEEDS OF THEIR COMMUNITY AND BEYOND.
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The Senate Resolution was adopted.

S. 1351 -- Senator Martin: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF SERGEANT JOSEPH C. SACCO, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR AND RECOGNIZE HIM FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES ARMY.
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The Senate Resolution was adopted.

S. 1352 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BISHOP MILDRED B. "BONNIE" HINES, THE 98TH BISHOP IN SUCCESSION OF THE AME ZION CHURCH; TO CELEBRATE HER LIFE; AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1353 -- Senators Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE OCTOBER 3, 2022, AS WORLD HABITAT DAY IN SOUTH CAROLINA AND TO THANK HABITAT FOR HUMANITY SOUTH CAROLINA AND ITS VOLUNTEERS FOR THEIR EFFORTS ON BEHALF OF THEIR FELLOW CITIZENS.
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The Senate Resolution was adopted.

S. 1354 -- Senators Young, Massey, Setzler, Hutto, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Shealy, Stephens, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE AIKEN TECHNICAL COLLEGE UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE COLLEGE FOR ITS MANY YEARS OF DEDICATED SERVICE TO AIKEN COUNTY, THE CENTRAL SAVANNAH RIVER AREA, AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1355 -- Senators Corbin, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CELEBRATE THE LANDRUM HIGH SCHOOL BOYS STRENGTH TEAM FOR A SUPERB SEASON AND TO CONGRATULATE THE CARDINALS ON CAPTURING THE 2022 CLASS 2A STATE WEIGHT-LIFTING CHAMPIONSHIP, SPONSORED BY THE SOUTH CAROLINA STRENGTH COACHES ASSOCIATION.
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The Senate Resolution was adopted.

S. 1356 -- Senators Corbin, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE THE LANDRUM HIGH SCHOOL STRENGTH TEAM FOR ITS OUTSTANDING SEASON AND TO CONGRATULATE THE LADY CARDINALS ON FINISHING WITH TWO STATE CHAMPIONS IN THE 2021 SOUTH CAROLINA FEMALE STATE STRENGTH MEET, SPONSORED BY THE SOUTH CAROLINA HIGH SCHOOL STRENGTH COACHES ASSOCIATION.
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The Senate Resolution was adopted.

S. 1357 -- Senators Corbin, Kimbrell, Loftis, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimpson, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE THE NORTH GREENVILLE UNIVERSITY BASEBALL TEAM AND COACHES FOR WINNING THE 2022

NCAA DIVISION II NATIONAL CHAMPIONSHIP TITLE AND TO CELEBRATE THEIR EXTRAORDINARY SEASON.
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The Senate Resolution was adopted.

S. 1358 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA NATIONAL GUARD AND THE REPUBLIC OF COLOMBIA UPON THE OCCASION OF THE TEN-YEAR ANNIVERSARY OF THEIR PARTNERSHIP AND TO RECOGNIZE TUESDAY, JUNE 28, 2022, AS "SIEMPRE JUNTOS DAY".
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1359 -- Senator Reichenbach: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF FRANCIS E. "FRANK" WILLIS OF DARLINGTON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

H. 5429 -- Reps. B. Newton and McGarry: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE W. WALDROP, SR., WORLD WAR II VETERAN OF LANCASTER COUNTY, ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION.

The Concurrent Resolution was adopted, ordered returned to the House.

Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

At-Large:

Flavia B. Harton, 110 Pine Forest Drive, Greenville, SC 29601-4422 *VICE* Charles T. Ferillo

Received as information.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2021, and to expire July 1, 2024

South Carolina Chamber of Commerce recommendation:

Kippy D. Miller, 15 Calumet Court, Greenville, SC 29615-6005

Received as information.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2021, and to expire May 3, 2024

At-Large, Governor:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29646-6246

Received as information.

HOUSE CONCURRENCE

S. 1358 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA NATIONAL GUARD AND THE REPUBLIC OF COLOMBIA UPON THE OCCASION OF THE TEN-YEAR ANNIVERSARY OF THEIR PARTNERSHIP AND TO RECOGNIZE TUESDAY, JUNE 28, 2022, AS "SIEMPRE JUNTOS DAY."

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

May 18, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-189, S. 1180, which seeks to amend Act No. 525 of 1982, relating to the election of members of the Chester County School Board of Trustees ("Board"), so as to establish new single-member districts that are different from those districts for members of Chester County Council. Currently, under Act No. 525 of 1982, as amended by subsequent legislation, the single-member districts for the Board correspond to, and are co-terminus with, the single-member districts for Chester County Council. For the reasons set forth below, and particularly in light of the concerns recently expressed by one or more members of the Chester County Legislative Delegation ("Delegation"), I am compelled to veto S. 1180.

As an initial matter, and as the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation "for a specific county" or exempting a specific county from the general law or passing special legislation "where a general law can be made applicable." S.C. Const. art VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted in the context of public education, "legislation regarding education is not exempt from the requirements of Article III, § 34(1X)." Horry cnty v. Horry cnty. Higher Educ Comm 'n, 306 S.C. 416, 419, 412 S.E.2d 421, 423 (1991). Similarly, while the South Carolina Constitution provides that "[t]he General Assembly shall . . . regulate the time, place and manner of elections [and] provide for the administration of elections," S.C. Const. art. II, § 10, local election-related legislation is not immune from scrutiny. Therefore, I carefully review and consider all such legislation presented to me and evaluate the same in view of the governing law. Here, while S. 1180 plainly pertains only to Chester County, it appears that a general law, to the extent necessary, could not be made applicable. However, although S. 1180 may not violate the constitutional prohibition on local or special legislation, this Bill and others recently passed by the General Assembly addressing the reapportionment of school districts further illustrate and underscore the problems associated with piecemeal, and often inconsistent, local legislation. Accordingly, I must reiterate my longstanding concerns regarding the General Assembly's regular resort to this practice, which has produced a patchwork of authorities governing South Carolina's schools and school districts.

Notwithstanding the foregoing, S. 1180 appears to be independently problematic, and it is my understanding that at least one member of the Delegation apparently was not aware of S. 1180's implications. As

evidenced by the enclosed correspondence, there are concerns regarding this legislation's unexplained, unjustified, or undisclosed alteration of district lines and the sudden departure from the single-member districts for Chester County Council. If S. 1180's impact was not clear to the General Assembly that passed the Bill, one can safely presume that the general public may not be aware of the same. Moreover, I am concerned that the manner in which S. 1180 proposes to stagger implementation of the new districts could potentially result in overlapping districts or unrepresented areas, which may lead to temporary disenfranchisement or other representational issues prior to the 2024 General Election. Accordingly, and particularly in view of the aforementioned considerations and the objections raised by one or more members of the Delegation, I am compelled to veto S. 1180.

For the foregoing reasons, I am respectfully vetoing R-189, S. 1180 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R189, S1180) -- Senator Fanning: AN ACT TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

The veto of the Governor was taken up for immediate consideration.

Senator FANNING moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R.189, S. 1180 by a vote of 34 to 64:

(R189, S1180) -- Senator Fanning: AN ACT TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE

CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator RANKIN, with unanimous consent, the Bill was taken up for immediate consideration.

Senator RANKIN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Scott	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

On motion of Senator RANKIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

S. 1087--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley,

Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.
Senator ALEXANDER spoke on the report.
Senator SETZLER spoke on the report.

Senator MASSEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 1087--Conference Report
The General Assembly, Columbia, S.C., May 25, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited as the "Comprehensive Tax Cut Act of 2022".

SECTION 2. Section 12-6-510 of the 1976 Code is amended to read:

"Section 12-6-510. (A) Subject to the provisions of subsection (B), for taxable years beginning after 1994, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 computed at the following rates with the income brackets indexed in accordance with Section 12-6-520:

Not over $2,220	2.5 percent of taxable income
Over $2,220 but not over $4,440	$56 plus 3 percent of the excess over $2,220;
Over $4,440 but not over $6,660	$123 plus 4 percent of the excess over $4,440;
Over $6,660 but not over $8,880	$212 plus 5 percent of the excess of $6,660;
Over $8,880 but not over $11,100	$323 plus 6 percent of the excess over $8,880;
Over $11,100	$456 plus 7 percent of the excess over $11,100.

(B)(1) Notwithstanding subsection (A), for taxable years beginning after 2021, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12-6-530 through 12-6-550 computed at the following rates with the income brackets indexed in accordance with Section 12-6-520:

At Least	But less than	Compute the tax as follows
$0	$3,200	0% times the amount
$3,200	$16,040	3% times the amount minus $96
$16,040	or more	6% times the amount minus $577

(2) Notwithstanding the provisions of item (1), the reduction in the top marginal rate contained in this item, as compared to the same in subsection (A), must be phased-in as provided in item (3). Until the top marginal rate is fully phased-in, the bracket to which this reduced top marginal rate applies must be the same as the bracket for the top marginal rate provided in subsection (A). All reductions are permanent and

cumulative. During the phase-in and after, the department shall continue to adjust the brackets as provided in Section 12-6-520. Other than the top marginal rate, no other component of this item is phased-in.

(3) For Tax Year 2022, the top marginal rate shall equal 6.5%. Beginning with Tax Year 2023, and each year thereafter until the top marginal rate equals 6%, the top marginal rate must decrease by one-tenth of one percent if general fund revenues are projected to increase by at least five percent in the fiscal year that begins during the tax year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11-9-1130, the general fund revenues projection must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year's recurring general fund expenditure base with the Board of Economic Advisors' most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Department of Revenue of the projected percentage adjustment. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage adjustment. However, the forecast in effect on February fifteenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications may have any effect on that determination. For purposes of this section, 'recurring general fund revenue' and 'recurring general fund expenditure base' have the same meaning as provided in Section 6-27-30.

(C) The department may prescribe tax tables consistent with the rates set pursuant to ~~subsection (A)~~ this section."

SECTION 3. A. Section 12-6-1171(A) of the 1976 Code is amended to read:

"(A)~~(1)~~ An individual taxpayer ~~who has~~ may deduct all military retirement income~~, each year may deduct an amount of his South Carolina earned income from South Carolina taxable income equal to the amount of military retirement income that is included in South Carolina taxable income, not to exceed seventeen thousand five hundred dollars. In the case of married taxpayers who file a joint federal income tax return, the deduction allowed by this section shall be calculated separately as though they had not filed a joint return, so that each individual's deduction is based on the same individual's retirement income and earned income. For purposes of this item, 'South Carolina earned income' has the same meaning as provided in Section 12-6-3330.~~

~~(2) Notwithstanding item (1), beginning in the year in which an individual taxpayer reaches age sixty-five, an individual taxpayer who has military retirement income may deduct up to thirty thousand dollars of military retirement income~~ that is included in South Carolina taxable income."

B. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2021.

SECTION 4. A. Section 12-6-515 of the 1976 Code is repealed.

B. This SECTION takes effect on January first of the first tax year in which the provisions of Section 12-6-510(B) are fully phased-in and the top marginal rate equals six percent.

SECTION 5. A. Section 12-37-220(52) of the 1976 Code, as last amended by Act 39 of 2021, is further amended to read:

"(52)(a)(i) ~~14.2857~~ 42.8571 percent of the property tax value of manufacturing property assessed for property tax purposes pursuant to Section 12-43-220(a)(1). The exemption allowed by this item does not apply to property owned or leased by a public utility, as defined in Section 58-3-5, that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing. For purposes of this item, if the exemption is applied to real property, then it must be applied to the property tax value as it may be adjusted downward to reflect the limit imposed pursuant to Section 6, Article X of the South Carolina Constitution, 1895;

(ii) To the extent any such monies are refunded or otherwise credited under this item to a public utility that is regulated by the Public Service Commission, regardless of whether the property is used for manufacturing, any such refund or credits must be flowed through to customers as a reduction in rates, as appropriate.

(b) The revenue loss resulting from the exemption allowed by this item must be reimbursed and allocated to the political subdivisions of this State, including school districts, in the same manner as the Trust Fund for Tax Relief, not to exceed ~~eighty-five~~ one hundred seventy million dollars per year. In calculating estimated state individual and corporate income tax revenues for a fiscal year, the Board of Economic Advisors shall deduct amounts sufficient to account for the reimbursement required by this item.

(c) Notwithstanding the exemption allowed by this item, in any year in which reimbursements are projected by the Revenue and Fiscal Affairs Office to exceed the reimbursement cap in subitem (b), the exemption amount shall be proportionally reduced so as not to exceed the reimbursement cap.

(d) Notwithstanding any other provision of law, property exempted from property taxes in the manner provided in this item is considered taxable property for purposes of bonded indebtedness pursuant to Section 15, Article X of the Constitution of this State."

B. Section 19.B. of Act 40 of 2017 relating to a phase-in of the manufacturing property tax exemption, is repealed.

C. This SECTION takes effect upon approval by the Governor and applies to property tax years after 2021.

SECTION 6. (A) From the Contingency Reserve Fund, there is appropriated one billion dollars to the Taxpayer Rebate Fund which is created in the State Treasury. The fund is separate and distinct from the general fund and all other funds of the State.

(B) The fund must be used by the Department of Revenue to provide a one-time rebate for individual income taxpayers that filed a return for tax year 2021. Each return filed for 2021 shall receive a rebate equal to the amount of tax liability on the return, except that if a return has seven hundred dollars or more of liability, the rebate shall equal seven hundred dollars. However, if the department determines that sufficient funds will exist to increase the maximum rebate of seven hundred dollars, the department shall increase the maximum so that all returns with a tax liability over the increased maximum receive the same rebate. The department must issue these refunds by December 31, 2022.

(C) The department may retain up to one percent of the fund, but not to exceed their actual costs, to administer the rebate.

(D) Any funds remaining in the fund after every rebate has been accounted for shall lapse to the Contingency Reserve Fund, at which time the fund is dissolved.

SECTION 7. This act takes effect upon approval by the Governor. /

Amend title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO PHASE-IN A REDUCTION OF THE TOP MARGINAL RATE TO SIX PERCENT AND TO COLLAPSE OTHER INCOME TAX BRACKETS INTO THE BRACKET TO WHICH THE THREE PERCENT RATE APPLIES; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION; TO AMEND SECTION 12-37-220, AS AMENDED,

RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY AND TO INCREASE THE APPLICABLE LIMIT; AND TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO INDIVIDUAL INCOME TAXPAYERS. /

/s/Sen. Harvey Smith Peeler, Jr.	/s/Rep. J. Gary Simrill
/s/Sen. Nikki Giles Setzler	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Thomas C. Alexander	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE

REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Very respectfully,

Speaker of the House

Received as information.

S. 1087--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 1106--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA,

1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.
Senator ALEXANDER spoke on the report.
Senator SETZLER spoke on the report.

Senator MASSEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

The Committee of Conference Committee was adopted as follows:

S. 1106--Conference Report
The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST

USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: (Reference is to Printer's Version 5/4/22--H.)

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. It is proposed that Section 36(A), Article III of the Constitution of this State be amended to read:

"(A) The General Assembly shall provide for a General Reserve Fund of ~~five~~ seven percent of the general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be achieved by increasing the percentage requirement by a cumulative one-half of one percent of general fund revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent requirement applied until the percentage of revenue in the General Reserve Fund equals the ~~five~~ seven percent requirement, which shall thereafter be maintained. Funds may be withdrawn from the reserve only for the purpose of covering operating deficits of state government. The General Assembly must provide for the orderly restoration of funds withdrawn from the reserve from future revenues and out of funds accumulating in excess of annual operating expenditures.

(1) The General Assembly shall provide by law for a procedure to survey the progress of the collection of revenue and the expenditure of funds and to authorize and direct reduction of appropriations as may be necessary to prevent a deficit.

(2) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit; and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the ~~five~~ seven percent, or the applicable percentage amount required to be transferred to the General Reserve Fund, is again reached and maintained. Provided that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the ~~five~~ seven percent, or the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored."

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots

must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(A), Article III of the Constitution of this State, relating to the General Reserve Fund, be amended so as to provide that the General Reserve Fund of five percent of general fund revenue of the latest completed fiscal year must be increased each year by one-half of one percent of the general fund revenue of the latest completed fiscal year until it equals seven percent of such revenues?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

SECTION 3. It is proposed that Section 36(B), Article III of the Constitution of this State be amended to read:

"(B) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ <u>three</u> percent of the general fund revenue of the latest completed fiscal year.

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the required percentage of general fund revenue, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in subsection (A)(2) of this section. After the General Reserve Fund is fully replenished to the required percentage, the monies in the Capital Reserve Fund may be appropriated, except that the Capital Reserve Fund must not be used to offset a midyear budget reduction~~ <u>The General Assembly must provide by law that if before March first the revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriation for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced to the extent necessary before mandating any reductions in operating appropriations</u>.

(2) ~~Subsequent to appropriations required by item (1) of this subsection~~ <u>After March first of a fiscal year</u>, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate

legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting, but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(3)(a) Any appropriation of monies from the Capital Reserve Fund as provided in this subsection must be ranked in priority of expenditure and is effective thirty days after completion of the fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(b) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in this subsection or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund."

SECTION 4. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 36(B), Article III of the Constitution of this State be amended so as to provide that the Capital Reserve Fund of two percent of the general fund revenue of the latest completed fiscal year be increased to three percent of the general fund revenue of the latest completed fiscal year and to provide that the first use of the Capital Reserve Fund must be to offset midyear budget reductions?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'." /

Amend title to conform.

/s/Sen. Harvey Smith Peeler, Jr.	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Nikki Giles Setzler	/s/Rep. J. Gary Simrill
/s/Sen. Thomas C. Alexander	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Very respectfully,

Speaker of the House

Received as information.

S. 1106--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36,

ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 3346-REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF

THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.
Senator ALEXANDER spoke on the report.
Senator SETZLER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Loftis	Massey

Total—2

The Committee of Conference Committee was adopted as follows:

H. 3346--Conference Report

The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 11-11-310 of the 1976 Code is amended to read:

"Section 11-11-310. (A) The State Fiscal Accountability Authority shall provide for a General Reserve Fund. Funds accumulating in excess of the annual operating expenditures must be transferred to the General Reserve Fund and the transfer must continue to be made in succeeding fiscal years until the accumulated total in this reserve reaches an amount

equal to the applicable percentage amount of the general fund revenue of the latest completed fiscal year.

(B) If there is a year-end operating deficit, so much of the General Reserve Fund as is necessary must be used to cover the deficit. The amount so applied must be restored to the General Reserve Fund out of future revenues as provided in Section 36, Article III of the Constitution of this State and out of funds accumulating in excess of annual operating expenditures as provided in this section until the applicable percentage amount is reached and actually maintained.

(C) In the event of a year-end operating deficit, so much of the reserve fund as may be necessary must be used to cover the deficit, and the amount must be restored to the reserve fund within five fiscal years out of future revenues until the applicable percentage amount required to be transferred to the General Reserve Fund, is reached and maintained. Provided, that a minimum of one percent of the general fund revenue of the latest completed fiscal year, if so much is necessary, must be restored to the reserve fund each year following the deficit until the applicable percentage amount required by general law to be transferred to the General Reserve Fund is restored.

(D) For purposes of this section 'applicable percentage amount' means ~~five~~ seven percent of general fund revenue of the latest completed fiscal year. The ~~five~~ seven percent requirement shall be reached by adding a cumulative one-half of one percent of such revenue in each fiscal year succeeding the last fiscal year to which the ~~three~~ five percent limit applied until the percentage of such revenue equals ~~five~~ seven percent which then and thereafter shall apply."

SECTION 2. A. Section 11-11-320 of the 1976 Code is amended to read:

"Section 11-11-320. (A) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Capital Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to ~~two~~ three percent of the general fund revenue of the latest completed fiscal year.

(B) This appropriation must be contained in the Ways and Means Committee report on the general appropriations bill, the general appropriations bill at the time of third reading in the House of Representatives, the Senate Finance Committee report on the general appropriations bill, the general appropriations bill at the time of a third

reading in the Senate, and in any conference report on the general appropriations bill.

(C) Revenues in the Capital Reserve Fund only may be used in the following manner:

(1) ~~In any fiscal year in which the General Reserve Fund does not maintain the percentage amount required by Section 11-11-310, monies from the Capital Reserve Fund first must be used, to the extent necessary, to fully replenish the requisite percentage amount in the General Reserve Fund. The Capital Reserve Fund's replenishment of the General Reserve Fund is in addition to the replenishment requirement provided in Section 36(A), Article III of the Constitution of this State. After the General Reserve Fund is fully restored to the requisite percentage, the monies in the Capital Reserve Fund may be appropriated pursuant to item (2) of this subsection. The Capital Reserve Fund may not be used to offset a midyear budget reduction~~ If, before March first, the Board of Economic Advisors' revenue forecast for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriations for that year, then the current year's appropriation to the Capital Reserve Fund first must be reduced by the Executive Budget Office to the extent necessary before mandating any reductions in operating appropriations.

(2) ~~Subsequent to appropriations required by item (1)~~ After March first of a fiscal year, monies from the Capital Reserve Fund may be appropriated by the General Assembly in separate legislation upon an affirmative vote in each branch of the General Assembly by two-thirds of the members present and voting but not less than three-fifths of the total membership in each branch for the following purposes:

(a) to finance in cash previously authorized capital improvement bond projects;

(b) to retire interest or principal on bonds previously issued;

(c) for capital improvements or other nonrecurring purposes.

(D)(1) Any appropriation of monies from the Capital Reserve Fund as provided in subsection (C) of this section must be ranked in priority of expenditure and is effective on September first of the following fiscal year. If it is determined that the fiscal year has ended with an operating deficit, then the monies appropriated from the Capital Reserve Fund must be reduced by the State Budget and Control Board based on the rank of priority, beginning with the lowest priority, to the extent necessary and applied by the board to the year-end operating deficit before withdrawing monies from the General Reserve Fund.

(2) At the end of the fiscal year, any monies in the Capital Reserve Fund that are not appropriated as provided in subsection (C) of this section or any appropriation for a particular project or item which has been reduced due to application of the monies to a year-end deficit must lapse and be credited to the general fund."

B. Article 3, Chapter 11, Title 11 of the 1976 Code is amended by adding:

"Section 11-11-325. At any time during the current fiscal year, if the Board of Economic Advisors' revenue forecast projects that revenues for the current fiscal year will be less than appropriated expenditures for this year, the Director of the Executive Budget Office in mandating necessary cuts during the current fiscal year to eliminate the projected deficit must first reduce to the extent necessary the appropriation to the Capital Reserve Fund, prior to mandating any cuts in operating appropriation."

C. Section 11-9-1140(B)(1) of the 1976 Code is amended to read:

"(1) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by three percent or less below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, within three days of that determination, the Director of the Executive Budget Office, after reducing the appropriation to the Capital Reserve Fund pursuant to Section 11-11-325, must reduce general fund appropriations by the requisite amount in the manner prescribed by law. Upon making the reduction, the Director of the Executive Budget Office immediately must notify the State Treasurer and the Comptroller General of the reduction, and upon notification, the appropriations are considered reduced. No agencies, departments, institutions, activity, program, item, special appropriation, or allocation for which the General Assembly has provided funding in any part of this section may be discontinued, deleted, or deferred by the Director of the Executive Budget Office. A reduction of rate of expenditure by the Director of the Executive Budget Office, under authority of this section, must be applied as uniformly as shall be practicable, except that no reduction must be applied to funds encumbered by a written contract with the agency, department, or institution not connected with state government."

SECTION 3. (A) The provisions of SECTION 1 of this act take effect upon the ratification of an amendment to Section 36(A), Article III of the Constitution of this State raising the general reserve fund from five percent of general fund revenue of the latest completed fiscal year

to seven percent of such revenues in the manner provided in the section and first applies to the state fiscal year beginning thereafter.

(B) The provisions of SECTION 2 of this act take effect upon the ratification of an amendment to Section 36(B), Article III of the Constitution of this State to allow the Capital Reserve Fund to be used first to offset midyear budget reductions and raising the Capital Reserve Fund from two percent of the general fund revenue of the latest completed fiscal year to three percent of such revenues and first applies to the state fiscal year beginning thereafter. /

Amend title to read:

/ TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS; BY ADDING SECTION 11-11-325 SO AS TO REQUIRE THE CAPITAL RESERVE FUND BE REDUCED BEFORE MIDYEAR BUDGET REDUCTIONS ARE MADE; TO AMEND SECTION 11-9-1140, RELATING TO THE REDUCTION FO GENERAL FUND APPROPRIATIONS, SO AS TO MAKE A CONFORMING CHANGE; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE./

/s/Sen. Harvey S. Peeler, Jr.	/s/Rep. G. Murrell Smith, Jr.
/s/Sen. Nikki G. Setzler	/s/Rep. J. Gary Simrill
/s/Sen. Thomas C. Alexander	/s/Rep. J. Todd Rutherford
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS; BY ADDING SECTION 11-11-325 SO AS TO REQUIRE THE CAPITAL RESERVE FUND BE REDUCED BEFORE MIDYEAR BUDGET REDUCTIONS ARE MADE; TO AMEND SECTION 11-9-1140, RELATING TO THE REDUCTION FO GENERAL FUND APPROPRIATIONS, SO AS TO MAKE A CONFORMING CHANGE; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Very respectfully,

Speaker of the House

Received as information.

S. 3346--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 5150 --REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.
Senator ALEXANDER spoke on the report.
Senator SETZLER spoke on the report.
The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Fanning	Massey

Total--2

The Committee of Conference Committee was adopted as follows:

H. 5150--Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:
H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET

THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:/

Amend title to conform.

/s/Sen. Harvey Smith Peeler, Jr.	/s/Rep. J. Gary Simrill
/s/Sen. Thomas C. Alexander	/s/Rep. George Murrell Smith, Jr.
/s/Sen. Nikki Giles Setzler	/s/Rep. James Todd Rutherford
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

S. 5150--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET

THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

PRESIDENT PRESIDES

The PRESIDENT assumed the Chair.

S. 1077--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

On motion of Senator RANKIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Garrett	Goldfinch
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimpson
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 1077--Conference Report

The General Assembly, Columbia, S.C., June 9, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY

INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 27, Title 58 of the 1976 Code is amended by adding:

"Article 8 Storm Damage Recovery

Section 58-27-1100. Upon application by an electrical utility, the commission may by order authorize the issuance of bonds for the purposes of offsetting and reducing prudently incurred costs due to storm recovery activity. It is in the interest of the State and its citizens to encourage and facilitate the use of securitized bonds as a method for enabling electrical utilities to lower the cost of financing the costs of these activities under certain conditions, and to empower the commission to review a securitization mechanism to determine whether it is consistent with the public interest and worthy of approval. In order for the commission to authorize the issuance of these bonds, it must find that an electrical utility's use of this financing mechanism will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds, and will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in a financing order issued by the commission.

Section 58-27-1105. When used in this article:

(1) The term 'ancillary agreement' means a bond, insurance policy, letter of credit, reserve account, surety bond, liquidity or credit support arrangement, or other financial arrangement entered into in connection with recovery bonds.

(2) The term 'assignee' means a legally recognized entity to which an electrical utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to storm recovery property. The term includes a corporation, limited liability company, general partnership or limited partnership, public authority, trust, financing entity, or any entity

to which an assignee assigns, sells, or transfers, other than as security, all or a portion of its interest in or right to storm recovery property.

(3) The term 'bondholder' means a person who holds a storm recovery bond.

(4) The term 'code' means the Uniform Commercial Code, Title 36 of the South Carolina Code of Laws.

(5) The term 'commission' means the Public Service Commission of South Carolina.

(6) The term 'electrical utility' is as defined in Section 58-27-10(7).

(7) The term 'financing costs' includes all of the following:

(a) interest and acquisition, defeasance, or redemption premiums payable on recovery bonds;

(b) any payment required under an ancillary agreement and any amount required to fund or replenish a storm reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to recovery bonds;

(c) any other cost related to issuing, supporting, repaying, refunding, and servicing storm recovery bonds, including servicing fees, accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of recovery or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

(d) any taxes and license fees or other fees imposed on the revenues generated from the collection of a storm recovery charge or otherwise resulting from the collection of storm recovery charges, in any such case whether paid, payable, or accrued;

(e) any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

(f) any costs incurred by the commission or the Office of Regulatory Staff for any outside consultants, including counsel and advisors, retained in connection with the securitization of storm recovery costs.

(8) The term 'financing order' means an order that authorizes the issuance of storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm

recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee.

(9) The term 'financing party' means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other person acting for the benefit of bondholders.

(10) The term 'financing statement' is as defined in Section 36-9-102.

(11) The term 'pledgee' means a financing party to which an electrical utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to storm recovery property.

(12) The term 'storm' means, individually or collectively, a named tropical storm or hurricane, a tornado, ice storm or snowstorm, flood, an earthquake, or other significant weather or natural disaster.

(13)(a) The term 'storm recovery activity' means an activity or activities by an electrical utility, its affiliates, or its contractors directly and specifically in connection with the restoration of service and infrastructure associated with electric power outages affecting customers of an electrical utility as the result of a storm or storms, including activities related to mobilization, staging, and construction, reconstruction, replacement, or repair of electric generation, transmission, distribution, or general plant facilities.

(b) No electric utility is required to securitize nor is it prohibited from securitizing those capital improvements or infrastructure upgrades that have a quantifiable net benefit to consumers and that improve the resiliency of the transmission and distribution system.

(14) The term 'storm recovery bonds' means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued by an electrical utility or an assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance commission-approved storm recovery costs and financing costs, and that are secured by or payable from storm recovery property. If certificates of participation or ownership are issued, references in this article to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

(15) The term 'storm recovery charge' means the amounts authorized by the commission to repay, finance, or refinance storm recovery costs and financing costs and that are nonbypassable charges (i) imposed on and part of all retail customer bills, (ii) collected by an electrical utility or its successors or assignees, or a collection agent, in full, separate and apart from the electrical utility's base rates, and (iii) paid by all existing

or future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electricity supplier following a fundamental change in regulation of electrical utilities in this State.

(16) The term 'storm recovery costs' means:

(a) all incremental costs, including capital costs, appropriate for recovery from existing and future retail customers receiving transmission or distribution service from an electrical utility that an electrical utility has incurred or expects to incur as a result of the applicable storm that are caused by, associated with, or remain as a result of undertaking storm recovery activity.

(b) Storm recovery costs shall be net of applicable insurance proceeds, tax benefits, income tax savings, and any other amounts intended to reimburse the electrical utility for storm recovery activities such as government grants, or aid of any kind and where determined appropriate by the commission, and may include adjustments for capital replacement and operating costs previously considered in determining normal amounts in the electrical utility's most recent general rate proceeding. Storm recovery costs may include, to the extent determined appropriate by the commission, the cost to replenish and fund any storm reserves, the costs of retiring any existing indebtedness relating to storm recovery activities, and carrying costs.

(c) With respect to storm recovery costs that the electrical utility expects to incur, any difference between costs expected to be incurred and actual, reasonable and prudent costs incurred, or any other rate-making adjustments appropriate to fairly and reasonably assign or allocate storm cost recovery to customers over time, shall be addressed in a future general rate proceeding, as may be facilitated by other orders of the commission issued at the time or prior to such proceeding; provided, however, that the commission's adoption of a financing order and approval of the issuance of storm recovery bonds may not be revoked or otherwise modified.

(17) The term 'storm recovery property' means:

(a) All rights and interests of an electrical utility or successor or assignee of the electrical utility under a financing order, including the right to impose, bill, charge, collect, and receive storm recovery charges authorized under the financing order and to obtain periodic adjustments to such charges as provided in the financing order.

(b) All revenues, collections, claims, rights to payments, payments, money, or proceeds arising from the rights and interests specified in the financing order, regardless of whether such revenues, collections, claims, rights to payment, payments, money, or proceeds are imposed, billed, received, collected, or maintained together with or commingled with other revenues, collections, rights to payment, payments, money, or proceeds.

Section 58-27-1110. (A) An electrical utility may petition the commission for a financing order. The petition shall include all of the following:

(1) a description of the storm recovery activities that the electrical utility has undertaken or proposes to undertake and the reasons for undertaking the activities, or if the electrical utility is subject to a settlement agreement that governs the type and amount of principal costs that could be included in storm recovery costs, a description of the settlement agreement;

(2) the storm recovery costs and an estimate of the costs of any storm recovery activities that are being undertaken but are not completed;

(3) the level of the storm recovery reserve, if any, that the electrical utility proposes to establish or replenish and has determined would be appropriate to recover through storm recovery bonds and is seeking to so recover, and such level that the electrical utility is funding or will seek to fund through other means, together with a description of the factors and calculations used in determining the amounts and methods of recovery;

(4) an indicator of whether the electrical utility proposes to finance all or a portion of the storm recovery costs using storm recovery bonds. If the utility proposes to finance a portion of such costs, the electrical utility must identify the specific portion in the petition. By requesting not to finance a portion of such storm recovery costs using storm recovery bonds, an electrical utility shall not be deemed to waive its right to seek to recover such costs pursuant to a separate proceeding with the commission;

(5) an estimate of the financing costs related to the storm recovery bonds;

(6) an estimate of the storm recovery charges necessary to recover the storm recovery costs, including the storm recovery reserve amount, if any, determined appropriate by the commission, and financing costs and the period for recovery of such costs;

(7) a comparison between the net present value of the costs to customers that are estimated to result from the issuance of storm recovery bonds based on current market conditions and the costs that would result from the application of the traditional method of financing and recovering storm recovery costs from customers. The comparison should demonstrate that the issuance of storm recovery bonds and the imposition of storm recovery charges are expected to provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds; and

(8) direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(B) If the principal costs the electrical utility proposes to finance using storm recovery bonds were not already subject to review by the commission in a general rate proceeding, then the electrical utility must file a petition with the commission for review and approval of those costs no later than one hundred eighty days before filing a petition for a financing order pursuant to this section.

(1) Any petition for review and approval of the principal costs shall be accompanied by direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(2) If the electrical utility must file a petition for review and approval of the principal costs, the electrical utility shall not be required to provide additional notice prior to filing a petition for a financing order pursuant to this section; otherwise, the utility shall file a notice of its intent to file a petition for a financing order not less than thirty days prior to filing any such petition.

(C)(1) Proceedings on a petition for a financing order submitted pursuant to this section begin with the petition by an electrical utility, filed subject to the time frame specified in subsection (B), as applicable,

and shall be disposed of in accordance with the requirements of this chapter and the rules of the commission, except as follows:

(a) within fourteen days after the date the petition is filed, the commission shall establish a procedural schedule that permits a commission decision no later than one hundred thirty-five days after the date the petition is filed; and

(b) no later than one hundred thirty-five days after the date the petition is filed, the commission shall issue a financing order or an order rejecting the petition. A party to the commission proceeding may petition the commission for reconsideration of the financing order within the time prescribed in Section 58-27-2150.

(2) A financing order issued by the commission to an electrical utility shall include all of the following elements and shall not issue unless each of the following elements is met:

(a) except for changes made pursuant to the formula-based mechanism authorized under this section, the amount of storm recovery costs, including the level of storm recovery reserves, if any, to be financed using storm recovery bonds. The commission shall describe and estimate the amount of financing costs that may be recovered through storm recovery charges and specify the period over which storm recovery costs and financing costs may be recovered;

(b) a finding that the proposed issuance of recovery bonds and the imposition and collection of a storm recovery charge will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds;

(c) a finding that the structuring, marketing, and pricing of the storm recovery bonds will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in such financing order. The financing order must provide detailed findings of fact addressing cost effectiveness and associated rate impacts upon retail customers and retail customer classes;

(d) a requirement that, for so long as the storm recovery bonds are outstanding and until all financing costs have been paid in full, the imposition and collection of storm recovery charges authorized under a financing order shall be nonbypassable and paid by all existing and future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electric

supplier following a fundamental change in regulation of electrical utilities in this State;

(e) a determination of what portion, if any, of the storm recovery reserves, if any, must be held in a funded reserve and any limitations on how the reserve may be held, accessed, or used;

(f) a formula-based true-up mechanism for making, at least annually, expeditious periodic adjustments in the storm recovery charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any overcollection or undercollection of the charges or to otherwise ensure the timely payment of storm recovery bonds, financing costs, and other required amounts and charges payable in connection with the storm recovery bonds;

(g) the storm recovery property that is or shall be created in favor of an electrical utility or its successors or assignees, and that shall be used to pay or secure storm recovery bonds and all financing costs;

(h) the degree of flexibility to be afforded to the electrical utility in establishing the terms and conditions of the storm recovery bonds including, but not limited to, repayment schedules, expected interest rates, and other financing costs, and subject to any conditions in the financing order, including the pre-bond issuance review process which the commission shall establish;

(i) how storm recovery charges will be allocated among customer classes;

(j) a requirement that, after the final terms of an issuance of storm recovery bonds have been established and before the issuance of storm recovery bonds, the electrical utility determines the resulting initial storm recovery charge in accordance with the financing order and that such initial storm recovery charge be final and effective upon the issuance of such storm recovery bonds without further commission action so long as the recovery charge is consistent with the financing order and the pre-bond issuance review process established by the commission in the financing order is complete;

(k) a method of tracing funds collected as storm recovery charges, or other proceeds of storm recovery property, and the determination that such method shall be deemed the method of tracing such funds and determining the identifiable cash proceeds of any storm recovery property subject to a financing order under applicable law; and

(l) any other conditions not otherwise inconsistent with this section that the commission determines are appropriate.

(3) A financing order issued to an electrical utility may provide that creation of the electrical utility's storm recovery property is conditioned upon, and simultaneous with, the sale or other transfer of the storm recovery property to an assignee and the pledge of the storm recovery property to secure storm recovery bonds.

(4) If the commission issues a financing order and the storm recovery bonds are issued, the electrical utility shall file with the commission at least annually a petition or a letter applying the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make the applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any overcollection or undercollection of storm recovery charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges with respect to storm recovery bonds approved under the financing order. Within sixty days after receiving an electrical utility's request pursuant to this paragraph, the commission shall either approve the request or inform the electrical utility of any mathematical or clerical errors in its calculation. If the commission informs the electrical utility of mathematical or clerical errors in its calculation, the electrical utility may correct its error and refile its request. The time frames previously described in this paragraph shall apply to a refiled request.

(5) Subsequent to the transfer of storm recovery property to an assignee or the issuance of storm recovery bonds authorized thereby, whichever is earlier, a financing order is irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this article, the commission may not amend, modify, or terminate the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust recovery charges approved in the financing order. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to assign, sell, or otherwise transfer storm recovery property or to cause storm recovery bonds to be issued, including the right to defer or postpone such assignment, sale, transfer, or issuance, unless otherwise provided in the financing order.

(6) If required by the commission in a financing order, within one business day after the final terms of the storm recovery bonds are determined, the electrical utility shall provide an issuance advice letter to the commission.

(a) Such issuance advice letter shall be in the form approved in a financing order and include the final terms of the storm recovery bond issuance, up-front financing costs and on-going financing costs. Such issuance advice letter shall include a certification from the electrical utility, the primary underwriter(s), and a qualified independent third-party designated by the commission, as a condition to closing, certifying whether the sale of storm recovery bonds complies with the requirements of this article and the financing order. The certifications of the electrical utility and independent third-party shall certify whether the issuance of recovery bonds and the imposition and collection of a storm recovery charge will in fact provide quantifiable net benefits to customers on a present-value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds. The certifications of the electrical utility, primary underwriter(s), and independent third-party shall certify whether the structuring, marketing, and pricing of the storm recovery bonds will in fact result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds were priced and the terms set forth in the financing order. The independent third-party designated by the commission shall review the issuance advice letter and deliver its independent certification to the commission along with any other information it believes the commission should consider as to the commission's decision in subitem (b) no later than one business day after the filing of the issuance advice letter by the electric utility which will contain the aforementioned certifications.

(b) Unless otherwise provided in the financing order, by no later than noon on the fourth business day after the final terms of the storm recovery bonds are determined, the commission shall either accept the issuance advice letter or deliver an order to the electrical utility to prevent the issuance of the storm recovery bonds.

(D) At the request of an electrical utility, the commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding storm recovery bonds issued pursuant to the original financing order if the commission finds that the subsequent financing order satisfies all of the criteria specified in this article for a financing order. Effective upon retirement of the refunded storm recovery bonds and the issuance of new storm recovery

bonds, the commission shall adjust the related storm recovery charges accordingly.

(E) Within thirty days after the commission issues a financing order or a decision denying a request for reconsideration or, if the request for reconsideration is granted, within thirty days after the commission issues its decision on reconsideration, an adversely affected party may petition for judicial review in the Supreme Court of South Carolina. Review on appeal shall be based solely on the record before the commission and briefs to the court and is limited to determining whether the financing order, or the order on reconsideration, conforms to the State Constitution and to state and federal law, and is within the authority of the commission under this article. The Supreme Court of South Carolina shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over other matters not accorded similar precedence by law.

(F)(1) A financing order remains in effect and storm recovery property under the financing order continues to exist until storm recovery bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all commission-approved financing costs of such storm recovery bonds have been recovered in full.

(2) A financing order issued to an electrical utility remains in effect and unabated notwithstanding the reorganization, bankruptcy or other insolvency proceedings, merger, or sale of the electrical utility or its successors or assignees.

Section 58-27-1115. (A) The commission may not, in exercising its powers and carrying out its duties regarding any matter within its authority pursuant to this chapter, consider the storm recovery bonds issued pursuant to a financing order to be the debt of the electrical utility other than for federal income tax purposes, consider the storm recovery charges paid under the financing order to be the revenue of the electrical utility for any purpose, or consider the storm recovery costs or financing costs specified in the financing order to be the costs of the electrical utility, nor may the commission determine any action taken by an electrical utility which is consistent with the financing order to be unjust or unreasonable unless the electrical utility abandons the issuance of storm recovery bonds or the electrical utility's petition for a financing order is ultimately denied.

(B) The commission may not order or otherwise directly or indirectly require an electrical utility to use storm recovery bonds to finance any project, addition, plant, facility, extension, capital improvement, equipment, or any other expenditure except as permitted under this

article. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to cause the storm recovery bonds to be issued, including the right to defer or postpone such sale, assignment, transfer, or issuance, unless otherwise provided in the financing order. Nothing shall prevent the electrical utility from abandoning the issuance of storm recovery bonds under the financing order by filing with the commission a statement of abandonment and the reasons therefor. The commission may not refuse to allow an electrical utility to recover storm recovery costs in an otherwise permissible fashion, or refuse or condition authorization or approval of the issuance and sale by an electrical utility of securities or the assumption by the electrical utility of liabilities or obligations, solely because of the potential availability of storm recovery bond financing.

Section 58-27-1120. The electric bills of an electrical utility that has obtained a financing order and caused recovery bonds to be issued must comply with the provisions of this section; however, the failure of an electrical utility to comply with this section does not invalidate, impair, or affect any financing order, storm recovery property, recovery charge, or recovery bonds. The electrical utility must do the following:

(1) explicitly reflect that a portion of the charges on such bill represents recovery charges approved in a financing order issued to the electrical utility and, if the storm recovery property has been transferred to an assignee, must include a statement to the effect that the assignee is the owner of the rights to recovery charges and that the electrical utility or other entity, if applicable, is acting as a collection agent or servicer for the assignee. The tariff applicable to customers must indicate the recovery charge and the ownership of the charge; and

(2) include the recovery charge on each customer's bill as a separate line item and include both the rate and the amount of the charge on each bill.

Section 58-27-1125. (A) Provisions applicable to storm recovery property:

(1) All storm recovery property that is specified in a financing order constitutes an existing, present intangible property right or interest therein, notwithstanding that the imposition and collection of recovery charges depends on the electrical utility to which the financing order is issued performing its servicing functions relating to the collection of recovery charges and on future electricity consumption. The property exists (i) regardless of whether or not the revenues or proceeds arising from the property have been billed, have accrued, or have been collected and (ii) notwithstanding the fact that the value or amount of the property

is dependent on the future provision of service to customers by the electrical utility or its successors or assignees and the future consumption of electricity by customers.

(2) Storm recovery property specified in a financing order exists until recovery bonds issued pursuant to the financing order are paid in full and all financing costs and other costs of such recovery bonds have been recovered in full.

(3) All or any portion of storm recovery property specified in a financing order issued to an electrical utility may be transferred, sold, conveyed, or assigned to a successor or assignee, that is wholly owned, directly or indirectly, by the electrical utility and created for the limited purpose of acquiring, owning, or administering storm recovery property or issuing storm recovery bonds under the financing order. All or any portion of storm recovery property may be pledged to secure recovery bonds issued pursuant to the financing order, amounts payable to financing parties and to counterparties under any ancillary agreements, and other financing costs. Any transfer, sale, conveyance, assignment, grant of a security interest in or pledge of storm recovery property by an electrical utility or an affiliate of the electrical utility, to an assignee, to the extent previously authorized in a financing order, does not require the prior consent and approval of the commission.

(4) If an electrical utility defaults on any required payment of charges arising from storm recovery property specified in a financing order, a court, upon application by an interested party, and without limiting any other remedies available to the applying party, shall order the sequestration and payment of the revenues arising from the storm recovery property to the financing parties or their assignees. Any such financing order remains in full force and effect notwithstanding any reorganization, bankruptcy, or other insolvency proceedings with respect to the electrical utility or its successors or assignees.

(5) The interest of a transferee, purchaser, acquirer, assignee, or pledgee in storm recovery property specified in a financing order issued to an electrical utility, and in the revenue and collections arising from that property, is not subject to setoff, counterclaim, surcharge, or defense by the electrical utility or any other person or in connection with the reorganization, bankruptcy, or other insolvency of the electrical utility or any other entity.

(6) Any successor to an electrical utility, whether pursuant to any reorganization, bankruptcy, or other insolvency proceeding or whether pursuant to any merger or acquisition, sale, or other business combination, or transfer by operation of law, as a result of electrical

utility restructuring or otherwise, must perform and satisfy all obligations of, and have the same rights under a financing order as, the electrical utility under the financing order in the same manner and to the same extent as the electrical utility, including collecting and paying to the person entitled to receive the revenues, collections, payments, or proceeds of the storm recovery property. Nothing in this subsection is intended to limit or impair any authority of the commission concerning the transfer or succession of interests of electrical utilities.

(7) Recovery bonds shall be nonrecourse to the credit or any assets of the electrical utility other than the storm recovery property as specified in the financing order and any rights under any ancillary agreement.

(B) Provisions applicable to security interests:

(1) The creation, perfection, and enforcement of any security interest in storm recovery property to secure the repayment of the principal and interest and other amounts payable in respect of recovery bonds, amounts payable under any ancillary agreement, and other financing costs are governed by this section and not by the provisions of the code.

(2) A security interest in storm recovery property is created, valid, and binding and perfected at the later of the times that: (i) the financing order is issued, (ii) a security agreement is executed and delivered by the debtor granting such security interest, (iii) the debtor has rights in such storm recovery property or the power to transfer rights in such storm recovery property, or (iv) value is received for the storm recovery property. The description of storm recovery property in a security agreement is sufficient if the description refers to this article and the financing order creating the storm recovery property.

(3) A security interest shall attach without any physical delivery of collateral or other act, and, upon the filing of a financing statement with the office of the Secretary of State, the lien of the security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the person granting the security interest, regardless of whether the parties have notice of the lien. Also upon this filing, a transfer of an interest in the storm recovery property shall be perfected against all parties having claims of any kind, including any judicial lien or other lien creditors or any claims of the seller or creditors of the seller, and shall have priority over all competing claims other than any prior security interest, ownership interest, or assignment in the property previously perfected in accordance with this section.

(4) The Secretary of State shall maintain any financing statement filed to perfect any security interest under this article in the same manner that the Secretary maintains financing statements filed by transmitting utilities under the code. The filing of a financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code.

(5) The priority of a security interest in storm recovery property is not affected by the commingling of storm recovery charges with other amounts. Any pledgee or secured party shall have a perfected security interest in the amount of all storm recovery charges that are deposited in any cash or deposit account of the qualifying utility in which storm recovery charges have been commingled with other funds and any other security interest that may apply to those funds shall be terminated when they are transferred to a segregated account for the assignee or a financing party.

(6) No application of the formula-based adjustment mechanism as provided in this article will affect the validity, perfection, or priority of a security interest in or transfer of storm recovery property.

(7) If a default or termination occurs under the storm recovery bonds, the financing parties or their representatives may foreclose on or otherwise enforce their lien and security interest in any storm recovery property as if they were secured parties with a perfected and prior lien under the code, and the commission may order amounts arising from storm recovery charges be transferred to a separate account for the financing parties' benefit, to which their lien and security interest shall apply. On application by or on behalf of the financing parties, the Circuit Court of Richland County shall order the sequestration and payment to them of revenues arising from the recovery charges.

(C) Provisions applicable to the sale, assignment, or transfer of storm recovery property:

(1) Any sale, assignment, or other transfer of storm recovery property shall be an absolute transfer and true sale of, and not a pledge of or secured transaction relating to, the seller's right, title and interest in, to, and under the storm recovery property if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer other than for federal and state income tax purposes. For all purposes other than federal and state income tax purposes, the parties' characterization of a transaction as a sale of an interest in storm recovery property shall be conclusive that the transaction is a true sale and that ownership has passed to the party characterized as the purchaser, regardless of whether the purchaser has possession of any documents

evidencing or pertaining to the interest. A transfer of an interest in storm recovery property may be created only when all of the following have occurred: (i) the financing order creating the storm recovery property has become effective; (ii) the documents evidencing the transfer of storm recovery property have been executed by the assignor and delivered to the assignee; and (iii) value is received for the storm recovery property. After such a transaction, the storm recovery property is not subject to any claims of the transferor or the transferor's creditors, other than creditors holding a prior security interest in the storm recovery property perfected in accordance with subsection (B) of this section.

(2) The characterization of the sale, assignment, or other transfer as an absolute transfer and true sale and the corresponding characterization of the property interest of the purchaser shall not be affected or impaired by the occurrence of any of the following factors:

(a) commingling of storm recovery charges with other amounts;

(b) the retention by the seller of (i) a partial or residual interest, including an equity interest, in the storm recovery property, whether direct or indirect, or whether subordinate or otherwise, or (ii) the right to recover costs associated with taxes, franchise fees, or license fees imposed on the collection of storm recovery charges;

(c) any recourse that the purchaser may have against the seller;

(d) any indemnification rights, obligations, or repurchase rights made or provided by the seller;

(e) the obligation of the seller to collect storm recovery charges on behalf of an assignee;

(f) the transferor acting as the servicer of the storm recovery charges or the existence of any contract that authorizes or requires the electrical utility, to the extent that any interest in storm recovery property is sold or assigned, to contract with the assignee or any financing party that it will continue to operate its system to provide service to its customers, will collect amounts in respect of the storm recovery charges for the benefit and account of such assignee or financing party, and will account for and remit such amounts to or for the account of such assignee or financing party;

(g) the treatment of the sale, conveyance, assignment, or other transfer for tax, financial reporting, or other purposes;

(h) the granting or providing to bondholders a preferred right to the storm recovery property or credit enhancement by the electrical utility or its affiliates with respect to such storm recovery bonds; or

(i) any application of the formula-based adjustment mechanism as provided in this article.

(3) Any right that an electrical utility has in the storm recovery property before its pledge, sale, or transfer or any other right created under this article or created in the financing order and assignable under this article or assignable pursuant to a financing order is property in the form of a contract right or a chose in action. Transfer of an interest in storm recovery property to an assignee is enforceable only upon all of the following items having been attained: (i) the issuance of a financing order, (ii) the assignor having rights in such storm recovery property or the power to transfer rights in such storm recovery property to an assignee, (iii) the execution and delivery by the assignor of transfer documents in connection with the issuance of storm recovery bonds, and (iv) the receipt of value for the storm recovery property. An enforceable transfer of an interest in storm recovery property to an assignee is perfected against all third parties, including subsequent judicial or other lien creditors, when a notice of that transfer has been given by the filing of a financing statement in accordance with item subsection (B)(3). The transfer is perfected against third parties as of the date of filing.

(4) The Secretary of State shall maintain any financing statement filed to perfect any sale, assignment, or transfer of storm recovery property under this section in the same manner that the Secretary maintains financing statements filed by transmitting utilities under the code. The filing of any financing statement under this article shall be governed by the provisions regarding the filing of financing statements in the code. The filing of such a financing statement is the only method of perfecting a transfer of storm recovery property.

(5) The priority of a transfer perfected under this article is not impaired by any later modification of the financing order or storm recovery property or by the commingling of funds arising from storm recovery property with other funds. Any other security interest that may apply to those funds, other than a security interest perfected under subsection (B) of this section, is terminated when they are transferred to a segregated account for the assignee or a financing party. If storm recovery property has been transferred to an assignee or financing party, any proceeds of that property must be held in trust for the assignee or financing party.

(6) The priority of the conflicting interests of assignees in the same interest or rights in any storm recovery property is determined as follows:

(a) conflicting perfected interests or rights of assignees rank according to priority in time of perfection. Priority dates from the time a filing covering the transfer is made in accordance with item 3 of subsection (B) of this section;

(b) a perfected interest or right of an assignee has priority over a conflicting unperfected interest or right of an assignee;

(c) a perfected interest or right of an assignee has priority over a person who becomes a lien creditor after the perfection of such assignee's interest or right.

Section 58-27-1130. The description of storm recovery property being transferred to an assignee in any sale agreement, purchase agreement, or other transfer agreement, granted or pledged to a pledgee in any security agreement, pledge agreement, or other security document, or indicated in any financing statement is only sufficient if such description or indication refers to the financing order that created the storm recovery property and states that the agreement or financing statement covers all or part of the property described in the financing order. This section applies to all purported transfers of, and all purported grants or liens or security interests in, storm recovery property, regardless of whether the related sale agreement, purchase agreement, other transfer agreement, security agreement, pledge agreement, or other security document was entered into, or any financing statement was filed.

Section 58-27-1135. All financing statements referenced in this article are subject to Part 5 of Chapter 9 of the code, except that the requirement as to continuation statements does not apply.

Section 58-27-1140. The law governing the validity, enforceability, attachment, perfection, priority, and exercise of remedies with respect to the transfer of an interest or right or the pledge or creation of a security interest in any storm recovery property shall be the laws of this State.

Section 58-27-1145. Neither the State, its agencies, and instrumentalities, nor its political subdivisions are liable on any storm recovery bonds, and the bonds are not a debt or a general obligation of the State or any of its political subdivisions, agencies, or instrumentalities nor are they special obligations or indebtedness of the State, its agencies, or its political subdivisions. An issue of storm recovery bonds does not, directly, indirectly, or contingently obligate the State or its agencies, instrumentalities, or political subdivisions, to levy any tax or make any appropriation for payment of the storm recovery bonds, other than in their capacities as consumers of electricity. All storm recovery bonds must contain on the face thereof a statement to the following effect: 'Neither the full faith and credit nor the taxing power of the State of South Carolina is pledged to the payment of the principal of, or interest on, this bond, nor shall the holder of this bond have any recourse against the State, its agencies, instrumentalities, or political

subdivisions for the payment of the principal of, or interest on, this bond.'

Section 58-27-1150. All of the following entities may legally invest any sinking funds, moneys, or other funds in storm recovery bonds:

(1) the South Carolina Pooled Investment Fund established pursuant to Section 6-6-10;

(2) banks and bankers, savings and loan associations, credit unions, trust companies, savings banks and institutions, investment companies, insurance companies, insurance associations, and other persons carrying on a banking or insurance business;

(3) personal representatives, guardians, trustees, and other fiduciaries; and

(4) all other persons authorized to invest in bonds or other obligations of a similar nature.

Section 58-27-1155. (A) The State and its agencies, including the commission, pledge and agree with bondholders, the owners of the storm recovery property, and other financing parties that the State and its agencies will not take any action listed in this section as to any outstanding storm recovery bonds, storm recovery charges, or storm recovery property. This paragraph does not preclude limitation or alteration if full compensation is made by law for the full protection of the storm recovery charges collected pursuant to a financing order and of the bondholders and any assignee or financing party entering into a contract with the electrical utility. The prohibited actions are as follows:

(1) altering the provisions of this article, which authorize the commission to create an irrevocable contract right or chose in action by the issuance of a financing order, to create storm recovery property, and make the storm recovery charges imposed by a financing order irrevocable, binding, or nonbypassable charges;

(2) taking or permitting any action that impairs or would impair the value of storm recovery property or the security for the storm recovery bonds, or revises the storm recovery costs for which storm recovery is authorized;

(3) in any way impairing the rights and remedies of the bondholders, assignees, and other financing parties; and

(4) except for changes made pursuant to the formula-based adjustment mechanism authorized under this article, reducing, altering, or impairing storm recovery charges that are to be imposed, billed, charged, collected, and remitted for the benefit of the bondholders, any assignee and any other financing parties until any and all principal, interest, premium, financing costs and other fees, expenses, or charges

incurred, and any contracts to be performed in connection with the related storm recovery bonds, have been paid and performed in full.

(B) Any person or entity that issues storm recovery bonds may include the language specified in this section in the storm recovery bonds and related documentation.

Section 58-27-1160. An assignee or financing party is not an electrical utility or person providing electric service by virtue of engaging in the transactions described in this article.

Section 58-27-1165. If there is a conflict between this article and any other law regarding the attachment, assignment, perfection, effect of perfection, priority of, assignment or transfer of, or security interest in storm recovery property, this article shall govern.

Section 58-27-1170. In connection with its responsibilities under this article, the commission may retain independent outside consultants to serve as advisors and counsel to the commission. Such consultants shall not have authority to direct how the electrical utility places the storm recovery bonds to market. Any such consultants will be subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as are applicable to the employees of the commission. The commission shall endeavor to retain such consultants in order to best control costs ultimately paid by customers. The compensation paid to such consultants may not exceed compensation generally paid by the regulated industry for such specialists. The consultants' duty will be to the commission, and the consultants shall not have any financial interest in the storm recovery bonds or participate in the underwriting or secondary market trading of the storm recovery bonds. The commission is exempt from complying with the State Procurement Code in the selection and hiring of independent outside consultants authorized by this section.

Section 58-27-1175. If any provision of this article is held invalid or is invalidated, superseded, replaced, repealed, or expires for any reason, that occurrence does not affect the validity of any action allowed under this article which is taken by an electrical utility, an assignee, a financing party, a collection agent, or a party to an ancillary agreement; and any such action remains in full force and effect with respect to all storm recovery bonds issued or authorized in a financing order issued under this article before the date that such provision is held invalid or is invalidated, superseded, replaced, or repealed, or expires for any reason.

Section 58-27-1180. A violation of this article or of a financing order issued under this article subjects the utility that obtained the order to penalties under Article 19 of this chapter and to any other penalties or remedies that the commission determines are necessary to achieve the

intent of this article and the intent and terms of the financing order and to prevent any increase in financial impact to the utility's ratepayers above that set forth in the financing order. If the commission orders a penalty or a remedy for a violation, the monetary penalty or remedy and the costs of defending against the proposed penalty or remedy may not be recovered from the ratepayers. The commission may not make adjustments to recovery charges for any such penalties or remedies."

SECTION 2. Section 36-9-109(d)(13) and (14) of the 1976 Code is amended to read:

"(13) an assignment of a deposit account in a consumer transaction, but Sections 36-9-315 and 36-9-322 apply with respect to proceeds and priorities in proceeds; ~~or~~

(14) a transfer by a government or governmental unit; or

(15) the creation, perfection, priority, or enforcement of any sale, assignment of, pledge of, security interest in, or other transfer of, any interest or right or portion of any interest or right in any storm recovery property as defined in Section 58-27-1105(17)."

SECTION 3. This act takes effect upon approval by the Governor./

Amend title to conform.

/s/Sen. Luke A. Rankin	/s/Rep. John Taliaferro "Jay" West IV
/s/Sen. Scott Talley	Rep. Russell L. Ott
/s/Sen. Brad Hutto	/s/Rep. Jeffrey Edwin "Jeff" Johnson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY

INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Very respectfully,
Speaker of the House

Received as information.

S. 1077--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 1090--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S

INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

On motion of Senator MASSEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MASSEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 6; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	McElveen
Peeler	Reichenbach	Rice
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Fanning	Kimpson	Matthews
McLeod	Scott	Stephens

Total--6

ABSTAIN

Sabb

Total--1

The Committee of Conference Committee was adopted as follows:

S. 1090--Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, pursuant to Section 41-27-40, the General Assembly has the right to amend or repeal all or any part of Chapters 27 through 41 of this Title at any time and there is no vested private right of any kind against such amendment or repeal; and

Whereas, the General Assembly intended to charge the department with the administration of Title 41, Chapters 27 through 41, which includes the enforcement, interpretation, and execution of Section 41-35-40; and

Whereas, the General Assembly has known of the department's enforcement, interpretation, and execution of Section 41-35-40 regarding the weekly maximum benefit amounts paid to claimants; and

Whereas, the General Assembly has continuously approved the decades long practice by the department and its predecessor, the Employment Security Commission, of exercising its discretion to set a weekly maximum amount of unemployment benefits that an individual may receive in a week for the legitimate legislative purpose of ensuring the solvency of the unemployment insurance trust fund and that there are adequate funds to pay unemployment insurance benefits to individuals unemployed through no fault of their own; and

Whereas the General Assembly believes that the department's enforcement, interpretation, and execution of Section 41-35-40 has been and continues to be reasonable and consistent with the General Assembly's intent and charge to administer Section 41-35-40; and

Whereas, the General Assembly intends to explicitly reaffirm that the department has always had the discretion to establish a maximum amount of unemployment benefits an individual may receive each week; and

Whereas, the General Assembly intends for this act to apply retroactively and govern all claims for unemployment insurance filed on or after July 1, 2007, and to apply to all proceedings disputing the department's calculation of an unemployed individual's maximum weekly benefit amount pending on or commenced after the date the enactment of this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A.Section 41-35-40 of the 1976 Code is amended to read:

"Section 41-35-40. (A) An insured worker's weekly benefit amount is fifty percent of his weekly average wage, as defined in Section 41-27-140, and the weekly benefit amount, if not a multiple of one dollar, must be computed to the next lower multiple of one dollar. However, no insured worker's weekly benefit amount may be less than forty-two dollars nor greater than sixty-six and two-thirds percent of the statewide average weekly wage most recently computed before the beginning of the individual's benefit year.

(B) The maximum weekly benefit amount set each year by the department within the range established in subsection (A) must be published on the department's website.

(C) The procedure for reconsideration of determinations pursuant to Section 41-35-640 is the sole and exclusive procedure and remedy for disputing the department's determination of an insured worker's weekly benefit amount."

B.The General Assembly ratifies and affirms that the department has reasonably and faithfully interpreted, executed, and enforced the provisions contained in Section 41-35-40 in accordance with its charge of the administration of the statute and the General Assembly's intent. The provisions of this SECTION shall apply retroactively to govern all claims for unemployment insurance benefits on or after July 1, 2007, so that all such claims are subject to the maximum weekly benefit amount set by the department at the time the claim was filed.

SECTION 2. Section 41-31-60(A) of the 1976 Code is amended to read:

"(A) If on the computation date upon which an employer's tax rate is to be computed as provided in Section 41-31-40 there is a delinquent report, the tax class twenty rate must be assigned to the employer ~~for the period to which the computation applies~~ until the next computation date or until all outstanding tax reports have been filed."

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. A. Shane Massey	/s/Rep. Christopher Sloan Wooten
/s/Sen. Sean M. Bennett	/s/Rep. Bart T. Blackwell
/s/Sen. Kevin L. Johnson	/s/Rep. Joseph Herman Jefferson, Jr.
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT

AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

Very respectfully,

Speaker of the House

Received as information.

S. 202--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

On motion of Senator HEMBREE, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler

Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Fanning	Stephens

Total--2

The Committee of Conference Committee was adopted as follows:

S. 202--Conference Report

The General Assembly, Columbia, S.C., May 31, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

"Section 1-6-35. (A) The State Inspector General may only initiate, supervise, and coordinate an investigation of a public school, public school district, public charter school, public charter school authorizer, or voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State upon the request of:

(1) the Governor;

(2) the State Superintendent of Education; or

(3) the majority of the membership of the legislative delegation of the county in which the subject of the investigation is located, as determined by a weighted vote of that delegation.

(B) A request to investigate pursuant to this section must be transmitted in writing to the Office of the Inspector General. The request for the investigation must articulate the basis of any alleged wrongdoing.

(C) Any report generating recommendations from the Inspector General regarding investigations conducted pursuant to this section must be transmitted to the State Superintendent of Education, the appropriate legislative delegation, and the chairman of the local board of trustees or the chairman of the charter school authorizer.

(D) By December thirty-first of each year, the Inspector General shall report to the General Assembly the number of requests for investigations that the office has received, the number of investigations requested by each individual or entity making the request, and the status of those requests.

(E) Any information relating to the investigation initiated by the Inspector General shall remain confidential for a period not to exceed ten days after the report is finalized and published."

SECTION 2. Section 1-6-10(1) of the 1976 Code is amended to read:

"(1) 'Agency' means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies and bodies~~. 'Agency' includes a body~~ corporate and politic established as an instrumentality of the State. For the purpose of this chapter, 'Agency' also includes public schools, public school districts, public charter schools, public charter school authorizers, and any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State. 'Agency' does not include:

(a) the judicial department of state government;

(b) ~~quasijudicial~~ quasi-judicial bodies of state government;

(c) the legislative department of state government; or

(d) political subdivisions, unless otherwise provided herein."

SECTION 3. This act takes effect upon approval by the Governor. /

Amend title to conform.

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS. /

/s/Sen. Greg Hembree	/s/Rep. Beth E. Bernstein
/s/Sen. Tom Young, Jr.	/s/Rep. Micajah P. "Micah" Caskey IV
/s/Sen. Brad Hutto	/s/Rep. Neal Anthony Collins
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

Very respectfully,
Speaker of the House

Received as information.

S. 202--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 243--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator YOUNG, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator YOUNG spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner

Verdin Williams Young

Total--42
NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 243--Conference Report
The General Assembly, Columbia, S.C., June 13, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 63-7-940(A) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"( )(a) the state director or the director's designee, for the purpose of publicly disclosing findings or information about a prior unfounded case of child abuse or neglect in the preparation and release of reports pursuant to Section 63-7-1990(H), provided that the disclosed information is limited to the following:

(i) the cause and circumstances regarding the child fatality or near fatality;

(ii) the age and gender of the child;

(iii) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality;

(iv) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality;

(v) the result of any such investigations; and

(vi) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality.

(b) The department may delay public disclosure of findings or information pursuant to this item if the disclosure of the findings or information would threaten the safety or well-being of a child or the child's family, or if disclosure of the findings or information would impede a criminal investigation or endanger a reporter of abuse or neglect."

SECTION 2. Section 63-7-1990(H) of the 1976 Code is amended to read:

"(H)(1) The state director or the director's designee is authorized to prepare and release reports of ~~the results of the department's investigations into the deaths of children in its custody or receiving child welfare services at the time of death~~ cases of child abuse or neglect which have resulted in a child fatality or near fatality provided that the disclosed information is limited to the following:

(a) the cause and circumstances regarding the child fatality or near fatality;

(b) the age and gender of the child;

(c) information describing any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality;

(d) information describing any previous investigations pertinent to the abuse or neglect that led to the child fatality or near fatality;

(e) the result of any such investigations; and

(f) the services provided by the State and actions of the State on behalf of the child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality.

(2) The department may delay public disclosure of a report pursuant to this subsection if the disclosure of the report would threaten the safety or well-being of a child or the child's family, or if disclosure of the report would impede a criminal investigation or endanger a reporter of abuse or neglect."

SECTION 3. Section 63-7-20 of the 1976 Code, as last amended by Act 24 of 2021, is further amended by adding an appropriately numbered item to read:

"( ) 'Near fatality' means an act of abuse or neglect that, as certified by a physician, places a child in serious or critical condition."

SECTION 4. This act takes effect upon approval by the Governor. /

Amend title to read:

/ TO AMEND SECTION 63-7-940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO CHILDREN'S CODE DEFINITIONAL TERMS, SO AS TO ADD A DEFINITION FOR "NEAR FATALITY". /

/s/Sen. Tom Young, Jr.	/s/Rep. Beth E. Bernstein
/s/Sen. Katrina Frye Shealy	/s/Rep. Neal Anthony Collins
/s/Sen. J. Thomas McElveen III	/s/Rep. Sylleste H. Davis
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House
Received as information.

S. 243--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 560--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

On motion of Senator SCOTT, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SCOTT spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 560--Conference Report

The General Assembly, Columbia, S.C., June 6, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. (A) There is created the Heirs' Property Study Committee to examine current and prospective methods to address heirs' property issues in South Carolina. The study committee shall:

(1) determine the amount of land in South Carolina that is subject to the heirs' property system;

(2) study the impacts of federal and state legislation on the partition of the land subject to heirs' property; and

(3) analyze approaches and methods undertaken by other states to address heirs' property and study if those methods could be applied to South Carolina; and

(4) determine the costs heirs' property presents to the economic well-being of South Carolina and estimate the benefits of proactive measures taken to address heirs' property.

(B) The study committee must be comprised of three members of the Senate appointed by the President of the Senate and three members of the House of Representatives appointed by the Speaker of the House. Staff from the Senate and House of Representatives shall assist the study committee.

(C) The members of the study committee shall seek assistance from governmental agencies and members of the private sector including, but not limited to, the South Carolina State Housing Finance and Development Authority, the Homebuilders Association of South Carolina, the Landowners Association of South Carolina, the South Carolina Association of Habitat for Humanity, the Affordable Housing Coalition of South Carolina, the Realtors Association of South Carolina, the Center for Heirs' Property Preservation, the Municipal Association of South Carolina, and the South Carolina Association of Counties.

(D) The study committee shall provide a report to the General Assembly by December 31, 2022, at which time the study committee shall dissolve.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Billy Garrett
/s/Sen. Michael Johnson
/s/Sen. John L. Scott, Jr.
On Part of the Senate.

/s/Rep. Brandon Michael Newton
/s/Rep. Wallace H. "Jay" Jordan ,Jr.
/s/Rep. Beth E. Bernstein
On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Very respectfully,

Speaker of the House

Received as information.

S. 560--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 3055--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE

THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO

PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

On motion of Senator CAMPSEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3055--Conference Report
The General Assembly, Columbia, S.C., May 26, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION

50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 48-22-40 of the 1976 Code, as last amended by Act 75 of 2019, is further amended by adding an appropriately numbered item at the end to read:

"( ) shall conduct topographic mapping using light detection and ranging (LiDAR) data collections by December 31, 2022, and at least every seven years thereafter. The information must be shared with the South Carolina Department of Natural Resources Flood Mitigation Program to ensure compliance with Federal Emergency Management Agency guidelines and standards for flood risk analysis and mapping activities under the Risk Mapping, Assessment, and Planning Program. The unit is authorized to work with local, state, and federal governmental entities in South Carolina to complete the topographic mapping and share the results of the topographic mapping with these agencies. The unit shall work with the Flood Mitigation Program to publish the results to the public on the Department of Natural Resources' website. The provisions of this item may only be enforced when the General Assembly

appropriates the necessary funding for the topographic mapping in the general appropriations act."

SECTION 2. A.Section 48-4-10(A) of the 1976 Code is amended to read:

"(A) The South Carolina Department of Natural Resources is created to administer and enforce the laws of this State relating to wildlife, marine resources, and natural resources and other laws specifically assigned to it. The department must be comprised of a ~~Natural Resources~~ Law Enforcement Division, a Wildlife and Freshwater Fisheries Division, a Marine Resources Division, ~~a Water Resources Division, and a Land Resources and Conservation Districts Division~~ and a Land, Water, and Conservation Division. Each division of the department must have the functions and powers provided by law."

B. Section 48-4-70 of the 1976 Code is amended to read:

"Section 48-4-70. The board shall:

(1) hold meetings, as considered necessary by the chairman, with a majority of the board members constituting a quorum. The board may hold meetings, transact business, or conduct investigations at any place necessary; however, its primary office is in Columbia;

(2) formulate and recommend legislation to enhance uniformity, enforcement, and administration of the wildlife, marine, and natural resource laws;

(3) make an annual report to the General Assembly on all matters relating to its action;

(4) ~~require those of its officers, agents, and employees it designates to give bond for the faithful performance of their duties in the sum and with the sureties it determines, and all premiums on the bonds must be paid by the board;~~

~~(5)~~ pay travel expenses; and purchase or lease all necessary facilities, equipment, books, periodicals, and supplies for the performance of its duties; and

~~(6)~~(5) exercise and perform other powers and duties as granted to it or imposed upon it by law."

C. Section 50-1-220 of the 1976 Code is amended to read:

"Section 50-1-220. The provisions of Sections 50-1-180 to ~~50-1-230~~ 50-1-220 shall also apply to (a) other properties of the United States Government, (b) any other properties acquired or to be acquired from the United States Government by the State, or (c) any other lands or waters purchased by the United States or the State. But hunting and fishing shall not be allowed on any lands under the control or ownership of the State Commission of Forestry except by written agreement with that

Commission. Nothing contained in such sections shall interfere in any manner with the use and management of lands by a state agency in charge of such lands in the functions of such agency as authorized by law."

D. Section 50-3-90 of the 1976 Code is amended to read:

"Section 50-3-90. The authorized agents of the department may conduct game and fish cultural operations and scientific investigations in such manner, places and at such times as are considered necessary and may use whatever methods are deemed advisable for sampling fish populations. ~~Such operations and investigations shall be conducted only at the request of and with the permission from the board, and~~ No such operations and investigations shall be made upon private lands and waters except at the request of the owner or owners of such lands and waters."

E. Section 50-3-110 of the 1976 Code is amended to read:

"Section 50-3-110. The department shall have charge of the enforcement officers of the Natural Resources Law Enforcement Division of the department and exercise supervision over the enforcement of the laws of the State, regulatory, tax, license or otherwise, in reference to birds, nonmigratory fish, game fish, shellfish, shrimp, oysters, ~~oyster leases,~~ and fisheries."

F. Section 50-3-130 of the 1976 Code is amended to read:

"Section 50-3-130. The ~~board~~ department shall prescribe a unique and distinctive official uniform, with appropriate insignia to be worn by all uniformed enforcement officers of the Natural Resources Law Enforcement Division of the department when on duty and at such other times as the board shall order, and a distinctive color or colors and appropriate emblems for all motor vehicles used by such officers. No other law enforcement agency, private security agency or any person shall wear a similar uniform and insignia which may be confused with the uniform and insignia of the enforcement officers nor shall any emblem be used on a motor vehicle nor shall it be painted in a color or in any manner which would cause the vehicle to be similar to an enforcement officer's vehicle or readily confused therewith."

G. Section 50-3-315 of the 1976 Code is amended to read:

"Section 50-3-315. (A) The director may appoint deputy enforcement officers who serve at the pleasure of the director without pay. The officers have statewide police power. However, the director may restrict their territorial jurisdiction. No person may be appointed as an officer who holds another public office. The Secretary of State shall transmit to the director the commissions of all officers.

(B) Except for specially designated department employees, deputy enforcement officers are volunteers covered by Chapter 25 ~~of~~, Title 8 and not employees entitled to coverage or benefits in Title 42.

(C) Except for specially designated department employees, deputy enforcement officers shall furnish their own equipment but may not equip privately owned vehicles with blue lights, sirens, or police-type markings.

(D) Deputy enforcement officers must be of good character.

(E) The department shall administer the deputy enforcement officers through its Natural Resources Enforcement Division.

(F) The number of deputy enforcement officers appointed is in the discretion of the director.

(G) All deputy enforcement officers:

(1) must be certified by the South Carolina Criminal Justice Academy or successfully shall complete the 'Basic State Constables Course' at their own expense at one of the state technical schools;

(2) successfully shall complete required refresher training;

(3) promptly shall comply with all directives by the Deputy Director of the Natural Resources Enforcement Division and the supervisor of enforcement officers within whose area the officer is acting.

~~(H) The department by regulation shall establish a training program for deputy enforcement officers commissioned after July 1, 1980.~~"

H. Section 50-3-320 of the 1976 Code is amended to read:

"Section 50-3-320. The Secretary of State shall transmit to the ~~board~~ department the commissions of all enforcement officers and the director shall deliver such commissions to the enforcement officers only after the enforcement officers have filed oaths ~~and bonds~~ as required by Section 50-3-330."

I. Section 50-3-350 of the 1976 Code is amended to read:

"Section 50-3-350. The enforcement officers, when acting in their official capacity, shall wear a metallic shield with the words ~~'Enforcement Officer of the Natural Resources Enforcement Division'~~ 'South Carolina Department of Natural Resources Law Enforcement Officer' inscribed thereon."

J. Section 50-3-395 of the 1976 Code is amended to read:

"Section 50-3-395. Enforcement officers may issue warning tickets to violators in cases of misdemeanor violations under this title. The department shall ~~by regulation~~ provide for the form, administration, and use of warning tickets authorized by this section."

K. Section 50-15-10(2)(e) of the 1976 Code is amended to read:

"(e) any combination of the foregoing factors. The term shall also be deemed to include any species or subspecies of fish or wildlife appearing on the United States' List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D, 50 C.F.R. Section 17.11) as well as any species or subspecies of fish and wildlife appearing on the United States' List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50 of the Code of Federal Regulations, Appendix A, 50 C.F.R. Section 17.11), as such list may be modified hereafter."

L. Section 50-15-30(B) and (C) of the 1976 Code is amended to read:

"(B) The ~~board~~ department shall conduct a review of the state list of endangered species within not more than two years from its effective date and every two years thereafter and may amend the list by such additions or deletions as are deemed appropriate. The ~~board~~ department shall submit to the Governor a summary report of the data used in support of all amendments to the state list during the preceding biennium.

(C) Except as otherwise provided in this article, it shall be unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship, and for any common or contract carrier knowingly to transport or receive for shipment any species or subspecies of wildlife appearing on any of the following lists:

(1) the list of wildlife indigenous to the State determined to be endangered within the State pursuant to subsection (A);

(2) the United States' List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D, 50 C.F.R. Section 17.11); and

(3) the United States' List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50, Code of Federal Regulations, Appendix A, 50 C.F.R. Section 17.11), as such list may be modified hereafter; provided, that any species or subspecies of wildlife appearing on any of the foregoing lists which enters the State from another state or from a point outside the territorial limits of the United States and which is transported across the State destined for a point beyond the State may be so entered and transported without restriction in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state."

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act,

and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor./

Amend title to conform.

/TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING BY DECEMBER 31, 2022, AND AT LEAST EVERY SEVEN YEARS THEREAFTER, AND TO SHARE THE INFORMATION WITH THE DEPARTMENT'S FLOOD MITIGATION PROGRAM; TO AMEND SECTION 48-4-10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO

DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, AS AMENDED, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES. /

/s/Sen. George E. "Chip" Campsen III	/s/Rep. William M. "Bill" Hixon
/s/Sen. David Wesley "Wes" Climer	/s/Rep. Cally R. "Cal" Forrest, Jr.
/s/Sen. Vernon Stephens	/s/Rep. Lucas Atkinson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE

BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL

REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Very respectfully,

Speaker of the House

Received as information.

H. 3055--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION

50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 901--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

On motion of Senator VERDIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator VERDIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

S. 901--Conference Report

The General Assembly, Columbia, S.C., June 8, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES,

OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Section 12-6-3775 as it existed on December 31, 2021, is reenacted retroactively, subject to the amendments contained in SECTION 2.

B. This SECTION takes effect upon approval by the Governor and applies to income tax years beginning after 2021.

C. Section 4 B. of Act 77 of 2019 is repealed.

SECTION 2.A. Section 12-6-3775 of the 1976 Code is amended to read:

"Section 12-6-3775. (A) For the purposes of this section, 'solar energy property' means any nonresidential solar energy equipment with a nameplate capacity of at least one thousand nine hundred kilowatts (1,900 kw AC) that uses solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, daylighting, generating electricity, distillation, desalination, detoxification, or the production of industrial or commercial process heat. The term also includes related devices necessary for collecting, storing, exchanging, conditioning, or converting solar energy to other useful forms of energy.

(B)(1) A taxpayer is allowed an income tax credit equal to twenty five percent of the cost, including the cost of installation, of a solar energy property if he constructs, purchases, or leases a solar energy property that is located in the State of South Carolina and if:

(a) the property is located on:

(i) the Environmental Protection Agency's National Priority List;

(ii) the Environmental Protection Agency's National Priority List Equivalent Sites;

(iii) a list of related removal actions, as certified by the Department of Health and Environmental Control;

(iv) land that is subject to a Voluntary Cleanup Contract with the Department of Health and Environmental Control as of December

31, 2017, or to corrective action under the Federal Resource Conservation and Recovery Act of 1976; or

(v) land that is owned by the Pinewood Site Custodial Trust; and

(b) he places it in service in this State during the taxable year.

(2) The credit is earned in the year in which the solar energy property is placed in service but must be taken in five equal annual installments, beginning ~~in~~ within three years of the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year that the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to this section if the cost of the solar energy property is provided by public funds. For the purposes of this section, 'public funds' does not include federal grants or tax credits.

(C) If the solar energy property with respect to which the credit was claimed is disposed of, taken out of service, or moved out of the State in a year in which the installment of a credit accrues, then the credit expires and the taxpayer may not take any remaining installments of the credit.

(D) A credit for each installation of solar energy property placed in service may not exceed ~~two~~ five million ~~five hundred thousand~~ dollars. The credit is allowed on a first come, first served basis, and the total amount of credits available to be taken, pursuant to the five equal annual installments, for all taxpayers in a taxable year, may not exceed two million five hundred thousand dollars in the aggregate.

(E) A taxpayer who claims any other state credit allowed with respect to solar energy property may not take the credit allowed in this section with respect to the same property. A taxpayer may not take the credit allowed in this section for solar energy property that the taxpayer leases from another unless the taxpayer obtains the lessor's written certification that the lessor will not claim a credit pursuant to this section with respect to the property.

(F) The department may promulgate regulations necessary to implement the provisions of this section.

(G) To the extent that the taxpayer is a partnership or a limited liability company taxed as a partnership, the credit, including any unused credit amount carried forward, may be passed through to the partners or members and may be allocated among any of its partners or members on an annual basis including, without limitation, an allocation of the entire credit or unused carryforward to any partner or member who was a

member or partner at any time in the year in which the credit or unused carryforward is allocated. The allocation must be allowed without regard to any provision of the Internal Revenue Code or regulations promulgated pursuant thereto, that may be interpreted as contrary to the allocation including, without limitation, the treatment of the allocation as a disguised sale. This subsection only applies to credits earned for a solar energy property placed in service after 2019."

B. This SECTION takes effect upon approval by the Governor and first applies to income tax years beginning after 2021.

SECTION 3. Article 9, Chapter 36, Title 12 of the 1976 Code is amended by adding:

"Section 12-36-922. For each accommodations tax return filed with multiple locations, the filer also must provide electronically the location information by address and the amount of net taxable sales for each location."

SECTION 4. A. Section 12-36-2110(A)(1)(d) of the 1976 Code is amended to read:

"(d) boat and watercraft motor;"

B. This SECTION takes effect upon approval by the Governor and first applies on July 1, 2022.

SECTION 5. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3710. (A) For tax years beginning after 2021, there is allowed a tax credit for any taxpayer that hires a formerly incarcerated individual, after 2021 but before 2027, as a new employee in a registered apprenticeship program that has been validated by the United States Department of Labor. An employer who has one or more eligible employees is eligible to apply for and receive a credit against the taxes set forth in subsection (B). In the first year in which the credit is earned pursuant to subsection (D), the amount of the credit is three thousand dollars for each eligible employee. If the eligible employee remains employed and otherwise meets the requirements of this section thereafter, the credit is two thousand five hundred dollars in the second year, and one thousand dollars in the third year. The credit may not be claimed beyond the third year.

(B) The credit allowed pursuant to this section may be taken against the income taxes imposed pursuant to this chapter, the bank tax imposed pursuant to Chapter 11 of this title, the savings and loan association tax imposed pursuant to Chapter 13 of this title, the corporate license tax imposed pursuant to Chapter 20 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38.

(C) The total amount of the tax credit for a taxable year may not exceed the taxpayer's tax liability. Any unused credit may not be carried over to apply to the taxpayer's succeeding year's liability.

(D)(1) The tax credit is earned in the year in which the formerly incarcerated individual first completes the twelfth consecutive month of employment with the taxpayer. The credit is earned in the same manner and on the same schedule in the second and third year of employment.

(2) The tax credit allowed by this section only may be claimed for an eligible individual once, regardless of the employer. The department shall consult with the Department of Commerce, Apprenticeship Carolina of the South Carolina Technical College System, and any other agency or entity necessary to establish a process by which employers are aware of an individual's eligibility for the credit allowed by this section.

(E) Notwithstanding any other provision of this section, the credit allowed by this section only may be claimed if the formerly incarcerated individual is hired by the employer, after 2021 but before 2027, as a new employee in the registered apprenticeship program. If the individual is hired before 2027, then the employer may claim the credit for each year the individual is eligible and on the same schedule as provided in this section.

(F) The department may prescribe forms and promulgate regulations necessary to implement the provisions of this section, including requiring the necessary documentation to prove eligibility.

(G) Nothing in this section may be construed to allow an employer to claim this credit for a formerly incarcerated individual if the individual was hired before 2022.

(H) For purposes of this section:

(1) 'Full-time' has the same meaning as provided in Section 12-6-3360.

(2) 'Incarcerated individual' means an individual that, within three years of being hired in a qualifying apprenticeship program, was held in a state or county prison, jail, or detention center for at least ninety consecutive days, but does not include an individual incarcerated for a violent crime set forth in Section 16-1-60, unless such individual received a pardon for the offense or unless the only disqualifying violent crime resulted in a sentence of ten years or less under Section 44-53-370(E) or Section 44-53-375(C).

Section 12-6-3720. (A) For tax years beginning after 2021, there is allowed a tax credit for any taxpayer that hires a veteran of the Armed Forces of the United States, after 2021 but before 2027, as a new employee in a registered apprenticeship program that has been validated

by the United States Department of Labor. An employer who has one or more eligible employees is eligible to apply for and receive a credit against the taxes set forth in subsection (B). In the first year in which the credit is earned pursuant to subsection (D), the amount of the credit is three thousand dollars for each eligible employee. If the eligible employee remains employed and otherwise meets the requirements of this section thereafter, the credit is two thousand five hundred dollars in the second year, and one thousand dollars in the third year. The credit may not be claimed beyond the third year.

(B) The credit allowed pursuant to this section may be taken against the income taxes imposed pursuant to this chapter, the bank tax imposed pursuant to Chapter 11 of this title, the savings and loan association tax imposed pursuant to Chapter 13 of this title, the corporate license tax imposed pursuant to Chapter 20 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38.

(C) The total amount of the tax credit for a taxable year may not exceed the taxpayer's tax liability. Any unused credit may not be carried over to apply to the taxpayer's succeeding year's liability.

(D)(1) The tax credit is earned in the year in which the veteran first completes the twelfth consecutive month of employment with the taxpayer. The credit is earned in the same manner and on the same schedule in the second and third year of employment.

(2) The tax credit allowed by this section only may be claimed for an eligible individual once, regardless of the employer. The department shall consult with the Department of Commerce, Apprenticeship Carolina of the South Carolina Technical College System, and any other agency or department necessary to establish a process by which employers are aware of an individual's eligibility for the credit allowed by this section.

(E) Notwithstanding any other provision of this section, the credit allowed by this section only may be claimed if the veteran is hired, after 2021 but before 2027, by the employer as a new employee in the registered apprenticeship program. If the individual is employed before 2027, then the employer may claim the credit for each year the individual is eligible and on the same schedule as provided in this section.

(F) The department may prescribe forms and promulgate regulations necessary to implement the provisions of this section, including requiring the necessary documentation to prove eligibility.

(G) Nothing in this section may be construed to allow an employer to claim this credit for a veteran if the veteran was hired before the effective date of this section.

(H) For purposes of this section:

(1) 'Full-time' has the same meaning as provided in Section 12-6-3360.

(2) 'Veteran' means a person who served on active duty in the armed forces of the United States and who, within three years of being hired in a qualifying apprenticeship program, was honorably discharged or released from such service due to a service-connected disability."

SECTION 6. A.Section 12-10-30 of the 1976 Code is amended by adding an appropriately numbered item to read:

"( ) 'Related person' includes any entity or person that bears a relationship to a business as provided in Internal Revenue Code Section 267 or 707(b). The related person must be a 'qualifying business' as defined in item 1, except that the related person does not have to meet the requirements of Section 12-10-50(A)(1) or, in case the qualifying business qualifies for the credit against withholding for retraining pursuant to Section 12-10-95 of this Chapter, the related person does not have to meet the requirements of Section 12-10-50(B)(1)."

B. Section 12-10-80 of the 1976 Code is amended by adding an appropriately numbered item to read:

"( )(a) For purposes of this chapter, a qualifying business may designate up to two related persons whose jobs and investments located at the project may be included to determine whether the qualifying business has met and maintained the minimum job requirement and minimum capital investment requirement. Qualified expenditures described in subsection (C) incurred by a related person may be treated as though such qualifying expenditures were incurred by the qualifying business for purposes of claiming the job development credit and each related person may claim the job development credit for the jobs created by such related person and include any qualifying expenditures of the qualifying business or another related person for purposes of claiming the job development credit as if created and made by the related person.

(b) A single-member limited-liability company that is not regarded as an entity separate from its owner and a qualified subchapter 'S' subsidiary as defined in Section 1361(b)(3)(B) of the Internal Revenue Code that is not regarded as a separate entity from the 'S' corporation that owns its stock, is treated as the qualifying business for all purposes under this chapter, including for purposes of claiming the job development credit against withholding but it counts as a related person for purposes of the limit described in subitem (a)."

SECTION 7. (A) Except as otherwise provided, this act takes effect upon approval by the Governor.

(B)(1) If a solar energy tax credit is earned and any portion taken pursuant to Section 12-6-3775 before 2022, then the provisions of Section 12-6-3775 as they existed on December 31, 2021, continue to apply to such credits until the credits have been fully claimed.

(2) If a solar energy tax credit is earned pursuant to Section 12-6-3775 after 2021, but before the effective date of this act, then the reenacted provisions of Section 12-6-3775, as amended pursuant to SECTION 2, apply.

(C) The provisions of Section 12-6-3775 are repealed on December 31, 2024, except that if the credit allowed by Section 12-6-3775 is earned before the repeal, then the provisions of Section 12-6-3775, as amended, continue to apply until the credits have been fully claimed. /

Amend title to conform.

/s/Sen. Daniel Byron Verdin III	/s/Rep. Heather Ammons Crawford
/s/Sen. Tom Davis	/s/Rep. William Lee Hewitt III
/s/Sen. Kent M. Williams	/s/Rep. David Weeks
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Very respectfully,

Speaker of the House

Received as information.

S. 901--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 3056--FREE CONFERENCE POWERS GRANTED FREE CONFERENCE COMMITTEE APPOINTED REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF

CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

On motion of Senator CAMPSEN, with unanimous consent, the Report of the Committee of Free Conference was taken up for immediate consideration.

Senator CAMPSEN spoke on the report.

H. 3056--Free Conference Powers Granted
Free Conference Committee Appointed

Senator CAMPSEN asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators HUTTO, CAMPSEN and McELVEEN were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

On motion of Senator CAMPSEN, the Report of the Committee of Free Conference to H. 3056 was adopted as follows:

H. 3056--Free Conference Report

The General Assembly, Columbia, S.C., June 15, 2022

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Sections 50-19-210 through 50-19-240 and 50-19-1710 through 50-19-1730 of the 1976 Code are repealed. Articles 1, 3, 17, 19, 21, Chapter 19, Title 50, and Article 23, Chapter 13, Title 51 of the 1976 Code are repealed.

B. Article 5, Chapter 19, Title 50 is redesignated as "Slade Lake Fishing".

C. Article 29, Chapter 19, Title 50 is redesignated as "Fishing and Hunting in Lake Wateree".

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Brad Hutto	/s/Rep. Cally R. "Cal" Forrest, Jr.
/s/Sen. George E. "Chip" Campsen III	/s/Rep. William M. "Bill" Hixon
/s/Sen. J. Thomas McElveen III	/s/Rep. Lucas Atkinson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Forrest, Hixon and Atkinson to the Committee of Free Conference on the part of the House on:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN

MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY

REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Very respectfully,

Speaker of the House

Received as information.

H. 3056--REPORT OF COMMITTEE OF FREE CONFERENCE ENROLLED FOR RATIFICATION

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 133--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

On motion of Senator CAMPSEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 14; Present 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Massey	Peeler	Reichenbach
Rice	Shealy	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Corbin	Hutto
Jackson	*Johnson, Kevin*	Kimpson
Malloy	Matthews	McLeod
Sabb	Scott	Setzler
Stephens	Williams	

Total--14

PRESENT

Loftis

Total--1

The Committee of Conference Committee was adopted as follows:

S. 133--Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ Whereas, the annual federal budget is not in balance, and the federal public debt is now more than twenty-seven trillion dollars; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

SECTION 2. Copies of this application must be transmitted to the President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the members of the United States Senate and the United States House of Representatives from this State.

SECTION 3. Copies of this resolution must also be transmitted to the presiding officers of each of the legislative houses in the several states, requesting their cooperation in this endeavor.

SECTION 4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. This application supersedes all previous applications by this General Assembly on the same subject.

SECTION 5. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. George E. "Chip" Campsen III
/s/Sen. Ronnie A. Sabb
/s/Sen. Rex Fontaine Rice
On Part of the Senate.

/s/Rep. Bill Taylor
/s/Rep. Jason Thomas Elliott
/s/Rep. William W. "Will" Wheeler III
On Part of the House.

, and a message was sent to the House accordingly.

H. 4775--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION-BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator TALLEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator TALLEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total—0

The Committee of Conference Committee was adopted as follows:

H. 4775--Conference Report

The General Assembly, Columbia, S.C., May 26, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR

COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A.Chapter 60, Title 48 of the 1976 Code is amended to read:

"CHAPTER 60

South Carolina Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act

Section 48-60-05. This chapter may be cited as the 'South Carolina Manufacturer Responsibility and Consumer Convenience Information Technology Equipment Collection and Recovery Act'.

Section 48-60-10. The General Assembly finds:

(1) Televisions, computing, and printing devices are critical to the development of this state's economy and the promotion of the quality of life of the citizens of this State.

(2) Many of these televisions, computing, and printing devices can be refurbished and reused, or recycled.

(3) Developing and implementing a system for recovering televisions, computing, and printing devices promotes resource conservation, public health, public safety, and economic prosperity.

(4) In order to carry out these purposes, the State must establish a comprehensive and convenient recovery program for televisions, computing, and printing devices based on individual manufacturer responsibility and shared responsibility among consumers, retailers, and government, and that the program must ensure that end-of-life televisions, computing, and printing devices are disposed of in a manner that promote resource conservation through the development of an effective and efficient system for collection and recycling, and to encourage manufacturers to offer convenient collection and recycling service to consumers at no charge.

Section 48-60-20. As used in this chapter:

(1) 'Collect' or 'collection' means to facilitate the delivery of a ~~covered device~~ covered television device or covered computer monitor device to a collection site included in the manufacturer's program, and to transport the ~~covered device~~ covered television device or covered computer monitor device for recovery.

(2) 'Collector' means a person who collects a covered television device or covered computer monitor device at any program collection site or one-day collection event and prepares them for transport.

(3) 'Computer device', often referred to as a 'personal computer' or 'PC', means a desktop, notebook or tablet computer, or a printing device as further defined below and used only in a residence, but does not mean an automated typewriter, mobile telephone, portable hand-held calculator, portable digital assistant (PDA), MP3 player, or other similar device. 'Computer device' does not include computer peripherals, commonly known as cables, mouse, or keyboard. 'Computer device' is further defined as follows in this item:

(a) 'Desktop computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a desktop computer is achieved through a stand-alone keyboard, stand-alone monitor, or other display unit, and a stand-alone mouse or other pointing device, and is designed for a single user. A desktop computer has a main unit that is intended to be persistently located in a single location, often on a desk or on the floor. A desktop computer is not designed for portability and generally utilizes an external monitor, keyboard, and mouse with an

external or internal power supply for a power source. Desktop computer does not include an automated typewriter or typesetter.

(b) 'Notebook computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a notebook computer is achieved through a keyboard, video display greater than four inches in size, and mouse or other pointing device, all of which are contained within the construction of the unit that comprises the notebook computer; supplemental stand-alone interface devices typically also can be attached to the notebook computer. Notebook computers can use external, internal, or batteries for a power source. Notebook computer does not include a portable hand-held calculator, or a portable digital assistant or similar specialized device. A notebook computer has an incorporated video display greater than four inches in size and can be carried as one unit by an individual. A notebook computer is sometimes referred to as a laptop computer.

(c) 'Tablet computer' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a tablet computer is achieved through a touch screen and video display screen greater than six inches in size, all of which are contained within the unit that comprises the tablet computer. Tablet computers may use an external or internal power source. Tablet computer does not include a portable hand-held calculator, a portable digital assistant, or a similar specialized device.

(d) 'Printing device' means desktop printers, multifunction printer copiers, and printer/fax combinations taken out of service from a residence that are designed to reside on a work surface, and include various print technologies, including without limitation laser and LED (electrographic), ink jet, dot matrix, thermal, and digital sublimation, and 'multifunction' or 'all-in-one' devices that perform different tasks including, without limitation, copying, scanning, faxing, and printing. Printers do not include floor-standing printers, printers with optional

floor stand, point of sale (POS) receipt printers, household printers such as a calculator with printing capabilities or label makers, or non-stand-alone printers that are embedded into products that are not covered devices.

(4) 'Computer manufacturer' means a person who:

(a) manufactures a covered computer device under its own brand for sale or without affixing a brand;

(b) sells in this State a covered computer device produced by another supplier under its own brand or label;

(c) imports covered computer devices; provided that if a company from which an importer purchases a covered computer device has a presence or assets in the United States, that company must be considered the manufacturer; or

(d) manufactures a covered computer device, supplies a covered computer device to a person within a distribution network that includes wholesalers or retailers in this State, and benefits from the sale of a covered device through that distribution network.

~~(3)~~(5) 'Computer monitor manufacturer' means a person who:

(a) manufactures a covered computer monitor device under its own brand for sale or without affixing a brand;

(b) sells in this State a covered computer monitor device produced by another supplier under its own brand or label;

(c) imports covered computer monitor devices; provided that if a company from which an importer purchases a covered computer monitor device has a presence or assets in the United States, that company must be considered the manufacturer; or

(d) manufactures a covered computer monitor device, supplies a covered computer monitor device to a person within a distribution network that includes wholesalers or retailers in this State, and benefits from the sale of a covered device through that distribution network.

~~(4)~~(6) 'Consumer' means an occupant of a single detached dwelling unit or a single unit of a multiple dwelling unit who has used a covered device primarily for personal or home business use.

~~(5) 'Consumer electronic device stewardship program' means a recycling effort established by the representative organization or manufacturer of a covered television device or covered computer monitor device.~~

~~(6)~~(7) 'Covered computer device' means a desktop, laptop or notebook computer or a printing device marketed and intended for use by a consumer, but does not include a covered television device or covered computer monitor device.

~~(7)~~(8) 'Covered computer monitor device' means ~~a display device typically manufactured without an internal tuner that can display pictures and sound and is designed for use with a desktop computer~~ an electronic device that is a cathode-ray tube or flat panel display primarily intended to display information from a computer and is used by a consumer.

~~(8)~~(9) 'Covered devices' means a covered computer device, covered computer monitor device, and a covered television device marketed and intended for use by a consumer. 'Covered device', 'covered computer device', 'covered computer monitor device', and 'covered television device' do not include:

(a) a covered device that is a part of a motor vehicle or a component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;

(b) a covered device that is functionally or physically a part of, or connected to, or integrated within equipment or a system designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting including, but not limited to, diagnostic, monitoring, control or medical products as defined under the federal Food, Drug, and Cosmetic Act, or equipment used for security, sensing, monitoring, antiterrorism, or emergency services purposes or equipment designed and intended primarily for use by professional users;

(c) a covered device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier, water heater, or exercise equipment;

(d) telephones of any type including, but not limited to, mobile telephones, a personal digital assistant (PDA), a global positioning system (GPS), or a hand-held gaming device; or

(e) a plastic, wood, or composite case that once held a covered device or was a subassembly of a covered device but is void of any electronics, leaded glass, or metal electronic components.

~~(9)~~(10) 'Covered television device' means an electronic device that contains a ~~tuner that locks on to a selected carrier frequency and is capable of receiving and displaying television or video programming via broadcast, cable, or satellite including, but not limited to, a direct view or projection television with a viewable screen of nine inches or larger whose display technology is based on cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode, or similar technology marketed and intended for use by a consumer primarily for personal~~

~~purposes. The term does not include a covered computer device~~ cathode-ray tube or flat panel screen the size of which is greater than four inches when measured diagonally and is intended to receive video programming via broadcast, cable, satellite, Internet, or other mode of video transmission or to receive video from surveillance or other similar cameras marketed and intended for use by a consumer primarily for personal purposes.

~~(10)~~(11) 'Department' means the South Carolina Department of Health and Environmental Control.

(12) 'Manufacturer clearinghouse' means an entity that prepares and submits a manufacturer electronic waste program plan to the department, and oversees the manufacturer electronic waste program, on behalf of a group of two or more manufacturers cooperating with one another to collectively establish and operate an electronic waste program for the purpose of complying with this chapter and that collectively represent at least fifty-one percent of the manufacturers' total obligations pursuant to this chapter for a program year.

(13) 'Manufacturer electronic waste program' means any program established, financed, and operated by a manufacturer, individually or collectively as part of a manufacturer clearinghouse, to transport and subsequently recycle, in accordance with the requirements of this act, covered televisions and computer monitor devices collected at program collection sites and one-day collection events.

~~(11)~~(14) 'Manufacture's brands' means a manufacturer's name, brand name either owned or licensed by the manufacturer, or brand logo for which the manufacturer otherwise has legal responsibility.

(15) 'One-day collection event' means a one-day event used as a substitute for a program collection site pursuant to Section 48-60-56.

~~(12)~~(16) 'Person' means an individual, business entity, partnership, limited liability company, corporation, not-for-profit corporation, association, government entity, public benefit corporation, or public authority.

~~(13) 'Program' means a consumer electronic device stewardship program.~~

(17) 'Program collection site' means a physical location that is included in a manufacturer electronic waste program and at which covered television devices or covered computer monitor devices are collected and prepared for transport by a collector during a program year in accordance with the requirements of this chapter. Except as otherwise provided in this chapter, 'program collection site' does not include a retail collection site.

~~(14)~~(18) 'Program year' means the calendar year.

~~(15) 'Representative organization' means an organization created to develop and oversee implementation of a statewide plan consisting of one or more consumer electronic device stewardship programs, both in the State and in other jurisdictions that authorize such a representative organization.~~

~~(16)~~(19) 'Recover' means to reuse or recycle.

~~(17)~~(20) 'Recoverer' means a person that reuses or recycles a covered device.

(21) 'Retail collection site' means a private sector collection site operated by a retailer collecting on behalf of a manufacturer.

~~(18)~~(22) 'Retail sale' means the sale of a new product through a sales outlet, the Internet, mail order, or otherwise, whether or not the seller has a physical presence in this State. A retail sale includes the sale of new products.

~~(19)~~(23) 'Retailer' means a person engaged in retail sales.

~~(20)~~(24) 'Sale' or 'sell' means a transfer for consideration of title including, but not limited to, transactions conducted through sales outlets, catalogs, or the Internet or any other similar electronic means, but does not mean leases.

~~(21)~~(25) 'Television' means an electronic device that contains a ~~tuner that locks on to a selected carrier frequency and is capable of receiving and displaying television or video programming via broadcast, cable, or satellite including, but not limited to, a direct view or projection television with a viewable screen of nine inches or larger whose display technology is based on cathode ray tube, plasma, liquid crystal display, digital light processing, liquid crystal on silicon, silicon crystal reflective display, light emitting diode, or similar technology marketed and intended for use by a consumer primarily for personal purposes. The term does not include a covered computer device~~ cathode-ray tube or flat panel screen the size of which is greater than four inches when measured diagonally and is intended to receive video programming via broadcast, cable, satellite, Internet, or other mode of video transmission or to receive video from surveillance or other similar cameras.

~~(22)~~(26) 'Television manufacturer' means a person who:

(a) manufactures covered television devices under a brand that it licenses or owns for sale in this State;

(b) manufactures covered television devices without affixing a brand for sale in this State;

(c) resells into this State a covered television device under a brand it owns or licenses produced by other suppliers, including retail

establishments that sell covered television devices under a brand the retailer owns or licenses;

(d) imports covered television devices; provided that if a company from which an importer purchases a covered device has a presence or assets in the United States, that company must be considered the manufacturer;

(e) manufactures covered television devices, supplies them to a person or persons within a distribution network that includes wholesalers or retailers in this State and benefits from the sale in this State of those covered television devices through the distribution network; or

(f) assumes the responsibilities and obligations of a television manufacturer ~~under~~ pursuant to this chapter. If the television manufacturer is one who manufactures, sells, or resells under a brand it licenses, the licensor or brand owner of the brand must not be included in the definition of television manufacturer ~~under~~ pursuant to items (a) or (c).

Section 48-60-30. A computer, computer monitor, or television manufacturer may not sell or offer to sell a covered device unless a label indicating the computer, computer monitor, or television manufacturer's brand is permanently affixed to the covered device in a readily visible location.

Section 48-60-40. (A) A computer manufacturer may not sell or offer to sell in this State a covered computer device unless the computer manufacturer provides a recovery program at no charge ~~or provides a financial incentive of equal or greater value, such as a coupon~~. A recovery program must:

(1) require a computer manufacturer to offer to collect from a consumer a covered computer device bearing a label as provided in Section 48-60-30; and

(2) make the collection service as convenient to a consumer as the purchase of a covered computer device from a computer manufacturer as follows:

(a) A computer manufacturer may utilize a mail-back system in which a consumer can return an end-of-life covered device by mail, including a system in which a consumer can go online, print a prepaid shipping label, package the product, and affix the prepaid label to the package for deposit with the United States Postal Service or other carrier selected by the computer manufacturer.

(b) If the computer manufacturer does not provide a mail-back system, the computer manufacturer must provide collection sites or collection events, or both, that are centrally located in a county, region,

or other locations based on population. Computer manufacturers shall work in coordination with the department to determine an appropriate number of collection sites or collection events, or both.

(B) A recovery program may use existing collection and consolidation infrastructure for collecting covered devices, including retailers, recyclers, and reuse organizations.

(C) Computer manufacturers may work collectively and cooperatively to offer collection services to consumers.

(D) A recovery program must be described on a computer manufacturer's Internet website if a manufacturer maintains an Internet website.

(E) Collection events under this section must accept any covered computer device.

Section 48-60-51. (A) For program year 2023 and each year thereafter, no television manufacturer or computer monitor manufacturer shall sell or offer for sale a covered television device or covered computer monitor device in this State unless the television manufacturer or computer monitor manufacturer offers a manufacturer electronic waste program to transport and recycle, consistent with the requirements of this chapter, covered television devices and covered computer monitor devices collected at, and prepared for transport from, the program collection sites, and one-day collection events included in the program during the program year.

(B) A manufacturer can satisfy the requirements of this section either individually or collectively as part of a manufacturer clearinghouse.

(C) Each manufacturer electronic waste program must ensure the following, at a minimum:

(1) satisfaction of the convenience standard described in Section 48-60-56;

(2) instructions for counties and solid waste authorities serving one or more counties to file notice to participate in the program;

(3) transportation and subsequent recycling of the covered television devices and covered computer monitor devices collected at, and prepared for transport from, the program collection sites and one-day collection events included in the program during the program year; and

(4) submission of a report to the department by March 1, 2024, and by March first each year thereafter, which reports:

(a) the total weight of all covered devices transported from program collection sites and one-day collection events statewide during the preceding program year by category of device;

(b) the total weight of all covered devices transported from program collection sites and one-day collection events in each county in the State during the preceding program year by category of device.

(D) Each manufacturer electronic waste program shall make the instructions required pursuant to subsection (C)(2) available on its website within thirty days of the effective date of the act or no later than July 1, 2022, and the program shall provide a hyperlink to the website to the department for posting on the department's website.

(E) Nothing in this chapter prevents a manufacturer from accepting, through its recovery program, covered television devices and covered computer monitor devices collected through a curbside or drop-off collection program that is operated pursuant to a residential collection agreement between a third party and a unit of local government located within a county or solid waste authority serving one or more counties that has elected to participate in a manufacturer electronic waste program.

(F) Manufacturers of covered television devices and covered computer monitor devices are not financially responsible for transporting and consolidating covered devices collected from a collection program's drop-off location. Any drop-off location operating in program year 2023 or in subsequent years must be identified by the county or solid waste authority serving one or more counties in the annual written notice of election to participate in a manufacturer electronic waste program in accordance with Section 48-60-57 to be eligible for the subsequent program year.

(G) As part of their annual registration, a television or computer monitor manufacturer shall provide to the department the total weight of the manufacturer's covered television devices or covered computer monitor devices sold at retail in the United States and the total weight of covered devices collected and recycled in the State during the previous program year. A manufacturer's weight sold data is proprietary information of the manufacturer and may be shared with a manufacture clearinghouse.

Section 48-60-55. (A) On January 1, 2015, and annually thereafter, a television manufacturer or computer monitor manufacturer shall either:

(1) join a representative organization created by manufacturers of covered electronic devices to establish fair and reasonable policies to be applied in the State and to provide a plan to the department in accordance with this section; or

(2) notify the department of its intent to fulfill its obligations under this chapter by implementing a program under subsection (K).

(B) A representative organization shall submit a plan for the operation of a statewide consumer electronic device stewardship program described in this section to the department for approval annually. The initial plan must be submitted to the department by September 3, 2014, and annually ninety days before the beginning of the program year in subsequent years. The plan must include details on how one or more eligible companies or covered electronic device stewardship programs operating within the plan will:

(1) provide for the recycling of all used covered television devices and used covered computer monitor devices collected by participating local governments specified in the plan based on the proportionate membership of the representative organization;

(2) work with a representative organization, the department, and local government recycling representatives to provide recycling services of covered television devices and covered computer monitor devices and to provide consumers with information and educational materials regarding the program to promote the recycling and reuse of used covered television devices and used covered computer monitor devices;

(3) achieve environmentally sound management for covered television devices and covered computer monitor devices that are collected for reuse and recycling; and

(4) incorporate economic arrangements that minimize costs to participating manufacturers, consistent with Section 48-60-170.

(C) The representative organization plan must:

(1) document how the collection component of the plan was developed with input from local government recycling representatives and other stakeholders interested in electronics recycling, especially recycling of used covered television devices and used covered computer monitor devices;

(2) identify each manufacturer and local government participating in the consumer electronic device stewardship programs included in the representative organization plan and the brands of consumer electronic devices sold in the State that are covered by the programs;

(3) provide a mechanism for making the most current list of participating manufacturers available to the department;

(4) include incentives to ensure convenient mechanisms to collect used consumer electronic devices throughout the State; and

(5) explain why a disruption of commercial activity that may arise from implementation of the plan is consistent with fulfilling the intent of this chapter and provide sufficient information to allow the department

to confirm the consistency of the plan with this chapter by review of the plan's financial and operational elements.

(D) Representative organization's annual plans must include, but not be limited to, the following:

(1) a list of collection programs and locations available to consumers in the State;

(2) a description of the methods used to collect, transport, and process used consumer electronic devices in the State;

(3) the results of a survey of county and municipal recycling representatives concerning the availability of opportunities for consumers to recycle covered electronic devices;

(4) samples of information awareness and educational materials provided to consumers of consumer electronic devices to promote reuse and recycling and collection opportunities for used devices that are available in the State;

(5) a list of participating companies for the most recent program year and the upcoming year;

(6) a list of contacts from all participating local governments who may be contacted by the department to confirm that their recycling needs are being met by manufacturers participating in the representative organization;

(7) a report of the organization's prior year's activities, including the amount of electronics collected for recycling in the State and the number and location of collection locations used during the prior year;

(8) a description of services provided to each of the local government participants including, but not limited to, collection event services and logistical support for electronics pick-up; and

(9) a list of manufacturers, as determined by the representative organization, failing to meet their individual recycling obligation as assigned by the representative organization and any shortfall penalties, pursuant to Section 48-60-160(E)(3). A manufacturer so reported to the department may elect to account for the shortfall in the next program year but only may elect this option once every three years. This does not preclude a representative organization from developing and implementing participation requirements that may otherwise exclude manufacturers from participating in the representative organization for failing to meet those participation requirements.

(E)(1) Not later than thirty calendar days after submission of the plan pursuant to subsection (B), the department shall determine whether or not to approve the plan. The department shall approve the plan for the establishment of a consumer electronic device stewardship program by

the submitting representative organization if it meets the requirements of subsections (B) and (C). If the department finds activities included in the plan that do not fulfill those requirements, it shall specify in writing what the department believes to be the plan's deficiencies, promptly meet with the representative organization to discuss the department's concerns, and allow the representative organization at least thirty calendar days after the denial notice to submit a revised plan. If a revised plan is submitted, the department shall review and approve or disapprove the plan within thirty calendar days of submission.

(2) If the department disapproves a plan submitted pursuant to item (1), and the representative organization chooses not to submit a revised plan or the department disapproves the revised plan, the representative organization shall have the right to appeal pursuant to Section 44-1-60.

(3) If the plan is disapproved on appeal, the representative organization may resubmit a plan pursuant to item (1) which conforms with the guidance of the appellate opinion or member companies may comply with subsection (K).

(F) After the representative organization's plan is approved, the representative organization is responsible for maintaining continuous service to local governments specified in the plan provided by the participating consumer electronic device stewardship programs. The representative organization shall establish fair and reasonable policies for administration and operation.

(G) Manufacturers of covered television devices or covered computer monitor devices that are participating in a plan submitted pursuant to this section and subject to a recycling assessment may choose to fulfill their recycling assessment using a consumer electronic device stewardship program that meets the elements set forth in the approved representative organization plan.

(H) The department shall maintain a list of the names of manufacturers and eligible programs complying with the requirement of this chapter and the brands of consumer electronic devices that are covered by the consumer electronic device stewardship program and post this list on its website.

(I) A representative organization and the department shall confer with stakeholders at least quarterly to address compliance, efficiency, and best practices of the stewardship programs that implement the representative organization's plan.

(J)(1) Local governments that receive recycling services from stewardship programs participating in the representative organization's

plan to recycle covered television devices and covered computer monitor devices must not charge the manufacturer or the representative operating the stewardship program for collection costs and shall offer the manufacturer or its representative other covered devices collected by a participating local government at no cost. Provided, this item does not obligate a local government to offer other covered devices collected by a participating local government at no cost once the representative organization's obligation within its plan to recycle covered television devices and covered computer monitor devices has been met during a program year.

(2) A representative organization shall provide the department and each local government recycling representative a point of contact for the organization, including email and phone number, to ensure communication and coordination among local governments, participating manufacturers, consumer electronic device stewardship programs and the representative organization.

(K)(1) If a television manufacturer or computer monitor manufacturer does not participate in a representative organization, the manufacturer annually shall recycle or arrange for the recycling of covered television devices and covered computer monitor devices in the amount of eighty percent of the weight of the covered television devices and covered computer monitor devices sold by the manufacturer in the State during the previous program year.

(2) The department shall notify each television manufacturer or computer monitor manufacturer of its recycling obligation by March fifteenth of each program year. A television manufacturer or computer monitor manufacturer shall provide the department information noted in item (3) to be used by the department to calculate each television and computer monitor manufacturer's recycling obligation under this subsection.

(3) A television or computer monitor manufacturer shall report to the department the total weight of the manufacturer's covered television devices or covered computer monitor devices sold at retail in the United States or in this State, if the information is available, and the total weight of covered devices collected and recycled in the State during the previous program year. A manufacturer's weight sold data is proprietary information of the manufacturer.

(L) A manufacturer may fulfill the requirements of this section either individually, in participation with other manufacturers, or through a representative organization. A recovery program may use existing collection and consolidation infrastructure for collecting covered

devices, including local governments, retailers, recyclers, and reuse organizations.

(M) A manufacturer shall provide the department with contact information for the manufacturer's designated agent or employee whom the department may contact concerning the manufacturer's compliance with the requirements of this section.

(N) Manufacturers not identified as participating in a representative organization plan pursuant to subsection (B) shall comply with the requirements of subsection (K).

(O) As used in this section, 'representative organization' means an organization created to develop and oversee implementation of a statewide plan consisting of one or more consumer electronic device stewardship programs, both in the State and in other jurisdictions that authorize such a representative organization.

Section 48-60-56. (A) Beginning in program year 2023, each manufacturer electronic waste program must offer collection sites in accordance with the following convenience standards for each county or solid waste authority serving one or more counties that elects to participate in the manufacturer electronic waste program during a given program year:

(1) one collection site in each county that has a population of less than one hundred thousand inhabitants;

(2) two collection sites in each county that has a population of at least one hundred thousand inhabitants and less than two hundred thousand inhabitants;

(3) three collection sites in each county that has a population of at least two hundred thousand inhabitants.

(B) For purposes of this section, county population must be determined using the most recent federal decennial census.

(C) A designated representative of a county or a solid waste authority serving one or more counties pursuant to the provisions of Section 48-60-57, that elects to participate in a manufacturer electronic waste program may enter into a written agreement with the operator of a manufacturer electronic waste program in order to:

(1) reduce or increase the number of collection sites in the county for the program year; provided, however, the agreement must be included in the manufacturer electronic waste program as required pursuant to Section 48-60-57(A);

(2) substitute a collection site in the county for four one-day collection events or a different number of such events as provided for in the written agreement; provided, however, the agreement must be

included in the manufacturer electronic waste program as required pursuant to Section 48-60-57(A);

(3) substitute the location of a collection site in the county for the manufacturer electronic waste program with another location;

(4) substitute the location of a one-day collection event in the county with another location; or

(5) with the agreement of the applicable retailer, use a retail collection site as a program collection site.

(D) Retail collection sites are not considered a collection site for the purposes of the convenience standards established pursuant to this section unless otherwise agreed to in writing by the retailer, operators of the manufacturer electronic waste program, and the applicable county or solid waste authority serving one or more counties. If retailers agree to participate in a program collection site, then the retailer collection site does not have to collect all covered devices or register as a collector.

(E) Nothing in this chapter prohibits a retailer from collecting a fee for each covered device collected.

(F) Manufacturers may use retail collection sites for satisfying some or all of their obligations pursuant to Sections 48-60-51, 48-60-56, and 48-60-57.

Section 48-60-57. (A) Beginning in program year 2023, the designee of a county including, but not limited to, a representative of a solid waste authority serving one of more counties, may elect to participate in a manufacturer electronic waste program by filing a written notice of election to participate in the program with the manufacturer electronic waste program and the department, by August 1, 2022, and by May first each year thereafter for the upcoming program year.

(B) A municipality with a population of over 17,000, as determined using the most recent federal decennial census, located within a county or solid waste authority serving one or more counties that elects not to participate in a manufacturer electronic waste program may coordinate with any participating county or solid waste authority serving one or more counties for inclusion in the participating county or solid waste authority's written notice of election to participate in a manufacturer electronic waste program and must utilize collection sites located in the participating county or solid waste authority.

(C) Any municipality included in a participating county or solid waste authority's written notice of election must utilize the proposed collections sites enumerated in the plan and those sites must be located within in the participating county or solid waste authority.

(D) The written notice must include a list of proposed collection locations to support the program and may include locations already providing similar collection services. The written notice also may include a list of registered recoverers that the county would prefer using for its collection sites or one-day events.

Section 48-60-58. (A) By November 1, 2022, for program year 2023, and by September first each year thereafter, each computer monitor and television manufacturer shall, individually or through a manufacturer clearinghouse, submit to the department a manufacturer electronic waste plan, which includes at a minimum, the following:

(1) contact information for the individual who will serve as the point of contact for the manufacturer electronic waste program;

(2) a list of each county that has elected to participate in the manufacturer electronic waste program during the program year;

(3) for each county, the location of each program collection site and one-day collection event included in the manufacturer electronic waste program for the program year;

(4) the recoverers that the program plans to use to transport and subsequently recycle covered television devices and covered computer monitor devices, with the updated list of recoverers to be provided to the department no later than December first preceding each program year;

(5) an explanation of any deviation from the applicable convenience standard as described in Section 48-60-56 for the program year, along with copies of all written agreements or confirmed electronic correspondence made pursuant to Section 48-60-56(C)(1) or (2); and

(6) if two or more manufacturers are participating in a manufacturer clearinghouse, certification that the methodology used for allocating responsibility for the transportation and recycling of covered television devices and covered computer monitor devices by manufacturers participating in the manufacturer clearinghouse for the program year will be in compliance with the allocation methodology established pursuant to Section 48-60-61.

(B)(1) Within sixty days of receiving a manufacturer electronic waste program plan, the department shall review and approve or disapprove the plan.

(2) If the department approves the plan, the manufacturer or manufacturer clearinghouse shall provide written notice of approval to the designated contact person for the program, and the program must be published on the department's website.

(3) If the department disapproves the plan, the manufacturer or manufacturer clearinghouse shall provide written notice to the

designated contact person for the program listing the reasons for the disapproval. Within thirty days after the date of disapproval, the manufacturer or manufacturer clearinghouse shall submit a revised recovery plan to address the insufficiencies in the department's disapproval.

(C) Every manufacturer shall assume financial responsibility for carrying out its recovery program plan including, but not limited to, financial responsibility for providing the packaging materials necessary to prepare shipments of collected covered television devices and covered computer monitor devices in compliance with federal, state, and local requirements, as well as financial responsibility for bulk transportation and recycling of collected covered television devices and covered computer monitor devices.

(D) A county or solid waste authority serving one or more counties, that receives recycling services from a manufacturer electronic waste plan to recycle covered television devices and covered computer monitor devices must not charge the manufacturer, the clearinghouse, or the representative operating the program for collection costs and shall offer the manufacturer, the clearinghouse, or its representative other covered devices collected by a participating local government at no cost.

Section 48-60-59. (A) A manufacturer electronic waste program plan submitted by a manufacturer clearinghouse may take into account and incorporate individual plans or operations of one or more manufacturers that are participating in the manufacturer clearinghouse.

(B) If a manufacturer clearinghouse allocates responsibility to manufacturers for manufacturers' transportation and recycling of covered television devices and covered computer monitor devices during a program year as part of a manufacturer electronic waste program plan, the manufacturer clearinghouse shall identify the allocation methodology in the manufacturer recovery plan submitted to the department pursuant to Section 48-60-58. Any allocation of responsibility among manufacturers for the collection of covered devices must be in accordance with the allocation methodology established pursuant to Section 48-60-61.

(C) A manufacturer clearinghouse has no authority to enforce manufacturer compliance with the requirements of this chapter, including compliance with the allocation methodology set forth in a manufacturer electronic waste plan, but, upon prior notice to the manufacturer, shall refer any potential noncompliance to the department. A manufacturer clearinghouse may develop and implement policies and procedures that exclude from participation in the manufacturer

clearinghouse any manufacturers found by the department or a court of competent jurisdiction to have failed to comply with this chapter.

(D) A manufacturer may request the department review a manufacturer electronic waste program plan proposed by the clearinghouse. The department shall consider all factors submitted in the request for review in making its determination in accordance with Section 48-60-58(B).

Section 48-60-60. A computer, computer monitor, or television manufacturer is not liable for damages arising from information stored on a covered device collected from a consumer under the manufacturer's ~~recovery programs of this chapter~~ electronic waste program.

Section 48-60-61. (A) As used in this section:

(1) 'Adjusted total proportional responsibility' means the percentage calculated for each participating manufacturer for a program year pursuant to subsection (F).

(2) 'Market share' means the percentage that results from dividing:

(a) the product of the total weight reported for a covered television device or covered computer monitor device by a manufacturer, for the calendar year two years before the applicable program year, pursuant to Section 48-60-51(G); by

(b) the product of the total weight reported for that covered television device or covered computer monitor device category by all manufacturers, for the calendar year two years before the applicable program year, pursuant to Section 48-60-51(G).

(3) 'Participating manufacturer' means a manufacturer that a manufacturer clearinghouse has listed, pursuant to subsection (C), as a participant in the manufacturer clearinghouse for a program year.

(4) 'Return share' means the percentage, by weight, of each covered television device or computer monitor device category that is returned to the program collection sites and one-day collection events operated by or on behalf of either a manufacturer clearinghouse or one or more of its participating manufacturers during the calendar year two years before the applicable program year, as reported to the department pursuant to Section 48-60-51; except that, for program years 2023 and 2024, 'return share' means the percentage, by weight, of each covered television device or computer monitor device category that is estimated by the manufacturer clearinghouse to be returned to those sites and events during the applicable program year, as reported to the department pursuant to subsection (B).

(5) 'Unadjusted total proportional responsibility' means the percentage calculated for each participating manufacturer pursuant to this section.

(B) A manufacturer clearinghouse shall provide the department with a statement of the return share for each plan pursuant to Section 48-60-58.

(C) If a manufacturer clearinghouse submits to the department a manufacturer electronic waste program plan pursuant to Section 48-60-58, the manufacturer clearinghouse shall include in the plan a list of manufacturers that have agreed to participate in the manufacturer clearinghouse for the upcoming program year.

(D) For each program year, the department in collaboration with the manufacturer clearinghouse shall calculate the unadjusted total proportional responsibility of each participating manufacturer as follows:

(1) Multiplying the participating manufacturer's market share for the covered television device or covered computer monitor device category by the return share for the covered television device or covered computer monitor device category, to arrive at the category-specific proportional responsibility of the participating manufacturer for the covered television device or covered computer monitor device category.

(2) Then, for each participating manufacturer, add the category-specific proportional responsibilities of the participating manufacturer calculated pursuant to item (1), to arrive at the participating manufacturer's unadjusted total proportional responsibility.

(E) If the sum of all unadjusted total proportional responsibilities of a manufacturer clearinghouse's participating manufacturers for a program year accounts for less than one hundred percent of the return share for that year, the department shall divide the unallocated return share among participating manufacturers in proportion to their unadjusted total proportional responsibilities, to arrive at the adjusted total proportional responsibility for each participating manufacturer.

(F) A manufacturer may use retail collection sites to satisfy some or all of the manufacturer's responsibilities including, but not limited to, the manufacturer's transportation and recycling of collected covered television devices and covered computer monitor devices pursuant to any allocation methodology established by this chapter. Nothing in this chapter prevents a manufacturer from using retail collection sites to satisfy any percentage of the manufacturer's total responsibilities including, but not limited to, the manufacturer's transportation and recycling of collected covered television devices and covered computer

monitor devices pursuant to any allocation methodology established by this chapter or by administrative regulation.

Section 48-60-62. Counties, solid waste authorities serving one or more counties, and municipalities that fully comply with the storage and packaging requirements of this chapter shall be exempt from liability upon the proper removal of covered devices from the solid waste facilities.

Section 48-60-70. (A) A retailer only may sell or offer to sell a covered device that:

(1) bears a manufacturer label as provided in Section 48-60-30; and

(2) is manufactured by a manufacturer that offers ~~a recovery~~ an electronic waste program as provided in Sections 48-60-40, ~~48-60-50, and~~ 48-60-55, and 48-60-51.

(B) The requirements of this section do not apply to a television sold by a retailer for less than one hundred dollars.

Section 48-60-80. A retailer may not be liable for damages arising from information stored on any covered device collected from a consumer under the manufacturer's ~~recovery~~ electronic waste program.

Section 48-60-90. (A) After July 1, 2011, a consumer must not knowingly place or discard a covered device or subassemblies of a covered device in a waste stream that is to be disposed of in a solid waste landfill.

(B) An owner or operator of a solid waste landfill must not, at the gate, knowingly accept, for disposal, loads containing more than an incidental amount of covered devices.

(C) The owner or operator of a solid waste landfill must post, in a conspicuous location at the landfill, a sign stating that covered devices or any components of covered devices are not accepted for disposal at the landfill.

(D) The owner or operator of a solid waste landfill must notify, in writing, all haulers delivering solid waste to the landfill that covered devices or any components of covered devices are not accepted for disposal at the landfill.

Section 48-60-100. The department shall provide information to the public on its Internet website regarding the provisions of the chapter and the prohibition on disposing of covered devices in a solid waste landfill. The department also shall provide information about ~~recovery~~ electronic waste programs available in the State on the department's Internet website. The website must include information about collection options available, the definition of covered devices, the proper methods for

disposal of covered devices, the proper methods for disposal of noncovered devices, and links to relevant portions of computer or television manufacturer's Internet websites.

Section 48-60-110. The department may conduct audits and inspection of a computer or television manufacturer, retailer, or recoverer to determine compliance with this chapter's provisions, and may establish by regulation administrative fines for violations of this chapter.

Section 48-60-120. Financial and proprietary information submitted to the department pursuant to this ~~act~~ chapter is exempt from public disclosure.

Section 48-60-130. The department shall include in its annual solid waste report information provided by manufacturers on recovery programs offered pursuant to this chapter.

Section 48-60-140. (A) Covered devices must be recovered in a manner that complies with all applicable federal, state, and local requirements. Collection and storage of covered devices must be performed in accordance with best management practices.

(B) All recycling or reuse facilities used by recoverers of covered electronic devices must, at a minimum, achieve and maintain third-party accredited certification. Acceptable certification programs include the Responsible Recycling (R)(2) Practices and e-Stewards. Other certification programs recognized by the department or the United States Environmental Protection Agency also are acceptable. Manufacturers of covered electronic devices shall ensure that recycling or reuse facilities used as part of their recovery programs meet this requirement. Local governments and other consolidators of covered electronic devices shall ensure that the material they collect is transferred to a recycling or reuse facility that meets this requirement.

Section 48-60-141. (A) By November 1, 2022, and by November first of each year thereafter for that program year, a person acting as a collector under a manufacturer electronic waste program shall register with the department by completing and submitting to the department the registration form prescribed by the department. The registration form prescribed by the department must include, without limitation, the address of each location at which the collector accepts covered devices.

(B) The department may deny a registration under this section if the collector or any employee or officer of the collector has a history of:

(1) repeated violations of federal, state, or local laws, regulations, standards, or ordinances related to the collection, recovering, or other management of covered devices;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing covered devices.

(C) The department shall post on the department's website a list of all registered collectors.

(D) Manufacturers and recoverers acting as collectors shall so indicate on their registration under Section 48-60-51 or Section 48-60-142 of this chapter.

(E) Each collector that operates a program collection site or one-day event shall ensure that the collected covered devices are sorted and loaded in compliance with local, State, and federal law. In addition, at a minimum, the collector shall also comply with the following requirements:

(1) Covered television devices and covered computer monitor devices must be accepted at program collection sites or one-day collection events unless otherwise provided in this chapter.

(2) Covered television devices and covered computer monitor devices must be kept separate from other material and must:

(a) be packaged in a manner to prevent breakage;

(b) be loaded onto pallets and secured with plastic wrap or in pallet-sized bulk containers prior to shipping; and

(c) weigh on average per collection site eighteen thousand pounds per shipment, and if not then the recoverer may charge the collector a prorated charge on the shortfall in weight, not to exceed six hundred dollars.

(3) Covered devices must be sorted into at least the following categories:

(a) covered computer monitor devices;

(b) covered television devices;

(c) all other covered devices that are part of the manufacturer program;

(d) any other covered device that is not part of the manufacturer program that the collector has arranged to have picked up with covered devices and for which a financial arrangement has been made to cover the recycling costs outside of the manufacturer program; and

(e) any other covered device that is not part of the manufacturer program that the collector has arranged to have picked up with covered devices and for which a financial arrangement has been made to cover the recycling costs outside of the manufacturer program.

(4) Containers holding the covered devices must be structurally sound for transportation.

(5) Each shipment of covered devices from a program collection site or one-day collection event must include a collector-prepared bill of lading or similar manifest, which describes the origin of the shipment and the number of pallets or bulk containers of covered devices in the shipment.

(F) Except as provided in subsection (G), each collector that operates a program collection site or one-day collection event during a program year shall accept all covered television devices and computer monitor devices that are delivered to the program collection site or one-day collection event during the program year.

(G) No collector that operates a program collection site or one-day collection event shall:

(1) accept, at the program collection site or one-day collection event, more than seven covered devices from an individual at any one time;

(2) scrap, salvage, dismantle, or otherwise disassemble any covered devices collected at a program collection site or one-day collection event;

(3) deliver to a manufacturer electronic waste program, through its recoverer, any covered devices other than covered television devices and covered computer monitor devices, unless otherwise provided for in this chapter, collected at a program collection site or one-day collection event; or

(4) deliver to a person other than the manufacturer electronic waste program or its recoverer, covered television devices and covered computer monitor devices, unless otherwise provided for in this chapter, collected at a program collection site or one-day collection event.

(H) Beginning in program year 2023, registered collectors participating in a county or solid waste authority supervised collection programs may collect a fee for each desktop computer monitor or television accepted for recovering to cover costs for collection and preparation for bulk shipment or to cover costs associated with the requirements of subsection (E).

(I) Nothing in this chapter shall prevent a person from acting as a collector independently of a manufacturer electronic waste program.

(J) Any collector or recoverer operating a one-day collection event shall not deliver any collected devices to any county or solid waste authority operating in one or more counties without prior coordination and agreement.

Section 48-60-142. (A) All recoverers that store, consolidate, or process covered devices in the State must register with the department the locations of all storage and processing activities by submitting a $3,000 registration fee and completing and submitting a form as prescribed by the department by November 1, 2022, and by November first of each year thereafter for that program year.

(B) The department may deny a registration under this section if the recoverer or any employee or officer of the recoverer has a history of:

(1) repeated violations of federal, state, or local laws, regulations, standards, or ordinances related to the collection, recycling, or other management of covered devices;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing covered devices.

(C) The department shall post on the department's website a list of all registered recoverers.

(D) Beginning in program year 2023, no person may act as a recoverer of consumer covered devices for a manufacturer's electronic waste program unless the recoverer is registered with the department as required under this section.

(E) Beginning in program year 2023, recoverers must, as a part of their annual registration, certify compliance with all of the following requirements:

(1) Recoverers must comply with federal, state, and local laws and regulations, including federal and state minimum wage laws, specifically relevant to the handling, processing, and recycling of consumer covered devices and must have proper authorization by all appropriate governing authorities to perform the handling, processing, and recycling.

(2) Recoverers must implement the appropriate measures to safeguard occupational and environmental health and safety, through the following:

(a) environmental health and safety training of personnel, including training with regard to material and equipment handling, worker exposure, controlling releases, and safety and emergency procedures;

(b) an up-to-date, written plan for the identification and management of hazardous materials; and

(c) an up-to-date, written plan for reporting and responding to exceptional pollutant releases, including emergencies such as accidents, spills, fires, and explosions.

(3) Recoverers must maintain:

(a) commercial general liability insurance or the equivalent corporate guarantee for accidents and other emergencies with limits of not less than $1,000,000 per occurrence and $1,000,000 aggregate, and

(b) pollution legal liability insurance with limits not less than $1,000,000 per occurrence for companies engaged solely in the dismantling activities and $5,000,000 per occurrence for companies engaged in recycling.

(4) Recoverers must maintain on file documentation that demonstrates the completion of an environmental health and safety audit completed and certified by a competent internal and external auditor annually. A competent auditor is an individual who, through professional training or work experience, is appropriately qualified to evaluate the environmental health and safety conditions, practices, and procedures of the facility. Documentation of auditors' qualifications must be available for inspection by department officials and third-party auditors.

(5) Recoverers must maintain on file proof of workers' compensation and employers' liability insurance.

(6) Recoverers must provide adequate assurance, such as bonds or corporate guarantees, to cover environmental and other costs of the closure of the recoverer's facility, including cleanup of stockpiled equipment and materials. A recoverer must provide, for each storage, consolidation, or processing location, adequate financial assurance to cover third-party removal of all covered devices or waste material from the facility. The financial assurance must be issued in favor of the department and an approved financial assurance mechanism must be submitted prior to beginning storage or processing operations. The registrant must provide continuous coverage for closure until released from financial assurance requirements by the department.

(7) Recoverers must apply due diligence principles to the selection of facilities to which components and materials, such as plastics, metals,

and circuit boards, from consumer covered devices are sent for reuse and recycling.

(8) Recoverers must establish a documented environmental management system that is appropriate in level of detail and documentation to the scale and function of the facility, including documented regular self-audits or inspections of the recoverer's environmental compliance at the facility.

(9) Recoverers must use the appropriate equipment for the proper processing of incoming materials as well as controlling environmental releases to the environment. The dismantling operations and storage of consumer covered devices components that contain hazardous substances must be conducted indoors and over impervious floors. Storage areas must be adequate to hold all processed and unprocessed inventory. When heat is used to soften solder and when covered devices components are shredded, operations must be designed to control indoor and outdoor hazardous air emissions.

(10) Recoverers must establish a system for identifying and properly managing components, such as circuit boards, batteries, cathode-ray tubes, and mercury phosphor lamps, that are removed from consumer covered devices during disassembly. Recoverers must properly manage all hazardous and other components requiring special handling from consumer covered devices consistent with federal, state, and local laws and regulations. Recoverers must provide visible tracking, such as hazardous waste manifests or bills of lading, of hazardous components and materials from the facility to the destination facilities and documentation, such as contracts, stating how the destination facility processes the materials received. No recoverer may send, either directly or through intermediaries, hazardous wastes to solid nonhazardous waste landfills or to nonhazardous waste incinerators for disposal or energy recovery. For the purpose of these guidelines, smelting of hazardous wastes to recover metals for reuse in conformance with all applicable laws and regulations is not considered disposal or energy recovery.

(11) Recoverers must use a regularly implemented and documented monitoring and record-keeping program that tracks total inbound covered devices material weights and total subsequent outbound weights to each destination, injury and illness rates, and compliance with applicable permit parameters including monitoring of effluents and emissions. Recoverers must maintain contracts or other documents, such as sales receipts, suitable to demonstrate: (i) the reasonable expectation that there is a downstream market or uses for designated electronics, which may include recycling or reclamation processes such as smelting

to recover metals for reuse; and (ii) that any residuals from recycling or reclamation processes, or both, are properly handled and managed to maximize reuse and recycling of materials to the extent practical.

(12) Recoverers must employ industry-accepted procedures for the destruction or sanitization of data on hard drives and other data storage devices. Acceptable guidelines for the destruction or sanitization of data are contained in the National Institute of Standards and Technology's Guidelines for Media Sanitation or those guidelines certified by the National Association for Information Destruction.

(F) Each recoverer shall, during each calendar year, transport from each site that the recoverer uses to manage consumer covered devices not less than 75% of the total weight of consumer covered devices present at the site during the preceding calendar year. Each recoverer shall maintain on-site records that demonstrate compliance with this requirement and shall make those records available to the department for inspection and copying.

(G) Nothing in this chapter shall prevent a person from acting as a recoverer independently of a manufacturer electronic waste program.

(H) Whenever the department determines that a person is in violation of a regulation promulgated pursuant to this section, the department may:

(1) issue an order requiring the person to comply with the regulation;

(2) bring a civil action for injunctive relief in the appropriate court; or

(3) request the Attorney General bring civil or criminal enforcement action pursuant to this section.

The department also may impose reasonable civil penalties not to exceed ten thousand dollars, for each day of violation. After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department or board to the court of common pleas, pursuant to the Administrative Procedures Act.

(I) A person who wilfully violates a regulation promulgated pursuant to this section is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars for each day of violation or imprisoned for not more than one year, or both. If the conviction is for a second or subsequent offense, the punishment must be a fine not to exceed twenty-five thousand dollars for each day of violation or imprisonment not to exceed two years, or both. The provisions of the subsection do not apply to officials and employees of a local government owning or operating, or both, a municipal solid waste

management facility or to officials and employees of a region, comprised of local governments, owning or operating, or both, a regional municipal solid waste management facility.

(J) Each day of noncompliance with an order issued pursuant to this section or noncompliance with a permit, regulation, standard, order, or requirement established pursuant to this section constitutes a separate offense.

Section 48-60-150. ~~The department shall promulgate regulations needed to implement this chapter's provisions, which must be submitted to the General Assembly pursuant to the Administrative Procedures Act.~~

(A) To carry out the purposes and provisions of this chapter, the department is authorized to:

(1) promulgate such regulations, procedures, or standards as are necessary to protect human health and safety or the environment from the adverse effects of improper, inadequate, or unsound management of covered devices;

(2) issue, deny, revoke, or modify permits, registrations, or orders under such conditions as the department may prescribe, pursuant to procedures consistent with the South Carolina Administrative Procedures Act, for the operation of facilities that recover covered devices;

(3) conduct inspections, conduct investigations, obtain samples, and conduct research regarding the operation and maintenance of any facility that recovers covered devices;

(4) enter into agreements, contracts, or cooperative arrangements, under such terms and conditions as the department determines appropriate, with other state, federal, or interstate agencies, counties, municipalities, educational institutions, other local governments, and local health departments, consistent with the purposes and provisions of this chapter; and

(5) cooperate with private organizations and with business and industry in carrying out the provisions of this chapter.

(B) Regulations promulgated to carry out the purposes and provisions of this chapter must be submitted to the General Assembly pursuant to the Administrative Procedures Act.

(C) The requirements of this chapter supersede all regulations, rules, standards, orders, or other actions of the department that are not consistent with this chapter.

Section 48-60-160. (A) A manufacturer subject to the requirements of this chapter shall pay the department an annual registration fee in the amount of three thousand five hundred dollars.

~~(B) A representative organization shall pay the department an annual registration fee in the amount of twenty thousand dollars for the department to pay the full costs of administering and enforcing the provisions of this chapter relating to representative organizations.~~

~~(C) Manufacturers participating in a representative organization are exempt from paying an annual registration fee.~~

~~(D)~~(B) A manufacturer that produces computer monitors, computers, or televisions is only required to pay one annual registration fee, if a fee is required.

~~(E)(1)~~(C) A manufacturer of a covered device that fails to comply with a requirement of this chapter~~, excluding recycling obligation shortfalls as provided for in this section,~~ is subject to a fine not to exceed ~~one~~ seven thousand dollars per violation.

~~(2) A manufacturer of a covered television device or covered computer monitor device participating in a plan pursuant to Section 48-60-50 or Section 48-60-55(K) that fails to meet its individual recycling obligation for the previous program year as outlined in this chapter may elect to:~~

~~(a) pay a shortfall fee as determined by the department; or~~

~~(b) account for the amount of the shortfall in the following year. A manufacturer electing to account for the amount of a shortfall in the following year only may elect this option once every three years.~~

~~(3) The shortfall fee provided for in this section must be calculated as follows:~~

~~(a) If the manufacturer of a covered television or computer monitor device recycles at least ninety percent, but less than one hundred percent of its individual recycling obligation, the shortfall fee is thirty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(b) If the manufacturer of a covered television or computer monitor device recycles at least fifty percent, but less than ninety percent of its individual recycling obligation, the shortfall fee is forty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(c) If the manufacturer of a covered television or computer monitor device recycles less than fifty percent of its individual recycling obligation, the shortfall fee is fifty cents multiplied by the number of additional pounds that should have been recycled in order for the manufacturer to have met its individual recycling obligation.~~

~~(F)~~(D) A manufacturer of a covered device that sells ~~five~~ one hundred or fewer such devices in the State per year is exempt from registration~~,~~ or penalty~~, or shortfall fees~~ proposed in this chapter.

~~(G) A television manufacturer participating in a representative organization with an approved consumer electronic device stewardship program that falls below seventy-five percent of its allocation, as determined by a representative organization at the end of the program year, is ineligible to participate in the consumer electronic device stewardship program the following year and must participate in the plan enumerated in Section 48-60-55(K).~~

~~(H)~~(E) All fees and penalties collected by the department to administer and enforce this chapter must be deposited in a dedicated account and may be expended by the department to cover the department's costs to implement this chapter. ~~Shortfall fees must be used to assist local governments in recycling covered devices as required by this chapter.~~

Section 48-60-170. (A) The intent of this chapter is to implement programs and services that ensure the availability of adequate end-of-life electronic product handling for the benefit of citizens of the State, which fairly, effectively, and efficiently share the burdens of doing so among television manufacturers, computer manufacturers, and computer monitor manufacturers, regardless of the effect on competition of doing so, and which require the State to direct and supervise implementation of a statewide plan of one or more consumer electronic device stewardship programs. ~~Representative organizations~~ Manufacturer clearinghouses and persons participating in ~~representative organizations~~ manufacturer clearinghouses may not be held liable or prosecuted under federal or state antitrust ~~law~~, unfair trade, and competition laws and regulations.

(B) A manufacturer or manufacturer clearinghouse acting ~~in accordance with~~ pursuant to the provisions of this chapter may negotiate, enter into, or conduct business with ~~a representative organization, and the~~ each other and with any other entity developing, implementing, operating, participating in, or performing any other activities directly related to a manufacturer electronic waste program. No manufacturer, ~~representative organization~~ manufacturer clearinghouse, and eligible program ~~are not~~ shall be subject to damages, liability, enforcement actions, or scrutiny under federal or state antitrust ~~law~~, unfair trade, and competition laws and regulations, regardless of the effects of their actions on competition. It further is the intent and belief of the State that the supervisory activities described in this chapter are sufficient to

confirm that activities of the manufacturer clearinghouse, manufacturers, eligible programs, and ~~recyclers~~ recoverers developing or participating in a plan that is approved pursuant to Section ~~48-60-55~~ 48-60-51 or 48-60-56 are authorized and actively supervised by the State.

Section 48-60-180. The department shall initiate a stakeholder group on June 1, 2026, and provide a report on its findings to the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee and the Chairman of the Senate Agriculture and Natural Resources Committee by January 15, 2027. The stakeholder process shall explore opportunities to advance market-based solutions for the recycling of electronics, operational and financial impacts on local governments and manufacturers, alternatives to Section 48-60-90, and other concerns or recommendations identified by stakeholders and the department."

B. Section 14 of Act 129 of 2014, as amended by Act 82 of 2021, is repealed. Section 48-60-55 of the 1976 Code is repealed December 31, 2022. The remaining provisions of this chapter, except Section 48-60-90, are repealed December 31, 2029.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor. /

Amend title to conform.

/TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION-BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM

PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION./

/s/Sen. Scott Talley	/s/Rep. William M. "Bill" Hixon
/s/Sen. Josh Kimbrell	/s/Rep. Cally R. "Cal" Forrest, Jr.
/s/Sen. Vernon Stephens	/s/Rep. Lucas Atkinson
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION-BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE

MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Very respectfully,

Speaker of the House

Received as information.

H. 4831--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Scott	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 4831--Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP

TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. (A) The Department of Commerce must conduct an economic development study to evaluate the state's business advantages, economic climate, workforce readiness, and any other relevant state assets to create a roadmap for South Carolina to effectively compete in attracting offshore wind energy supply chain industries to the State. This study will build upon South Carolina's existing breadth of research including, but not limited to, the previous Phase I and Phase II Economic Impact Studies conducted by Clemson University in 2012 and 2014. The Department of Commerce also must coordinate with the South Carolina Office of Regulatory Staff, Clemson University, or any other state agency where deemed necessary to exchange information and expertise.

(B) To the extent necessary to carry out study responsibilities, the department is authorized to employ third-party consultants and industry experts, by contract or otherwise, as the department may consider necessary to assist in the proper discharge of the responsibility as provided by this section.

(C) In conducting the economic development study and in creating a roadmap, the department must consider at least all of the following:

(1) identification and characterization of discrete segments within the offshore wind supply chain, including major manufacturing operations, specialty component manufacturing, component assembly, and ancillary services for future offshore wind energy projects along the east coast of the United States;

(2) estimated number and type of direct manufacturing jobs;

(3) potential ancillary economic benefits;

(4) potential industry investment in South Carolina and opportunities for rural economic development;

(5) highest impact investment opportunities to produce the largest net economic benefit;

(6) potential benefits to local tax bases;

(7) expected additional contribution to state economic output;

(8) any additional information the department identifies as relevant to the conduct of its study; and

(9) actionable next steps the State should take to recruit new, and assist the expansion of existing offshore wind supply chain companies, in order to capitalize on the 109 billion dollar offshore wind industry.

SECTION 2. The Department of Commerce must submit the reports, roadmap, and any legislative recommendations to the Speaker of the House, Chairman of the House Ways and Means Committee, Chairman of the House Labor, Commerce and Industry Committee, the President of the Senate, Chairman of the Senate Finance Committee, and Chairman of the Senate Labor, Commerce and Industry Committee one year from the date of funding.

SECTION 3. Implementation of the provisions of this joint resolution is contingent upon funding by the General Assembly.

SECTION 4. The provisions of this act are repealed on June 30, 2024.

SECTION 5. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Tom Davis	/s/Rep. John Taliaferro "Jay" West
/s/Sen. Mike Reichenbach	/s/Rep. Bart T. Blackwell
/s/Sen. Karl B. Allen	/s/Rep. Russell L. Ott
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO

EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

Very respectfully,

Speaker of the House

Received as information.

H. 3696--REPORT OF THE COMMITTEE OF CONFERENCE CARRIED OVER

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

On motion of Senator RANKIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

On motion of Senator MALLOY the report was carried over.

H. 3696--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

On motion of Senator RANKIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Grooms	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Malloy	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Stephens	Talley

Turner Verdin Williams
Young

Total--37

NAYS

Massey

Total--1

The Committee of Conference Committee was adopted as follows:

H. 3696--Conference Report
The General Assembly, Columbia, S.C., May 3, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 14-5-610(B) of the 1976 Code is amended to read:

"(B) One judge must be elected from the~~ second,~~ sixth~~,~~ and twelfth circuits. Two judges must be elected from the first, second, third, fourth, seventh, eighth, tenth, eleventh,~~ fourteenth, fifteenth,~~ and sixteenth circuits. Three judges must be elected from the fifth,~~ and ninth~~

fourteenth, and fifteenth circuits. Four judges must be elected from the ninth and thirteenth ~~circuit~~ circuits."

SECTION 2. Section 63-3-40(A) of the 1976 Code is amended to read:

"(A) The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

First Circuit	~~Three~~ Four Judges
Second Circuit	Two Judges
Third Circuit	Three Judges
Fourth Circuit	Three Judges
Fifth Circuit	Four Judges
Sixth Circuit	Two Judges
Seventh Circuit	~~Three~~ Four Judges
Eighth Circuit	Three Judges
Ninth Circuit	Six Judges
Tenth Circuit	Three Judges
Eleventh Circuit	Three Judges
Twelfth Circuit	Three Judges
Thirteenth Circuit	Six Judges
Fourteenth Circuit	Three Judges
Fifteenth Circuit	Three Judges
Sixteenth Circuit	~~Two~~ Three Judges."

SECTION 3. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTIONS 1 and 2. The General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

SECTION 4. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Luke A. Rankin	/s/Rep. G. Murrell Smith, Jr.
/s/Sen. Brad Hutto	/s/Rep. J. Todd Rutherford
/s/Sen. Scott Talley	/s/Rep. Wm. Weston J. Newton
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

WEDNESDAY, JUNE 15, 2022

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

Very respectfully,

Speaker of the House

Received as information.

S. 233--REPORT OF THE COMMITTEE OF CONFERENCE CARRIED OVER

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO

A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

On motion of Senator VERDIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator VERDIN spoke on the report.
Senator DAVIS spoke on the report.
Senator KIMPSON spoke on the report.

Point of Quorum

Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

The question then was adoption of the Report of Committee of Conference.

On motion of Senator DAVIS, with Senator KIMPSON retaining the Floor, the Bill was carried over.

S. 233--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN

HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator KIMPSON spoke on the report.
Senator K. JOHNSON spoke on the report.
Senator LOFTIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 12; Abstain 2

AYES

Alexander	Allen	Bennett
Campsen	Cash	Davis
Fanning	Grooms	Hembree
Jackson	*Johnson, Kevin*	Malloy
Massey	McElveen	Rankin

Reichenbach	Rice	Scott
Setzler	Stephens	Talley
Turner	Verdin	Williams

Total--24

NAYS

Adams	Climer	Corbin
Cromer	Garrett	*Johnson, Michael*
Kimbrell	Kimpson	Loftis
Matthews	McLeod	Peeler

Total--12

ABSTAIN

Hutto	Young

Total--2

The Committee of Conference Committee was adopted as follows:

Statement by Senators HUTTO and YOUNG

We abstained from voting on S. 233 because of a possible client conflict.

S. 233--Conference Report

The General Assembly, Columbia, S.C., June 8, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 12-37-220(B)(1) of the 1976 Code is amended to read:

"(1)(a) the house owned by an eligible owner in fee or jointly with a spouse;

(b) the house owned by a qualified surviving spouse ~~acquired from the deceased spouse~~ and a house subsequently acquired by an eligible surviving spouse. The qualified surviving spouse shall inform the Department of Revenue of the address of a subsequent house;

(c) when a trustee holds legal title to a dwelling for a beneficiary and the beneficiary is a person who qualifies otherwise for the exemptions provided in subitems (a) and (b) and the beneficiary uses the dwelling as the beneficiary's domicile, the dwelling is exempt from property taxation in the same amount and manner as dwellings are exempt pursuant to subitems (a) and (b);

(d) The Department of Revenue may require documentation it determines necessary to determine eligibility for the exemption allowed by this item.

(e) A person who owns an interest in a house and meets all other requirements of this item and is otherwise an eligible owner but for the ownership requirement is deemed to be an eligible owner and is eligible for the exemption allowed by this item so long as the county assessor certifies to the Department of Revenue that the house is located on heirs' property and the person is the owner-occupied resident of the house. A person eligible pursuant to this subitem must not claim the special assessment rate allowed pursuant to Section 12-43-220(c) on any other property. For purposes of this item, heirs' property has the same meaning as provided in Section 15-61-320.

(f) As used in this item:

(i)'eligible owner' means:

(A) a veteran of the armed forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability;

(B) a former law enforcement officer as further defined in Section 23-23-10, who is permanently and totally disabled as a result of a law enforcement service-connected disability;

(C) a former firefighter, including a volunteer firefighter as further defined in Chapter 80, Title 40, who is permanently and totally disabled as a result of a firefighting service-connected disability;

(ii) 'permanently and totally disabled' means the inability to perform substantial gainful employment by reason of a medically determinable impairment, either physical or mental, that has lasted or is

expected to last for a continuous period of twelve months or more or result in death;

(iii) 'qualified surviving spouse' means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the armed forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-23-10 and Chapter 80, Title 40, ~~who at the time of death owned the house in fee or jointly with the now surviving spouse,~~ if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;

(iv) 'house' means a dwelling and the lot on which it is situated classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c). However, for an eligible owner that qualifies pursuant to item (1)(e), 'house' means a dwelling that is eligible to be classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c) except for the ownership requirement."

SECTION 2. A.Section 6-1-300(6) of the 1976 Code is amended to read:

"(6) 'Service or user fee' means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members of the general public not paying the fee~~. 'Service or user fee' also includes 'uniform service charges'. The revenue generated from the fee must:

(a) be used to the benefit of the payers, even if the general public also benefits;

(b) only be used for the specific improvement contemplated;

(c) not exceed the cost of the improvement; and

(d) be uniformly imposed on all payers."

B. Section 6-1-330(A) of the 1976 Code is amended to read:

"(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the governing body prior to the final reading of the ordinance to adopt a new

service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article."

C. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered subsections to read:

"( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( ) A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county's website."

D. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 2.A.

E. This SECTION takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996.

SECTION 3. A. Section 12-39-250(B) of the 1976 Code is amended to read:

"(B) Notwithstanding any other provision of law, the county tax assessor or the County Board of Assessment Appeals, upon application of the taxpayer, must order the County Auditor to make appropriate adjustments in the valuation and assessment of any real property and improvements which have sustained damage as a result of fire, flooding, hurricane, or wind event provided, that the application for correction of the assessment is made prior to payment of the tax."

B. Section 12-37-220(B)(14) of the 1976 Code is amended to read:

"(14) all farm buildings and agricultural structures owned by a producer in this State used to house livestock, poultry, crops, farm equipment, or farm supplies and all farm machinery and equipment including self-propelled farm machinery and equipment except for motor vehicles licensed for use on the highways. For the purpose of this section 'self-propelled farm machinery and equipment' means farm machinery or equipment which contains within itself the means for its own locomotion. For purposes of this item, farm equipment includes greenhouses;"

C. This SECTION takes effect upon approval by the Governor and applies to property tax years beginning after 2021.

SECTION 4. This act takes effect upon approval by the Governor./

Amend title to read:

/ TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES. /

/s/Sen. Daniel B. Verdin III	/s/Rep. Heather Ammons Crawford
/s/Sen. Tom Davis	/s/Rep. Lee Hewitt
/s/Sen. Kent M. Williams	/s/Rep. J. David Weeks
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to adopt the Report of the Committee of Conference on:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has reconsidered and adopted the Report of the Committee of Conference on:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO

PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY

QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.

Very respectfully,

Speaker of the House

Received as information.

H. 4776--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, A.M. Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE

INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.

On motion of Senator GROOMS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator GROOMS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Garrett	Grooms	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Hutto	Jackson
Johnson, Kevin	Kimpson	Malloy
Matthews	McElveen	McLeod
Scott	Setzler	Stephens
Williams		

Total--13

The Committee of Conference Committee was adopted as follows:

H. 4776--Conference Report

The General Assembly, Columbia, S.C., June 14, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be known and cited as the "Medical Ethics and Diversity Act".

SECTION 2. Title 44 of the 1976 Code is amended by adding:

"CHAPTER 139

Medical Ethics and Diversity Act

Section 44-139-10. (A) The General Assembly finds that the right of conscience is a fundamental and unalienable right. It was central to the founding of the United States, has been deeply rooted in our Nation's history and tradition for centuries, and has been central to the practice of medicine, through the Hippocratic Oath, for millennia.

(B) Despite its preeminent importance, however, threats to the right of conscience of medical practitioners, health care institutions, and health care payers have become increasingly more common and severe in recent years. The swift pace of scientific advancement and the expansion of medical capabilities, along with the mistaken notion that medical practitioners, health care institutions, and health care payers are mere public utilities, promise only to make the current crisis worse, unless something is done to restore conscience to its rightful place.

(C) With this purpose in mind, the General Assembly declares that it is the public policy of the State of South Carolina to protect the right of conscience for medical practitioners, health care institutions, and health care payers.

(D) As the right of conscience is fundamental, no medical practitioner, health care institutions, and health care payers should be compelled to participate in or pay for any medical procedure or prescribe or pay for any medication to which the practitioner or entity objects on the basis of conscience, whether such conscience is informed by religious, moral, or ethical beliefs or principles.

(E) It is the purpose of this chapter to protect medical practitioners, health care institutions, and health care payers from discrimination, punishment, or retaliation as a result of any instance of conscientious medical objection.

Section 44-139-20. For the purposes of this chapter:

(1) 'Conscience' means the religious, moral, or ethical beliefs or principles held by any medical practitioner, health care institutions, and health care payers. Conscience with respect to institutional entities or corporate bodies, as opposed to individual persons, is determined by reference to that entity or body's governing documents including, but not limited to, any published religious, moral, or ethical guidelines or

directives; mission statements; constitutions; articles of incorporation; bylaws; policies; or regulations.

(2) 'Disclosure' means a formal or informal communication or transmission, but does not include a communication or transmission concerning policy decisions that lawfully exercise discretionary authority unless the medical practitioner providing the disclosure or transmission reasonably believes that the disclosure or transmission evinces:

(a) any violation of any law, rule, or regulation;

(b) any violation of any standard of care or other ethical guidelines for the provision of any health care service; or

(c) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(3) 'Discrimination' means any adverse action taken against, or any threat of adverse action communicated to, any medical practitioner, health care institutions, and health care payers as a result of the practitioner's or entity's decision to decline to participate in a health care service on the basis of conscience. Discrimination includes, but is not limited to, termination of employment; demotion from current position; adverse administrative action; increased administrative duties; refusal of staff privileges; refusal of board certification; loss of career specialty; reduction of wages, benefits, or privileges; refusal to award a grant, contract, or other program; refusal to provide residency training opportunities; denial, deprivation, or disqualification of licensure; withholding or disqualifying from financial aid and other assistance; impediments to creating any health care institution or payer or expanding or improving said health care institution or payer; impediments to acquiring, associating with, or merging with any other health care institution or payer; the threat thereof with regard to any of the preceding; or any other penalty, disciplinary, or retaliatory action, whether executed or threatened. For the purposes of this chapter, 'discrimination' does not include reassignment to a comparable role for which the employee is duly qualified, if under the same working conditions and without pecuniary impact to the practitioner.

(4) 'Health care service' means medical care provided to any patient at any time over the entire course of treatment. This includes, but is not limited to, examination; testing; diagnosis; dispensing and/or administering any drug, medication, or device; psychological therapy or counseling; research; prognosis; therapy; any other care or necessary services performed or provided by any medical practitioner.

(5) 'Health care institution' means any public or private hospital, clinic, medical center, physician organization, professional association, ambulatory surgical center, private physician's office, pharmacy, nursing home, medical school, nursing school, medical training facility, or any other entity or location in which health care services are performed on behalf of any person. Health care institutions may include, but are not limited to, organizations, corporations, partnerships, associations, agencies, networks, sole proprietorships, joint ventures, or any other entity that provides health care services.

(6) 'Health care payer' means any employer, health plan, health maintenance organization, insurance company, management services organization, or any other entity that pays for, or arranges for the payment of, any health care service provided to any patient, whether that payment is made in whole or in part, and that either:

(a) is a heath care sharing ministry as defined in 26 U.S.C. Section 5000A(d)(2)(B)(ii); or

(b) holds itself out to the public as religious, states in its governing documents that it has a religious purpose or mission, and has internal operating policies or procedures that implement its religious beliefs.

(7) 'Medical practitioner' means any person or individual who may be or is asked to participate in any health care service. This includes, but is not limited to, doctors, nurse practitioners, physician's assistants, nurses, nurses' aides, allied health professionals, medical assistants, pharmacists, pharmacy technicians, medical school faculty and students, nursing school faculty and students, psychology and counseling faculty and students, medical researchers, laboratory technicians, counselors, or social workers.

(8) 'Participate' in a health care service means to provide, perform, assist with, facilitate, counsel for, advise with regard to, admit for the purposes of providing, or take part in providing, any health care service or any form of such service.

(9) 'Pay' or 'payment' means to pay for, contract for, arrange for the payment of (whether in whole or in part), reimburse, or remunerate.

Section 44-139-30. (A) A medical practitioner, health care institutions, and health care payers has the right not to participate in or pay for any health care service which violates the practitioner's or entity's conscience.

(B) No medical practitioner, health care institutions, and health care payers may be civilly, criminally, or administratively liable for exercising the practitioner's or entity's right of conscience with respect to a health care service. No health care institution may be civilly,

criminally, or administratively liable for any claims related to or arising out of the exercise of conscience rights protected by this chapter by a medical practitioner employed, contracted, or granted admitting privileges by the health care institution.

(C) No medical practitioner, health care institutions, and health care payers may be discriminated against in any manner as a primary result of the practitioner's or entity's decision to decline to participate in a health care service on the basis of conscience.

(D) Notwithstanding any other provision of this chapter to the contrary, a religious medical practitioner, health care institutions, and health care payers that holds itself out to the public as religious, states in its governing documents that it has a religious purpose or mission, and has internal operating policies or procedures that implement its religious beliefs, has the right to make employment, staffing, contracting, and admitting privilege decisions consistent with its religious beliefs.

(E) Nothing in this chapter may be construed to override either the requirement to provide emergency medical treatment to all patients as set forth in 42 U.S.C. Section 1395dd or any other federal law or regulation.

(F) Exercise of the right of conscience is limited to conscience-based objections to a particular health care service. This section may not be construed to waive or modify any duty a health care practitioner, health care institutions, and health care payers may have to provide other medical services that do not violate the practitioner's, institution's, or payer's conscience.

(G) A medical practitioner exercising his right of conscience to abstain from providing certain health care services pursuant to this chapter may, at his sole discretion and if requested by the patient or legal representative of the patient:

(1) refer the patient to;

(2) transfer the patient to; or

(3) provide information to the patient about other medical practitioners or health care institutions who they reasonably believe may offer the health care service that the medical practitioner or health care institution does not to permit, perform, or participate in because of a conscience-based objection to a health care service.

Section 44-139-40. (A) No medical practitioner may be discriminated against in any manner because the medical practitioner:

(1) provided, caused to be provided, or is about to provide or cause to be provided to the practitioner's employer, the Attorney General of South Carolina, the Department of Health and Environmental Control,

the South Carolina Board of Medical Examiners, any state agency charged with protecting health care rights of conscience, the U.S. Department of Health and Human Services Office of Civil Rights, or any other federal agency charged with protecting health care rights of conscience information relating to any violation of, or any act or omission the medical practitioner reasonably believes to be a violation of, any provision of this chapter;

(2) testified or is about to testify in a proceeding concerning such violation;

(3) assisted or participated, or is about to assist or participate, in such a proceeding; or

(4) refused to participate in an abortion.

(B) Unless the disclosure is specifically prohibited by law, no medical practitioner may be discriminated against in any manner because the medical practitioner disclosed any information that the medical practitioner reasonably believes evinces:

(1) any violation of any law, rule, or regulation;

(2) any violation of any standard of care or other ethical guidelines for the provision of any health care service; or

(3) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(C) A medical practitioner shall disclose his objection to a health care service to his employer and the entity where the health care service is to be performed within a reasonable amount of time from when he knew or should have known that such a service may be performed. A health care institution or employer shall make every reasonable effort to properly document the objection status of a disclosing practitioner.

(D) No provision of this chapter shall be construed as to limit an employer's or contractee's authority to make employment, staffing, contracting, disciplinary, credentialing, privileging, or other related decisions for reasons that are not directly related to individual expressions of conscience that are expressly protected by this chapter.

Section 44-139-50. (A) A medical practitioner or health care institution may, pursuant to Section 1-13-90, file a complaint with the State Human Affairs Commission for any alleged violation of any provision of this chapter.

(B) The State Human Affairs Commission must investigate reports of alleged violations of this chapter. If the State Human Affairs Commission finds that a respondent has engaged in an unlawful discriminatory practice pursuant to this chapter, the State Human Affairs Commission will assist respondent with appropriate corrective action. If,

despite assistance, corrective action is not satisfactory, the State Human Affairs Commission shall consult other public officers as the Commission deems proper regarding options to overcome the effects of such violations. At a minimum, the State Human Affairs Commission must provide a copy of its report to:

(1) the Director of the Department of Health and Environmental Control, if the respondent is a health care facility;

(2) the Director of the Department of Labor, Licensing and Regulation, if the respondent is a medical practitioner.

(C) If the State Human Affairs Commission does not remedy a complaint, then a health care practitioner, health care institution, or health care payer may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction. If the notice provisions of Section 44-139-90 are violated, then the patient may file suit for injunctive relief, damages, and reasonable attorney's fees in a court of competent jurisdiction.

Section 44-139-60. The licensing and regulation of medical practitioners and the provision of health care services, as defined in Section 44-139-20, is expressly preempted by the State. A county, municipality, or other political subdivision may not adopt or enforce an ordinance, resolution, rule, or policy that restricts, limits, controls, directs, or otherwise interferes with the type and scope of health care services provided by a medical practitioner or the professional conduct and judgment of a medical practitioner when providing health care services.

Section 44-139-70. A health care practitioner may not be scheduled for or assigned to directly or indirectly perform, facilitate, or participate in an abortion unless the practitioner first affirmatively consents in writing to perform, facilitate, or participate in the abortion.

Section 44-139-80. A medical practitioner may not refuse to provide any health care service to a person based on his race.

Section 44-139-90. The contract, policy, or other documentation executed between a health care payer and a person that requires the health care payer to pay for or arranges for the payment of any health care services provided to the person must contain a statement in bold type face providing the person with notice that some health care services may not be provided by the health care payer because the provision of those services violates the health care payer's conscience as defined in Section 44-139-20(1). The notice must further provide that a list of the health care services that the health care payer will not pay for or arrange

payment for may be found on the health care payer's website or otherwise be made available to the person upon request."

SECTION 3. Section 44-41-50 of the 1976 Code is amended to read:

"Section 44-41-50. ~~(a)~~(A) No physician, nurse, technician, medical student, or other employee of a hospital, clinic or physician shall be required to recommend, perform or assist in the performance of an abortion if he advises the hospital, clinic or employing physician in writing that he objects to performing, assisting or otherwise participating in such procedures. Such notice will suffice without specification of the reason therefor.

~~(b)~~(B) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall be liable to any person for damages allegedly arising from such refusal.

~~(c)~~(C) No physician, nurse, technician, medical student, or other person who refuses to perform or assist in the performance of an abortion shall because of that refusal be dismissed, suspended, demoted, or otherwise disciplined or discriminated against by the hospital or clinic with which he is affiliated or by which he is employed. A civil action for damages or reinstatement of employment, or both, may be prosecuted by any person whose employment or affiliation with a hospital or clinic has been altered or terminated in violation of this chapter.

~~(d)~~(D) Any physician who performs an abortion shall also provide, for proper compensation, necessary aftercare for his patient unless released by the patient in writing. The extent of aftercare required shall be that care customarily provided by physicians in such cases in accordance with accepted medical practice."

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability

incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 6. This act takes effect upon approval by the Governor. /

Amend title to conform.

/TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS./

/s/Sen. Brad Hutto	/s/Rep. Jackie Elliott "Coach" Hayes
/s/Sen. Lawrence Kelly "Larry" Grooms	/s/Rep. Mark Nye Willis
/s/Sen. Josh Kimbrell	/s/Rep. John R. McCravy III
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

WEDNESDAY, JUNE 15, 2022

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, A.M. Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, JUNE 15, 2022

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, A.M. Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, JUNE 15, 2022

S. 17--REPORT OF THE COMMITTEE OF CONFERENCE CARRIED OVER

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

On motion of Senator CLIMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLIMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

On motion of Senator HUTTO, the report was carried over.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 17 -- Senators Rankin and Loftis: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA,

1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Yow, Matthews and McGarry to the Committee of Free Conference on the part of the House on:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF

CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Very respectfully,
Speaker of the House

Received as information.

S. 935--REPORT OF THE COMMITTEE OF CONFERENCE CARRIED OVER

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO

PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

On motion of Senator HEMBREE, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.
Senator MASSEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

On motion of Senator MALLOY, the report was carried over.

Message from the House

Columbia, S.C., June 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Very respectfully,
Speaker of the House

Received as information.

S. 935--REPORT OF THE COMMITTEE OF CONFERENCE

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

On motion of Senator MASSEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MASSEY spoke on the report.

Senator MALLOY spoke on the report.

RECESS

At 8:07 P.M., on motion of Senator PEELER, the Senate receded from business.

At 8:56 P.M., the Senate resumed.

Senator MALLOY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 13; Nays 22

AYES

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Scott	Setzler	Stephens
Williams		

Total--13

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Garrett
Grooms	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Reichenbach	Rice
Talley	Turner	Verdin
Young		

Total--22

The motion failed. The Senate refused to adjourn.

Senator MALLOY spoke on the report.

Senator MALLOY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 21

AYES

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
McElveen	McLeod	Scott
Setzler	Stephens	Williams

Total--12

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Garrett
Grooms	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Reichenbach	Rice
Talley	Verdin	Young

Total--21

The motion failed. The Senate refused to adjourn.

Senator HUTTO spoke on the report.

Motion Adopted

On motion of Senator GROOMS, the Senate agreed to waive the time requirements of Rule 15A.

Motion Under Rule 15A Failed

At 9:23 P.M., Senator GROOMS moved under the provisions of Rule 15A that the debate on the entire matter of S. 935 be brought to a close.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Garrett
Grooms	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Massey
Peeler	Reichenbach	Rice
Talley	Verdin	Young

Total--21

NAYS

Allen	Fanning	Hutto
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Scott	Setzler	Stephens
Williams		

Total--13

Having failed to receive the necessary vote, the motion under Rule 15A failed.

The question then was adoption of the Report of Committee of Conference.

Senator HUTTO spoke on the report.

WEDNESDAY, JUNE 15, 2022

Senator HUTTO moved that the Senate stand adjourned.

Motion Adopted

On motion of Senator HUTTO, the Senate agreed to stand adjourned.

Recorded Vote

Senators RICE, GROOMS and REICHENBACH desired to be recorded as voting against the motion to adjourn.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Darrell Drakeford, P. O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Colleton County Probate Judge, with the term to commence June 3, 2022, and to expire June 3, 2023

Arthur Cecil Utsey IV, 208 Greenbay Street, Walterboro, SC 29488 *VICE* Ashley H. Amundson

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Susan B. Gladden, 438 Highway 20, Abbeville, SC 29620-4130

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Philip D. Ray, 527 Noble Dr., Abbeville, SC 29620-4115

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Thomas A. Holloway, 386 Wahoo Dr., Fripp Island, SC 29920-7022 *VICE* Rod H. Sproatt

Recorded Vote

Senator DAVIS desired to be recorded abstaining on the confirmation of Thomas A. Holloway.

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Frederick Corley, 3 Cotton Court, Beaufort, SC 29907-2034

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Angela McCall-Tanner, 1 Hathaway Lane, Bluffton, SC 29910-5725

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jean K. McCormick, 7 Sunset Bluff, Beaufort, SC 29907-1453

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
LaShonda G. Scott, 14 African Baptist Road, Yemassee, SC 29945-7601

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Erin Vaux, 56 Alljoy Road, Bluffton, SC 29910-7201

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Nancy D. Sadler, 130 Old Plantation Dr., Beaufort, SC 29907-1004

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Ernest M. O'Brien, 102 Cherokee Dr., Greenville, SC 29615-1117

Initial Appointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jacob D. Wilson, 608 Virginia Street, Kingstree, SC 29556-3231 *VICE* Vasker C. Bartell

Reappointment, Williamsburg County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Brian McKnight, 209 Short Street, Kingstree, SC 29556-3926

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Carolyn W. Brownlee, 417 Hanover Road, Abbeville, SC 29620-5234

MOTION ADOPTED

On motion of Senators ALEXANDER, YOUNG, HUTTO, ADAMS, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN and WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. C. Warren Derrick, Jr. of Columbia, S.C. Dr. Derrick was the father of our beloved Senate staff member, Andrea Truitt. Dr. Derrick graduated from Wofford College and the Medical College of South Carolina. He served as a Captain in the Medical Corp with the United States Army for two years. He later became chair of the Department of Pediatrics for 29 years with the University of South Carolina School of Medicine. He was instrumental in the development and growth of the pediatric department and in establishing the states first free-standing children's hospital. Dr. Derrick received numerous awards including the Presidential Merit Award, the William Weston Distinguished Service Award and the Order of the Palmetto to mention a few. Dr. Derrick was a loving father and devoted grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mayor Francis "Frank" E. Willis of Florence, S.C. Mayor Willis graduated from the University of South Carolina. He worked for Willis Construction with his father. He faithfully served Florence County from 1995-2008. He had vision and passion for addressing the needs of his community and was known as a consensus builder, problem solver and a visionary committed to economic and community development. Frank was a loving husband, devoted brother and doting uncle who will be dearly missed.

WEDNESDAY, JUNE 15, 2022

ADJOURNMENT

At 9:32 P.M., on motion of Senator HUTTO, the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

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CORRECTION TO THE JOURNAL

The following Ratification of Acts were inadvertently omitted from the Journal of May 12, 2022, and the corrected entry reads as follows:

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 12, 2022, at 5:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R164, S. 11) -- Senators Jackson, Shealy, Hutto, Cash and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO DEFINE TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE BIRTH OF A CHILD OR INITIAL LEGAL PLACEMENT OF A FOSTER CHILD; AND TO AMEND SECTION 8-11-155, RELATING TO THE USE OF SICK LEAVE TO CARE FOR AN ADOPTED CHILD, SO AS TO DEFINE TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE INITIAL LEGAL PLACEMENT OF A CHILD BY ADOPTION.
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(R165, S. 108) -- Senators Campsen, Senn and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE OFFICE FOR THE SAME ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOT

STANDARDS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-15-220, RELATING TO THE WITNESS REQUIREMENT FOR THE OATH OF AN ABSENTEE BALLOT APPLICANT, SO AS TO ADD THAT THE WITNESS MUST BE AT LEAST EIGHTEEN YEARS OF AGE AND ALSO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS ON THE OATH; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AMEND THE LIST OF REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR ABSENTEE BALLOTS AND APPLICATION IN PERSON, SO AS TO DEFINE THE PARAMETERS BY WHICH A PERSON MAY REQUEST AN APPLICATION TO VOTE BY ABSENTEE BALLOT FOR HIMSELF OR OTHERS, TO PROVIDE FOR VERIFICATION OF THE INFORMATION REGARDING THE ELECTOR, TO PROVIDE THAT NO MORE THAN FIVE APPLICATIONS MAY BE REQUESTED IN ADDITION TO THE REQUESTOR HIMSELF, AND TO PROVIDE THE TIMEFRAME THAT THE APPLICATIONS MUST BE RETURNED BY; TO AMEND SECTION 7-15-380, RELATING TO THE OATH OF AN ABSENTEE BALLOT APPLICANT, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION AND TO PROVIDE IT IS UNLAWFUL FOR A PERSON TO RETURN MORE THAN FIVE ENVELOPES IN AN ELECTION IN ADDITION TO HIS OWN AND PROVIDE A PENALTY; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SECOND DAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING

OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; TO AMEND SECTION 7-15-430, RELATING TO ABSENTEE VOTERS NOTED ON ELECTION LISTS AND VOTING BY PERSONS ISSUED ABSENTEE BALLOTS, SO AS TO PROVIDE PROCEDURES FOR THE CASTING OF PROVISIONAL BALLOTS BY PERSONS WHO HAVE NOT RETURNED THEIR ABSENTEE BALLOTS; TO AMEND SECTION 7-5-170, RELATING TO VOTER REGISTRATION WRITTEN APPLICATIONS, FORMS, AND OATHS, SO AS TO REQUIRE ACKNOWLEDGEMENT THAT THE PERSON REGISTERING TO VOTE IS NEITHER REGISTERED NOR INTENDS TO VOTE IN ANOTHER STATE OR COUNTY AND PROVIDE FOR A DATE STAMP ON APPLICATIONS; TO AMEND SECTIONS 7-13-320 AND 7-13-610, BOTH RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, BOTH SO AS TO REQUIRE BALLOTS TO INCORPORATE FEATURES WHICH CAN BE USED TO AUTHENTICATE THE BALLOT AS OFFICIAL, EXCEPT FOR BALLOTS DELIVERED ELECTRONICALLY UNDER THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT; TO AMEND SECTION 7-13-1330, RELATING TO VOTE RECORDERS AND OPTICAL SCAN VOTING SYSTEMS, SO AS TO REQUIRE CERTAIN STEPS BEFORE A STATEWIDE VOTING SYSTEM IS PROCURED, TO PROVIDE REQUIREMENTS FOR AN OPTICAL SCAN VOTING SYSTEM, AND TO REQUIRE THE PRESERVATION OF ELECTRONIC RECORDS FOR A STATEWIDE ELECTION FOR NOT LESS THAN TWENTY-FOUR MONTHS FOLLOWING THE ELECTION; TO AMEND SECTION 7-13-1340, RELATING TO REQUIREMENTS FOR VOTE RECORDERS OR OPTICAL SCAN VOTING DEVICES, SO AS TO PROVIDE THESE DEVICES MAY NOT BE USED UNLESS A DELINEATED LIST OF INTERNET AND OTHER CONNECTIONS ARE DISABLED; TO AMEND SECTION 7-13-1620, RELATING TO THE VOTING SYSTEM APPROVAL PROCESS, SO AS TO PROVIDE THAT IF THE FEDERAL VOTING SYSTEM STANDARDS AND GUIDELINES HAVE BEEN AMENDED WITHIN A CERTAIN TIME PERIOD BEFORE AN ELECTION, THE STATE ELECTION COMMISSION MAY APPROVE AND CERTIFY A VOTING SYSTEM IF CERTAIN CRITERIA ARE MET; TO AMEND SECTION 7-13-1640, RELATING TO VOTING MACHINE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 7-13-440 RELATING TO VOTING

MACHINE BALLOTS AND ARRANGEMENT OF NOMINATIONS; TO AMEND SECTION 7-3-40, RELATING TO REPORTS TO BE FURNISHED BY THE BUREAU OF VITAL STATISTICS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO INCLUDE IN THE INFORMATION THAT MUST BE PROVIDED ALL INDIVIDUALS EIGHTEEN YEARS OF AGE OR OLDER WHO HAVE DIED OUT-OF-STATE; TO AMEND SECTION 7-5-186, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO CONDUCT AN ANNUAL GENERAL REGISTRATION LIST MAINTENANCE PROGRAM AND TO PROVIDE PROCEDURES FOR HANDLING DISCREPANCIES IN THE VOTER REGISTRATION DATABASE; TO AMEND SECTIONS 7-5-330 AND 7-5-340, BOTH RELATING TO REMOVAL OF ELECTORS, SO AS TO PROVIDE A TIMEFRAME TO REMOVE AN ELECTOR UNDER CERTAIN CIRCUMSTANCES WARRANTING SUCH; BY ADDING SECTION 7-25-30 SO AS TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION TO ESTABLISH A PUBLIC REPORTING MECHANISM FOR POSSIBLE ELECTION LAW VIOLATIONS; BY ADDING SECTION 7-5-350 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON ACTIONS TAKEN TO MAINTAIN THE ACCURACY OF THE STATEWIDE VOTER REGISTRATION DATABASE; BY ADDING SECTION 7-1-110 SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS TO CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-20, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO ESTABLISH METHODS OF AUDITING ELECTION RESULTS; TO AMEND SECTIONS 7-25-20, 7-25-110, 7-25-120, 7-25-160, AND 7-25-170, ALL RELATING TO OFFENSES AGAINST ELECTION LAWS, ALL SO AS TO PROVIDE INCREASED PENALTIES; TO AMEND SECTION 7-3-10, RELATING TO THE COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO IDENTIFY CONDITIONS UNDER

WHICH A PERSON IS DEEMED INELIGIBLE TO SERVE ON THE COMMISSION, TO ESTABLISH MECHANISMS FOR REMOVING INELIGIBLE COMMISSION MEMBERS, TO REQUIRE THE COMMISSION TO PROMULGATE REGULATIONS TO ESTABLISH STANDARDIZED ELECTION AND VOTER REGISTRATION PROCESSES, AND TO REQUIRE THE COMMISSION TO PROVIDE FOR THE SUPERVISION OF THE EXECUTIVE DIRECTOR TO ENSURE COMPLIANCE WITH APPLICABLE STATE AND FEDERAL ELECTION LAWS; TO AMEND SECTION 7-3-20, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO PROVIDE FOR THE EXECUTIVE DIRECTOR'S APPOINTMENT WITH ADVICE AND CONSENT OF THE SENATE, TO ESTABLISH THE TERM, QUALIFICATIONS, AND ELIGIBILITY REQUIREMENTS, METHODS OF REMOVAL AND GROUNDS FOR DISQUALIFICATION, AND TO PROVIDE FOR FILLING OF A VACANCY, AMONG OTHER THINGS; TO AMEND SECTION 7-3-25, RELATING TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS COMPLIANCE WITH ELECTION LAWS AND POLICY, SO AS TO REQUIRE STANDARDIZED PROCESSES WITH REGARD TO THE CONDUCT OF ELECTIONS; BY ADDING SECTION 7-5-50 SO AS TO PROHIBIT THE STATE ELECTION COMMISSION AND COUNTY BOARDS FROM ACCEPTING GIFTS OR FUNDING FROM PRIVATE INDIVIDUALS OR OTHERS; BY ADDING SECTION 7-5-190 SO AS TO DIRECT THE STATE ELECTION COMMISSION TO ENSURE VOTER REGISTRATION INFORMATION, THE VOTING SYSTEM, AND ELECTRONIC POLL BOOKS ARE PROTECTED BY SECURITY MEASURES THAT MEET CERTAIN BEST PRACTICES STANDARDS; TO AMEND SECTION 7-3-70, RELATING TO REPORTS FURNISHED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION A MONTHLY REPORT OF ALL NON-UNITED STATES CITIZENS ISSUED A DRIVER'S LICENSE OR IDENTIFICATION CARD; TO AMEND SECTION 7-13-35, AS AMENDED, RELATING TO NOTICE OF ELECTIONS, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 7-3-45 SO AS TO REQUIRE EACH COUNTY PROBATE COURT TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE

ELECTION COMMISSION A MONTHLY REPORT OF ALL PERSONS EIGHTEEN YEARS OF AGE OR OLDER DECLARED MENTALLY INCAPACITATED; TO REQUIRE THE STATE ELECTION COMMISSION MUST ESTABLISH A TEMPORARY VOTER EDUCATION PROGRAM; TO AMEND SECTION 7-15-310, RELATING TO DEFINITIONS FOR PURPOSES OF ABSENTEE VOTING, SO AS TO REVISE THE DEFINITION OF "AUTHORIZED REPRESENTATIVE"; BY ADDING SECTION 7-15-400 SO AS TO PROVIDE THAT NO BALLOT APPLICATION OR ABSENTEE BALLOT MAY BE PROVIDED BY AN ELECTION OFFICIAL IF THE APPROPRIATE PROCEDURES ARE NOT FOLLOWED; BY ADDING SECTION 7-25-65 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO PROVIDE OR ACCEPT ANYTHING OF VALUE IN EXCHANGE FOR REQUESTING, COLLECTING, OR DELIVERING AN ABSENTEE BALLOT AND TO PROVIDE A PENALTY; TO AMEND SECTION 7-25-180, RELATING TO UNLAWFUL DISTRIBUTION OF CAMPAIGN LITERATURE, SO AS TO EXPAND THE PROHIBITION ON DISTRIBUTION OF CAMPAIGN LITERATURE OUTSIDE OF POLLING PLACES FROM TWO HUNDRED TO FIVE HUNDRED FEET; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.
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(R166, S. 152) -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4, SO AS TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.
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(R167, S. 158) -- Senator Scott: AN ACT TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER; TO AMEND SECTION 35-1-411, RELATING TO POSTREGISTRATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH REGISTERED INDIVIDUALS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER; AND TO AMEND SECTION 38-43-106, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH INSURANCE PRODUCERS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.
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(R168, S. 222) -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson, K. Johnson and McElveen: AN ACT TO AMEND SECTION 63-7-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.
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(R169, S. 227) -- Senators Shealy, McElveen and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30 OF TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE

THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO

PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.
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(R170, S. 449) -- Senator Young: AN ACT TO AMEND ACT 926 OF 1962, AS AMENDED, RELATING TO THE COMPOSITION OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL AND COMPREHENSIVE EDUCATION, SO AS TO ADD TWO NONVOTING MEMBERS; AND TO AMEND SECTION 31-12-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND MEMBERSHIP OF REDEVELOPMENT

AUTHORITIES, SO AS TO INCLUDE THE SAVANNAH RIVER SITE REDEVELOPMENT AUTHORITY.
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(R171, S. 460) -- Senator Alexander: AN ACT TO AMEND SECTION 23-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF THE OFFICE OF STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, SO AS TO DELETE CERTAIN OBSOLETE LANGUAGE, MAKE TECHNICAL CHANGES, AND PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY SHALL BE REFERRED TO AS STATE FIRE AND ESTABLISH ITS PROGRAM AREAS; TO AMEND SECTION 23-9-20, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, SO AS TO PROVIDE HE HAS STATEWIDE JURISDICTION AND PROVIDE ADDITIONAL RESPONSIBILITIES; TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE THE PEER-REVIEW PANEL SHALL HAVE AUTHORITY TO ESTABLISH FUNDING PRIORITIES COMMUNICATED THROUGH AN ANNUAL NOTICE OF FUNDING OPPORTUNITY, TO MAKE TECHNICAL CHANGES, TO ALLOW CERTAIN GRANT RECIPIENTS WHO HAVE GRANT FUNDS AVAILABLE AFTER COMPLETING THE APPROVED SCOPE OF WORK PRIOR TO THE END OF THE PERFORMANCE PERIOD TO CONTINUE OR EXPAND CERTAIN ACTIVITIES WITHOUT SUBMITTING AN APPLICATION TO AMEND THEIR GRANT REQUESTS OR SUBMIT APPLICATIONS TO AMEND GRANT REQUESTS, TO REDIRECT REMAINING FUNDS TO ANOTHER ELIGIBLE PROJECT, AND TO PROVIDE THREE PERCENT OF THE FUNDS COVERED BY THIS SECTION SHALL BE USED TO FUND COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PROGRAM; TO AMEND SECTION 23-9-30, RELATING TO CERTAIN DUTIES THAT MAY BE DELEGATED TO THE CHIEFS OF ORGANIZED FIRE DEPARTMENTS, COUNTY FIRE MARSHALS, OR DEPUTY STATE FIRE MARSHALS BY THE STATE FIRE MARSHAL, SO AS TO PROVIDE CERTAIN DUTIES RELATING TO INVESTIGATIONS, INSPECTIONS AND ENFORCEMENT MAY BE DELEGATED TO CERTAIN PERSONS BY THE STATE FIRE MARSHAL AND PROVIDE THE STATE

FIRE MARSHAL HAS AUTHORITY TO PROMULGATE CERTAIN REGULATIONS; TO AMEND SECTION 23-9-45, RELATING TO THE ISSUANCE OF CLASS D FIRE EQUIPMENT PERMITS, SO AS TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND PERMITS, PROVIDE APPLICANTS OF THESE LICENSES AND PERMITS MUST MEET CERTAIN REQUIREMENTS SET FORTH IN REGULATION, AND ARE ABLE TO MEET THE MAINTENANCE AND PERFORMANCE STANDARDS AND CODES ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT ALLOWS THE STATE FIRE MARSHAL TO ESTABLISH LICENSE AND PERMIT FEES; TO AMEND SECTION 23-9-50, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER BUILDINGS AND PREMISES TO INCLUDE WHEN AN EXPLOSION HAS OCCURRED, OR UNDER CERTAIN CIRCUMSTANCES WHEN A FATALITY OR SERIOUS INJURY HAS OCCURRED; BY ADDING SECTION 23-9-125 SO AS TO PROVIDE THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC OR THE REGULATION OF FIREWORKS ARE NOT AFFECTED BY THESE PROVISIONS; TO AMEND CHAPTER 10, TITLE 26, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF EQUIPMENT; TO AMEND SECTION 40-80-30, RELATING TO FIREFIGHTERS REGISTERING WITH THE STATE FIRE MARSHAL, SO AS TO REVISE THE COSTS AND PROCESS OF OBTAINING FIREFIGHTER RECORDS; TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 ALL RELATING TO CERTAIN DUTIES OF THE STATE FIRE MARSHAL; AND TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE IT IS NOW WITHIN THE DIVISION OF THE STATE FIRE MARSHAL, REMOVE THE LIMITATION PLACED ON THE MAXIMUM DOLLAR AMOUNT OF GRANTS IT MAY OFFER, TO DELETE THE TERM

"CHARTERED" AS IT IS USED TO IDENTIFY VARIOUS FIRE DEPARTMENTS, TO PROVIDE FIRE DEPARTMENTS MAY BE AWARDED ONE GRANT ANNUALLY, TO REVISE THE PURPOSES FOR WHICH FIRE DEPARTMENTS MAY USE GRANT MONEY, TO PROVIDE THE PEER-REVIEW PANEL SHALL OVERSEE THE ISSUANCE AND COMPLIANCE WITH THE PRESCRIBED INTENT OF THE GRANTS, TO DELETE THE PROVISIONS THAT RELATE TO JUSTIFICATIONS THAT MUST BE INCLUDED IN GRANT APPLICATIONS AND CRITERIA TO EVALUATE GRANT APPLICATIONS, TO PROVIDE INSTANCES THAT WOULD MAKE FIRE DEPARTMENTS INELIGIBLE TO BE AWARDED FUTURE GRANTS, TO PROVIDE RECIPIENTS MAY USE A CERTAIN AWARD AMOUNT TO CONTINUE OR EXPAND ACTIVITIES WITHOUT SUBMITTING APPLICATIONS TO AMEND GRANT REQUESTS, TO PROVIDE AWARD RECIPIENTS CAN SUBMIT APPLICATIONS TO HAVE GRANT FUNDS REDIRECTED TO ANOTHER ELIGIBLE PROJECT, TO PROVIDE THE STATE FIRE MARSHAL ADDITIONAL DUTIES, TO PROVIDE HE MAY RETAIN CERTAIN FUNDS TO DEFRAY CERTAIN ADMINISTRATIVE COSTS, AND PROVIDE GRANT FUNDS MAY BE CARRIED FORWARD TO THE NEXT FISCAL YEAR AND USED FOR THE SAME PURPOSE.
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(R172, S. 613) -- Senator Davis: AN ACT TO AMEND SECTION 40-33-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO ADD AND REVISE DEFINITIONS; TO AMEND SECTION 40-33-42, RELATING TO THE DELEGATION BY CERTAIN BOARD OF NURSING LICENSEES OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL, SO AS TO INCLUDE PROVISIONS REGARDING THE ADMINISTRATION OF MEDICATIONS BY CERTIFIED MEDICAL ASSISTANTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO ADD DEFINITIONS; BY ADDING SECTION 40-47-196 SO AS TO PROVIDE FOR THE DELEGATION OF CERTAIN TASKS TO CERTIFIED MEDICAL ASSISTANTS BY PHYSICIANS AND PHYSICIAN ASSISTANTS; TO AMEND SECTION 40-47-30, AS AMENDED, RELATING TO EXCEPTIONS

FROM THE REQUIREMENT OF LICENSURE TO PRACTICE MEDICINE, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIANS ASSISTANTS MAY PERFORM, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS ASSISTANTS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL.
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(R173, S. 635) -- Senators Setzler and Scott: AN ACT TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT AN ADDITIONAL MEMBER WHO IS NOT REQUIRED TO BE A TRUSTEE AT THE TIME OF HIS ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.
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(R174, S. 637) -- Senator Cromer: AN ACT TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".
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(R175, S. 812) -- Senator Alexander: AN ACT TO AMEND CHAPTER 2, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF ACCOUNTANTS, SO AS TO REVISE PROVISIONS REGULATING CERTIFIED PUBLIC ACCOUNTANTS, PUBLIC ACCOUNTANTS, AND ACCOUNTING PRACTITIONERS.
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(R176, S. 888) -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-40 SO AS TO PROVIDE APPLICANTS FOR CONTRACTORS LICENSES VOLUNTARILY MAY MAKE CONTRIBUTIONS TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING DEGREES IN CONSTRUCTION SCIENCE, BUILDING SCIENCE, OR CIVIL ENGINEERING, TO PROVIDE FOR THE MANAGEMENT AND DISTRIBUTION OF THESE CONTRIBUTIONS, AND TO IMPOSE CERTAIN RELATED REPORTING REQUIREMENTS ON INSTITUTIONS RECEIVING FUNDS FROM THESE CONTRIBUTIONS AND THE STATE COMMISSION ON HIGHER EDUCATION.
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(R177, S. 910) -- Senator Grooms: AN ACT TO AMEND ACT 518 OF 1982, AS AMENDED, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, SO AS TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NONPARTISAN ELECTIONS

FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER THE MEMBERS' TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982 RELATING TO THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION SINGLE-MEMBER ELECTION DISTRICTS.
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(R178, S. 934) -- Senator Davis: AN ACT TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT EACH MEMBER OF THE COUNCIL MUST BE A SOUTH CAROLINA RESIDENT, AND THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.
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(R179, S. 946) -- Senator Goldfinch: AN ACT TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE AT LEAST THIRTY MINUTES OF UNENCUMBERED TIME ON EACH REGULAR SCHOOL DAY FOR ALL FULL-TIME PUBLIC ELEMENTARY SCHOOL TEACHERS AND FOR TEACHERS RESPONSIBLE FOR INSTRUCTING SPECIAL EDUCATION CLASSES FOR MORE THAN TWENTY PERCENT OF THE SCHOOL DAY WITH STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, TO PROVIDE DETAILS FOR RELATED POLICIES, TO PROVIDE IMPLEMENTATION REQUIREMENTS OF LOCAL SCHOOL BOARDS, AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.
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(R180, S. 953) -- Senator Verdin: AN ACT TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R181, S. 969) -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 SO AS TO PROVIDE EVERY PUBLIC SCHOOL SHALL DISPLAY DEPICTIONS OF THE RESPECTIVE FLAGS AND MOTTOS OF THE UNITED STATES AND SOUTH CAROLINA BEFORE JANUARY 1, 2023, TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND PUBLIC SCHOOLS, AND TO MAKE THESE PROVISIONS APPLICABLE TO PRIVATE SCHOOLS THAT RECEIVE ANY PUBLIC FUNDING; BY ADDING SECTION 59-1-465 SO AS TO PROVIDE PUBLIC SCHOOL PRINCIPALS SHALL ALLOW YOUTH PATRIOTIC SOCIETY REPRESENTATIVES TO ADDRESS STUDENTS ON CERTAIN TOPICS DURING PATRIOT DAY, CONSTITUTION DAY, OR PATRIOTISM WEEK EVENTS, TO PROVIDE RELATED IMPLEMENTATION PROVISIONS, AND TO DEFINE RELATED TERMS; AND TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK OBSERVATIONS, SO AS TO MAKE SUCH OBSERVATIONS MANDATORY IN PUBLIC SCHOOL DISTRICTS AND TO INCLUDE MANDATORY OBSERVATIONS FOR PATRIOT DAY AND CONSTITUTION DAY, AMONG OTHER THINGS.
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(R182, S. 980) -- Senators Goldfinch and Campsen: AN ACT TO AMEND SECTION 50-5-2730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN THIS STATE, SO AS

TO DESIGNATE CATCH LIMITS AND MINIMUM SIZES FOR RED SNAPPER.
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(R183, S. 1059) -- Senator Verdin: AN ACT TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY AND NURSING HOMES, AND TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL CREATE A RELATED MEDICAL TECHNICIAN CERTIFICATION PROGRAM AND MEDICATION TECHNICIAN REGISTRY.
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(R184, S. 1060) -- Senators Young and Massey: AN ACT TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.
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(R185, S. 1103) -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-3-35 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN FINGERPRINT AND DNA IDENTIFICATION KITS TO ALL PUBLIC SCHOOL DISTRICTS AND OPEN-ENROLLMENT CHARTER SCHOOLS, TO PROVIDE FOR THE DISTRIBUTION OF THE KITS AT THE REQUEST OF THE PARENT OR LEGAL CUSTODIAN OF ANY STUDENT OF SUCH SCHOOLS IN KINDERGARTEN THROUGH HIGH SCHOOL, TO PROVIDE FOR THE USE OF SUCH KITS BY PARENTS TO ASSIST LAW

ENFORCEMENT IN LOCATING AND RETURNING MISSING OR TRAFFICKED CHILDREN, AND TO PROVIDE THE DEPARTMENT SHALL NOT EXPEND FUNDS TO PROCURE THE KITS UNLESS EXPRESSLY APPROPRIATED BY THE GENERAL ASSEMBLY.
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(R186, S. 1117) -- Senator Climer: AN ACT TO AMEND ARTICLE 2 OF CHAPTER 41, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, SO AS TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO DEFINE THE TERMS "AGRICULTURAL COMMODITY" AND "AGRICULTURAL COMMODITY DEALER", TO REVISE THE DEFINITION OF THE TERM "FAIR MARKET VALUE" TO INCLUDE VALUE BASED ON THE AVERAGE MARKET PRICE PAID TO PRODUCERS LICENSED BY THREE LICENSED COTTON DEALERS UNDER CERTAIN CIRCUMSTANCES, TO DELETE THE TERM "GRAIN DEALER" AND ITS DEFINITION, TO REVISE THE DEFINITION OF THE TERM "PRODUCER" TO INCLUDE PRODUCERS OF COTTON, TO SUBSTITUTE THE TERM "COMMODITY" FOR THE TERM "GRAIN" IN THE DEFINITION OF THE TERM "DATE OF LOSS", TO PROVIDE AN ASSESSMENT AMOUNT FOR A BALE OF COTTON, TO REVISE THE PROVISION RELATING TO WHOM DELIVERY MUST BE MADE FOR THE IMPOSITION OF ASSESSMENTS, TO REVISE THE PLACES WHERE THE ASSESSMENTS SHALL BE COLLECTED, TO REVISE WHERE ASSESSMENTS MUST BE REPORTED AND REMITTED TO THE DEPARTMENT OF AGRICULTURE, TO SUBSTITUTE THE TERM "AGRICULTURAL COMMODITY" FOR THE TERM "GRAIN", TO REVISE THE PERSONS FOR WHOM THE FUND IS ESTABLISHED TO BENEFIT, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO REVISE THE PROCEDURE TO FILE AND SATISFY CLAIMS FOR LOSSES INCURRED FOR CERTAIN COMMODITIES, TO REVISE THE DATES WHEN ASSESSMENTS MUST BE REMITTED TO AND CERTAIN REPORTS FILED WITH THE DEPARTMENT, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION ADVISORY COMMISSION TO MAKE RECOMMENDATIONS TO THE DEPARTMENT

REGARDING THE DUTIES OF THE DEPARTMENT IN ADMINISTERING THE GRAIN AND COTTON PRODUCERS GUARANTY FUND, AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, AND DUTIES; TO AMEND SECTION 46-41-60, RELATING TO SURETY BONDS OR EQUIVALENT SECURITY REQUIRED OF APPLICANTS FOR DEALER IN AGRICULTURAL PRODUCTS LICENSES, SO AS TO PROVIDE FOR SURETY BONDS OR THEIR EQUIVALENTS BASED ON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170, RELATING TO PENALTIES, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE THE INSURANCE RESERVE FUND OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS AUTHORIZED TO LEND CERTAIN AMOUNTS OF MONEY TO THE DEPARTMENT FOR THE USE OF THE GRAIN AND COTTON PRODUCERS GUARANTY FUND FOR CERTAIN PURPOSES, TO PROVIDE FOR THE REPAYMENT OF THE LOAN, AND TO PROVIDE FOR THE USE OF FUNDS NOT DERIVED FROM ASSESSMENTS TO REIMBURSE CLAIMS OR LOSSES.
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(R187, S. 1178) -- Senator Climer: AN ACT TO AMEND SECTION 39-20-45, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF A LIEN ON A SELF-SERVICE STORAGE FACILITY, SO AS TO AUTHORIZE THE CONTENTS OF THE STORAGE FACILITY TO BE SOLD ONLINE BY AN AUCTIONEER.
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(R188, S. 1179) -- Senator Shealy: AN ACT TO AMEND SECTION 40-63-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSURE OF SOCIAL WORKERS, SO AS TO CLARIFY THAT SOCIAL WORKERS LICENSED IN THIS STATE MAY PROVIDE SERVICES WITHIN THEIR SCOPE OF PRACTICE THROUGH TELEPHONIC, ELECTRONIC, OR OTHER MEANS; BY ADDING SECTION 40-63-35 SO AS TO AUTHORIZE INDEPENDENT CLINICAL PRACTICE SOCIAL WORKERS LICENSED IN OTHER STATES OR JURISDICTIONS TO PROVIDE INDEPENDENT SOCIAL WORK SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR SCOPE OF PRACTICE, AND TO

PROVIDE RELATED DEFINITIONS AND REQUIREMENTS; AND BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 40 SO AS TO AUTHORIZE PROFESSIONAL COUNSELORS, ADDICTION COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS SERVICES IN OTHER STATES OR JURISDICTIONS TO PROVIDE THEIR PROFESSIONAL SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR APPLICABLE SCOPE OF PRACTICE, AND TO PROVIDE RELATED DEFINITIONS AND REQUIREMENTS.
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(R189, S. 1180) -- Senator Fanning: AN ACT TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.
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(R190, S. 1263) -- Senators Gambrell and Garrett: AN ACT TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING

THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.
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(R191, S. 1264) -- Senator Hutto: AN ACT TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.
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(R192, S. 1270) -- Senators Peeler, Fanning, Climer and M. Johnson: AN ACT TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.
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(R193, S. 1271) -- Senator Peeler: AN ACT TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.
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(R194, S. 1292) -- Senator Fanning: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.
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(R195, S. 1314) -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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(R196, H. 3006) -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE NECESSARY DEFINITIONS, AND TO MAKE THE PROVISIONS OF THIS ACT APPLICABLE TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.
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(R197, H. 3166) -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: AN ACT TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.
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(R198, H. 3247) -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO ALLOW FOR THE DEDUCTION OF ALL MILITARY RETIREMENT INCOME.
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(R199, H. 3271) -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: AN ACT TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR

AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.
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(R200, H. 3325) -- Reps. King, Murray, Rivers, M.M. Smith and Parks: AN ACT TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY; AND FOR OTHER PURPOSES.
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(R201, H. 3340) -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: AN ACT TO AMEND SECTION 12-20-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS.
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(R202, H. 3591) -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR

PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.
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(R203, H. 3599) -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; TO AMEND SECTION 40-36-230, RELATING TO APPLICANTS FOR LICENSURE AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; TO AMEND SECTION 40-36-250, RELATING TO APPLICANTS FOR LICENSURE WITHOUT EXAMINATION AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".
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(R204, H. 3606) -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND

SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.
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(R205, H. 3775) -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE PATIENTS COVERED FOR STAGE FOUR ADVANCED METASTATIC CANCER TREATMENTS UNDER HEALTH BENEFIT PLANS ARE ENTITLED TO CERTAIN EXPEDITED EXTERNAL REVIEWS OF PLAN DENIALS OF CERTAIN DIAGNOSTIC IMAGING SERVICE CLAIMS OR PRIOR AUTHORIZATION REQUESTS BASED UPON ADVERSE MEDICAL NECESSITY DETERMINATIONS, AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE FOR THE APPLICABILITY OF THE PROVISIONS OF THIS ACT TO HEALTH BENEFIT PLANS ISSUED, RENEWED, DELIVERED, OR ENTERED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.
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(R206, H. 3795) -- Rep. Allison: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE MINIMUM COMPETENCY REQUIREMENTS FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN GOVERNMENTAL AGENCIES AND HOSPITALS AND HEALTH CARE FACILITIES, TO PROVIDE EXCEPTIONS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE MORE RIGOROUS STANDARDS APPLY WHEN THEY CONFLICT WITH THE PROVISIONS OF THIS ACT; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC SCHOOLS AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT TO THE SAME

BACKGROUND CHECKS AS EDUCATORS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2024.
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(R207, H. 3833) -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)" BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS"; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.
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(R208, H. 3840) -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE

RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".
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(R209, H. 3948) -- Reps. Stavrinakis, Murphy and Dillard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE A CAPITAL PROJECTS SALES AND USE TAX; TO AMEND SECTION 4-37-40, RELATING TO THE LIMITATION ON THE SALES TAX RATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 4-10-310, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECT SALES TAX, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 4-10-315 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED ANOTHER SALES AND USE TAX ALSO MAY IMPOSE A TAX PURSUANT TO CHAPTER 37, TITLE 4.
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(R210, H. 4048) -- Rep. G.M. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO

MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.
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(R211, H. 4161) -- Rep. Bannister: AN ACT TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER.
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(R212, H. 4220) -- Reps. Sandifer and Hardee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.
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(R213, H. 4408) -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.
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(R214, H. 4519) -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE PERSONS REGISTERED WITH THE STATE BOARD OF BARBER EXAMINERS AS BARBERS OR MASTER HAIR CARE SPECIALISTS MAY PRACTICE WITHIN THE SCOPE OF THEIR LICENSE IN SALONS REGISTERED WITH THE STATE BOARD OF COSMETOLOGY.
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(R215, H. 4597) -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; AND FOR OTHER PURPOSES.
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(R216, H. 4600) -- Reps. West and Bennett: AN ACT TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.
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(R217, H. 4601) -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES

THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.
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(R218, H. 4608) -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS, TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS, TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SCHOOL SPORTS TEAMS, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES SHALL NOT BE OPEN TO STUDENTS OF THE FEMALE SEX UNLESS NO TEAM DESIGNATED FOR FEMALES IN THAT SPORT IS OFFERED AT THE SCHOOL IN WHICH THE STUDENT IS ENROLLED, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES SHALL NOT BE OPEN TO STUDENTS OF THE MALE SEX, TO PROVIDE PRIVATE SCHOOLS OR PRIVATE INSTITUTIONS SPONSORING A SPORTS TEAM IN WHICH ITS STUDENTS OR TEAMS COMPETE AGAINST A PUBLIC SCHOOL OR INSTITUTION ALSO SHALL COMPLY WITH THESE PROVISIONS FOR THE APPLICABLE TEAM OR SPORT, AND TO PROVIDE REMEDIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT; AND BY ADDING SECTION 59-63-72 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS SUPPORTED BY STATE FUNDS SHALL NOT USE ANY FUNDS OR PERMIT ANY SCHOOL WITHIN THE DISTRICT TO USE ANY FUNDS TO JOIN, AFFILIATE WITH, PAY DUES OR FEES TO, OR IN ANY WAY FINANCIALLY SUPPORT ANY INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY UNLESS THE CONSTITUTION, RULES OR POLICIES OF THE ASSOCIATION, BODY, OR ENTITY RECOGNIZES, SANCTIONS, AND

REGULATES INTERSCHOLASTIC COMPETITION OF WRESTLING TEAMS COMPOSED EXCLUSIVELY OF FEMALE STUDENTS.
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(R219, H. 4766) -- Reps. Allison, Lucas, Felder and Alexander: AN ACT TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO CHANGE MEMBERSHIP AND DUTIES; AND TO REPEAL SECTION 59-59-175 RELATING TO THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL.
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(R220, H. 4832) -- Reps. Sandifer and Anderson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED, RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION

38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.
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(R221, H. 4837) -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: AN ACT TO AMEND SECTION 40-37-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF OPTOMETRY, SO AS TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 40-37-320, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.
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(R222, H. 4889) -- Rep. Bannister: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE

EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.
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(R223, H. 4983) -- Rep. Sandifer: AN ACT TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF

NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.
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(R224, H. 4986) -- Rep. Ott: AN ACT TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP; AND TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON OF FURBEARING ANIMALS, SO AS TO ALLOW FOR TRAPPING FURBEARING ANIMALS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES AND TO ALLOW FOR THE YEAR ROUND TRAPPING OF BEAVERS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES.
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(R225, H. 4999) -- Rep. Hiott: AN ACT TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.
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(R226, H. 5000) -- Reps. Matthews, Caskey, Wooten and May: AN ACT TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY; AND FOR OTHER PURPOSES.
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(R227, H. 5057) -- Reps. Simrill, Pope, Erickson and W. Newton: AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO

THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES; AND TO PROVIDE THAT FOR TAX YEAR 2021, SOUTH CAROLINA ADOPTS CERTAIN FEDERAL EXCLUSIONS FROM GROSS INCOME.
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(R228, H. 5075) -- Reps. G.M. Smith and West: AN ACT TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO PROVIDE A ONE-TIME AUTHORIZATION OF SOUTH CAROLINA HOUSING TAX CREDITS FOR CERTAIN PROJECTS APPROVED BEFORE 2022; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.
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(R229, H. 5144) -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.
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(R230, H. 5151) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.
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(R231, H. 5288) -- Reps. Weeks and G.M. Smith: AN ACT TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.
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(R232, H. 5338) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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(R233, H. 5339) -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: AN ACT TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY

SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.
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(R234, H. 3144) -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SCWINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.
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Tuesday, June 28, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

II Timothy 4:7

As we gather here in this Senate Chamber today, my hope is that we can soon join the Apostle Paul in declaring: "I have fought the good fight, I have finished the race, I have kept the faith."

Let us pray: Holy Scripture makes it crystal clear, O Lord, that Paul was surely justified in making the claim that he records in II Timothy. He truly had done the very best he could do, he had tried to be finally the sort of servant he was called to be, and he genuinely held fast to his life-changing faith. Now, dear God, each one of us has the opportunity to do some reflecting as well, as this Senate is convened for this late June session. May each of these Senators and every one of their aides also find themselves able at this juncture to affirm unhesitatingly that, "I have truly tried to do my very best for the good people of South Carolina, my Lord." And may history reflect that such is indeed the case, for the benefit of this State and for this Nation we love. In Your blessed name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett

Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 16, 2022, at 2:40 P.M. and the following Acts and Joint Resolutions were ratified:

(R251, S. 202) -- Senators Hembree and Bennett: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-6-35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1-6-10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.
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(R252, S. 233) -- Senator Turner: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE, AND TO PROVIDE THAT CERTAIN HEIRS PROPERTY QUALIFIES FOR THE EXEMPTION IF CERTAIN OTHER REQUIREMENTS ARE MET; TO AMEND SECTION 6-1-300, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO

AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE, TO REQUIRE MILLAGE IMPOSED TO REPLACE A CERTAIN ROAD MAINTENANCE FEE MUST BE REPEALED BEFORE REIMPOSING A ROAD MAINTENANCE FEE, AND TO PROVIDE A REPORTING REQUIREMENT AND A LIABILITY PROVISION; TO AMEND SECTION 12-39-250, RELATING TO ADJUSTMENTS IN VALUATION AND ASSESSMENT FOR PURPOSES OF AD VALOREM TAXATION, SO AS TO REQUIRE AN ADJUSTMENT FOR DAMAGES CAUSED BY FLOODING OR A HURRICANE; AND TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT CERTAIN FARM BUILDINGS AND AGRICULTURAL STRUCTURES.
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(R253, S. 243) -- Senator Young: AN ACT TO AMEND SECTION 63-7-940, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, SO AS TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO CHILDREN'S CODE DEFINITIONAL TERMS, SO AS TO ADD A DEFINITION FOR "NEAR FATALITY".
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(R254, S. 560) -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.
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(R255, S. 901) -- Senators Verdin, Cromer, McElveen and Peeler: AN ACT TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SOLAR ENERGY INCOME TAX CREDIT, SO AS TO PROVIDE FOR CERTAIN PASS THROUGH PROVISIONS, TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775; BY ADDING SECTION 12-36-922 SO AS TO PROVIDE FOR CERTAIN ACCOMMODATIONS TAX RETURN REQUIREMENTS; TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM TAX, SO AS TO ADD WATERCRAFT MOTORS; BY ADDING SECTION 12-6-3710 SO AS TO PROVIDE FOR INCOME TAX CREDITS FOR CERTAIN EMPLOYERS; TO AMEND SECTION 12-10-30, RELATING TO ENTERPRISE ZONE ACT DEFINITIONS, SO AS TO DEFINE "RELATED PERSON"; TO AMEND SECTION 12-10-80, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW A QUALIFYING BUSINESS TO DESIGNATE CERTAIN RELATED PERSONS TO DETERMINE WHETHER CERTAIN QUALIFICATIONS ARE MET.
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(R256, S. 968) -- Senators Alexander, Climer and Kimbrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-85 SO AS TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.
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(R257, S. 1024) -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: AN ACT TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS

OFFICE; BY ADDING SECTION 2-1-46 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION; TO REPEAL SECTION 2-1-45 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.
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(R258, S. 1077) -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 27, TILE 58 SO AS TO, AMONG OTHER THINGS, ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109, RELATING TO THE SCOPE OF THE UNIFORM COMMERCIAL CODE PROVISIONS GOVERNING SECURED TRANSACTIONS, SO AS TO MAKE THESE PROVISIONS APPLICABLE TO THE CREATION, PERFECTION, PRIORITY, OR ENFORCEMENT OF ANY SALE, ASSIGNMENT OF, PLEDGE OF, SECURITY INTEREST IN, OR OTHER TRANSFER OF, ANY INTEREST OR RIGHT OR PORTION OF ANY INTEREST OR RIGHT IN ANY STORM RECOVERY PROPERTY AS DEFINED IN THIS ACT.
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(R259, S. 1087) -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO PHASE-IN A REDUCTION OF THE TOP MARGINAL RATE TO SIX PERCENT AND TO COLLAPSE OTHER INCOME TAX BRACKETS INTO THE BRACKET TO WHICH THE THREE PERCENT RATE APPLIES; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY AND TO INCREASE THE APPLICABLE LIMIT; AND TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO INDIVIDUAL INCOME TAXPAYERS.
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(R260, S. 1090) -- Senator Massey: AN ACT TO AMEND SECTION 41-35-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURED WORKERS' WEEKLY UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE THAT THE MAXIMUM WEEKLY BENEFIT AMOUNT SET EACH YEAR BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE WITHIN THE ESTABLISHED RANGE MUST BE PUBLISHED ON THE WEBSITE OF THE DEPARTMENT, TO PROVIDE THAT THE PROCEDURE FOR RECONSIDERING DETERMINATIONS OF WEEKLY BENEFIT AMOUNTS PURSUANT TO SECTION 41-35-640 IS THE SOLE AND EXCLUSIVE PROCEDURE AND REMEDY FOR DISPUTING SUCH DETERMINATIONS, TO RATIFY AND AFFIRM THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE HAS FAITHFULLY EXECUTED THE PROVISIONS CONTAINED IN SECTION

41-35-40 IN ACCORDANCE WITH THE CLEAR LANGUAGE OF THE STATUTE AND THE INTENT OF THE GENERAL ASSEMBLY, APPLIED RETROACTIVELY TO JULY 1, 2007; AND TO AMEND SECTION 41-31-60, RELATING TO THE COMPUTATION OF EMPLOYERS' TAX RATES WHEN DELINQUENT REPORTS ARE RECEIVED, SO AS TO PROVIDE THE TAX CLASS TWENTY RATE MUST BE ASSIGNED UNTIL THE NEXT COMPUTATION DATE OR UNTIL ALL OUTSTANDING TAX REPORTS HAVE BEEN FILED.
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(R261, S. 1106) -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.
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(R262, S. 1235) -- Senator Matthews: AN ACT TO AMEND ACT 190 OF 1991, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REVISED ELECTION

DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO REMOVE ARCHAIC LANGUAGE.
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(R263, H. 3055) -- Reps. Hixon, Forrest, W. Newton and Ligon: AN ACT TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING BY DECEMBER 31, 2022, AND AT LEAST EVERY SEVEN YEARS THEREAFTER, AND TO SHARE THE INFORMATION WITH THE DEPARTMENT'S FLOOD MITIGATION PROGRAM; TO AMEND SECTION 48-4-10, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION

50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, AS AMENDED, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.
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(R264, H. 3056) -- Reps. Hixon, Forrest and W. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY

REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".
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(R265, H. 3346) -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: AN ACT TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS; BY ADDING SECTION 11-11-325 SO AS TO REQUIRE THE CAPITAL RESERVE FUND BE REDUCED BEFORE MIDYEAR BUDGET REDUCTIONS ARE MADE; TO AMEND SECTION 11-9-1140, RELATING TO THE REDUCTION OF GENERAL FUND APPROPRIATIONS, SO AS TO MAKE A CONFORMING CHANGE; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.
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(R266, H. 3696) -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: AN ACT TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE

SECOND, NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST, SEVENTH, AND SIXTEENTH CIRCUITS. L:\COUNCIL\ACTS\3696AHB22.DOCX

(R267, H. 3729) -- Reps. Sandifer and Cogswell: AN ACT TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, THE TOWING AND SALES OF THE VEHICLES, AND PENALTIES FOR VIOLATING THIS SECTION, SO AS TO PROVIDE VEHICLES FOUND PARKED ON PRIVATE PROPERTY WHICH ARE TOWED ARE SUBJECT TO CERTAIN LIMITATIONS ON ALLOWED STORAGE CHARGES; TO AMEND SECTION 29-15-10, RELATING TO REPAIR AND STORAGE LIENS, AND THE SALE OF STORAGE ARTICLES, SO AS TO PROVIDE NOTICES TO OWNERS OF ARTICLES TO BE SOLD MUST BE MADE BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO REVISE THE MAXIMUM PERIOD STORAGE CHARGES CAN ACCRUE BEFORE THE LOCATIONS OF THE ARTICLES ARE SENT TO THEIR OWNERS OR LIENHOLDERS, TO PROVIDE FOR THE CONTENTS OF THE NOTICES, TO PROVIDE THE STORAGE COSTS MAY BE CHARGED AFTER NOTICES ARE SENT, TO PROVIDE APPROPRIATE TITLING FACILITIES MUST BE CONTACTED TO OBTAIN THE NAMES AND ADDRESSES OF OWNERS OR LIENHOLDERS OF ARTICLES BEFORE THEY ARE SOLD, TO REVISE THE METHOD MAGISTRATES MUST USE TO NOTIFY OWNERS AND LIENHOLDERS OF THEIR RIGHTS TO CLAIM PROCEEDS FROM THE SALE OF CERTAIN ARTICLES TO INCLUDE BY CERTIFIED MAIL WITH ELECTRONIC TRACKING; TO PROVIDE PERSONS WHO REPAIR OR FURNISH MATERIAL FOR REPAIRS TO ARTICLES MAY HOLD THE LICENSE TAGS OF VEHICLES UNTIL ALL TOWING AND STORAGE COSTS ALLOWED UNDER THIS SECTION ARE PAID UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-5-5630, RELATING TO NOTICES THAT MUST BE PROVIDED TO REGISTERED OWNERS AND LIENHOLDERS OF ABANDONED AND STOLEN VEHICLES

TAKEN INTO CUSTODY, COSTS IMPOSED FOR THE RELEASE OF THESE VEHICLES, AND COURT-ORDERED RESTITUTION THAT MAY BE IMPOSED ON PERSONS CONVICTED OF STEALING VEHICLES, SO AS TO DELETE THE PROVISION THAT LIMITS THE RECOVERY OF STORAGE COSTS FOR CERTAIN VEHICLES TO SIX DAYS, TO REVISE THE ALLOWABLE TYPES OF NOTIFICATIONS TO INCLUDE CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO MAKE TECHNICAL CHANGES, TO PROVIDE CERTAIN ALLOWABLE STORAGE COSTS MAY BE RECOVERED, AND TO PROVIDE LAW ENFORCEMENT AGENCIES MUST INFORM OWNERS OF RECOVERED VEHICLES WITHIN TWO BUSINESS DAYS AFTER VEHICLES ARE RECOVERED AND EXPLAIN THAT DAILY STORAGE CHARGES MAY BEGIN TO ACCRUE; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT OFFICERS DIRECTING VEHICLES TO BE TOWED, STORAGE PROCEDURES, NOTIFICATION PROVIDED TO OWNERS OF TOWED VEHICLES, AND THE DISPOSITION OF TOWED VEHICLES AND PERSONAL PROPERTY, SO AS TO DELETE THE PROVISION THAT PROVIDES CERTAIN PROPRIETORS, OWNERS, OR OPERATORS OF TOWING COMPANIES, STORAGE FACILITIES, GARAGES, OR REPAIR SHOPS WHO FAIL TO PROVIDE LAW ENFORCEMENT AGENCIES WITH LISTS DESCRIBING VEHICLES REMAINING IN THEIR POSSESSION MAY FORFEIT RECOVERY OF CERTAIN STORAGE FEES, TO REVISE THE TYPES OF NOTICES THESE FACILITIES MUST PROVIDE REGISTERED OWNERS AND LIENHOLDERS OF RECORD THAT THEIR VEHICLES HAVE BEEN TAKEN INTO CUSTODY TO INCLUDE CERTIFIED MAIL WITH ELECTRONIC TRACKING, TO MAKE A TECHNICAL CHANGE, TO PROVIDE THESE FACILITIES MUST APPLY TO THE APPROPRIATE TITLING FACILITIES TO OBTAIN THE NAMES AND ADDRESSES OF OWNERS OR LIENHOLDERS OF VEHICLES BEFORE THEY ARE SOLD AND TO ADD ADDITIONAL FACILITIES TO THE LIST OF APPROPRIATE TITLING FACILITIES, AND TO DELETE THE PROVISION THAT RELATES TO THE IMPOSITION AND RECOVERY OF CERTAIN STORAGE COSTS; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED ABANDONED VEHICLES AND THE DISPOSITION OF SALES PROCEEDS, SO AS TO PROVIDE CERTAIN COSTS OF STORING VEHICLES THAT ACCRUED

BEFORE CERTAIN NOTIFICATION OF THE LOCATION OF THE VEHICLE IS MAILED MAY BE CHARGED.
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(R268, H. 4775) -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: AN ACT TO AMEND CHAPTER 60 OF TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH PROGRAMS, INCLUDING POPULATION-BASED COUNTY COLLECTION SITE STANDARDS; TO REQUIRE MANUFACTURERS TO REGISTER WITH AND SUBMIT AN ANNUAL MANUFACTURER ELECTRONIC WASTE PROGRAM PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES TO ACT ON BEHALF OF CERTAIN MANUFACTURERS; TO ESTABLISH CERTAIN REQUIREMENTS FOR COLLECTORS AND RECOVERERS; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR CERTAIN VIOLATIONS OF THE CHAPTER; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.
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(R269, H. 4776) -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, A.M. Morgan and D.C. Moss: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL

ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO ALLOW MEDICAL PRACTITIONERS AND HEALTH CARE INSTITUTIONS TO FILE A COMPLAINT WITH THE STATE HUMAN AFFAIRS COMMISSION FOR AN ALLEGED VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 44-41-55, RELATING TO THE RIGHT OF CERTAIN MEDICAL PROVIDERS NOT TO PARTICIPATE IN ABORTION PROCEDURES, SO AS ALSO TO APPLY TO MEDICAL STUDENTS.
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(R270, H. 4831) -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.
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(R271, H. 5150) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE

FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.
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PRIVILEGE OF THE CHAMBER

On motion of Senator SCOTT, with unanimous consent, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail was extended to Deputy Sergeant-at-Arms Elton O. Spain, Sr. in honor and recognition of his retirement from the South Carolina Senate.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Robert N. Devore, 758 Haddon Road, Donalds, SC 29638-8956

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Robert E. Ferguson, Jr., 30 Walling Grove Road, Beaufort, SC 29907-1024 *VICE* Douglas Lloyd Novak

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jose Fuentes, 7 Deixler Lane, Hilton Head, SC 29928-7120

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Drew Laughlin, 5 McIntosh Rd., Hilton Head, SC 29926-2006

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Debra Kay Littlejohn, 404 Cherrybark Oak Street, Summerville, SC 29486-2406 *VICE* Ms. Ellen Karesh

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tara L. Frost, 141 Gadsden Street, Summerville, SC 29483-4320 *VICE* New Seat

Reappointment, Dorchester County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

James L. Chellis, 106 Pine Grove Ave., Summerville, SC 29483

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Adonikam Hudson, 1352 Silver Dollar Lane, Timmonsville, SC 29161-8486 *VICE* James D. Beard

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

David S. Kelley, 1501 North Jones Road, Olanta, SC 29114-9466

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Alexis McElrath, 336 Sabin Court, Simpsonville, SC 29681-8125 *VICE* Scott Bingel

Initial Appointment, Oconee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

James Cody Alexander, 120 North Little River Road, Salem, SC 29676-2813 *VICE* New Seat

Initial Appointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Brian E. Swafford, 145 Doolittle Lane, Liberty, SC 29657-9096 *VICE* Bruce E. Anders

Initial Appointment, Union County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Robert Meek Hope, 110 Wingfield Drive, Union, SC 29379-9656 *VICE* David Kevin Morrow

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

TUESDAY, JUNE 28, 2022

Presentation of Service Pins

In commemoration of continuous service with the State of South Carolina, Senator ALEXANDER, PRESIDENT of the Senate, presented a certificate and service pin to the following Senators for their years of service:

10 Year Pins
Katrina Shealy
Sean Bennett
Stephen Goldfinch
J. Thomas McElveen
Ross Turner

20 Year Pins
Ronnie Cromer
Richard Harpootlian
Gerald Malloy

30 Year Pins
Darrell Jackson
Luke Rankin

40 Year Pins
Kevin Johnson

Senator ALEXANDER, PRESIDENT of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pins
Steven Gilbert
Maura Baker
Lesley Stone
Mason Thomas
Shari Tolen

20 Year Pins
Olivia Burns
JJ Gentry
Rick Harmon
Julie Price

40 Year Pins
Wayne Abney
Charles "Ronnie" McGirt
Mike Shealy

All were highly commended for their years of devoted and loyal service.

PRESIDENT PRESIDES

At 12:53 P.M., Senator ALEXANDER assumed the Chair.

Leave of Absence

On motion of Senator PEELER, at 12:06 P.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 12:06 P.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator STEPHENS, at 12:10 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

At 12:45 P.M., Senator SCOTT requested a leave of absence from 1:00 P.M. to 4:00 P.M.

Leave of Absence

At 1:28 P.M., Senator GROOMS requested a leave of absence from 2:00 P.M. to 8:00 P.M.

Leave of Absence

On motion of Senator McLEOD at 1:38 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator YOUNG, at 2:26 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

TUESDAY, JUNE 28, 2022

Leave of Absence

At 4:48 P.M., Senator MARTIN requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 3:16 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1373 Sen. Verdin

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1360 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SAMUEL L. DUNCAN, FORMER MEMBER OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES, FOR HIS MANY ACCOMPLISHMENTS AND EXEMPLARY SERVICE TO THIS GREAT STATE.
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The Senate Resolution was adopted.

S. 1361 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE AND RECOGNIZE TABERNACLE BAPTIST CHURCH OF PELZER ON THE OCCASION OF ITS HISTORIC ONE HUNDRED TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR A CENTURY AND A QUARTER OF SERVICE TO GOD AND THE COMMUNITY.
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The Senate Resolution was adopted.

S. 1362 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE JERRY COLEMAN MIZE UPON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR OF THE OCONEE COUNTY DISABILITIES AND SPECIAL NEEDS BOARD, TO COMMEND HIM FOR HIS FORTY-ONE YEARS OF DEDICATED SERVICE TO THE TRIBBLE CENTER IN OCONEE

COUNTY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1363 -- Senator Setzler: A SENATE RESOLUTION TO HONOR NUCOR BUILDINGS GROUP SOUTH CAROLINA AT THE CELEBRATION OF ITS TWENTY-FIFTH ANNIVERSARY, TO CONGRATULATE THE DIVISION AND ITS OVER THREE HUNDRED EIGHTY TEAMMATES AND FAMILIES ON A QUARTER OF A CENTURY OF PRODUCING STEEL BUILDINGS AND BUILDING MATERIALS, AND TO EXTEND BEST WISHES FOR ITS CONTINUED SUCCESS IN THE YEARS TO COME.
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The Senate Resolution was adopted.

S. 1364 -- Senators Scott, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE "HUMAN AFFAIRS WEEK" AS JUNE 19-25, 2022, TO CONGRATULATE THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY, AND TO COMMEND THE COMMISSION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1365 -- Senators Young, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE JUDGE THOMAS E. HUFF UPON THE OCCASION OF HIS RETIREMENT FROM THE COURT OF

APPEALS, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1366 -- Senators Grooms, Bennett, Sabb, Adams and Stephens: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE M. OLIVER UPON THE OCCASION OF HIS RETIREMENT AS CORONER, TO COMMEND HIM FOR HIS TWELVE YEARS OF DEDICATED SERVICE TO BERKELEY COUNTY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Concurrent Resolution was adopted, ordered sent to the House.

S. 1367 -- Senators Kimbrell, Peeler, Talley, Corbin and Martin: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DEPUTY FIRST CLASS AUSTIN DEREK ALDRIDGE, TO HONOR HIM FOR HIS SERVICE TO HIS COMMUNITY AND THE STATE OF SOUTH CAROLINA, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1368 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF QUEEN ESTHER SUTTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1369 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE CAROL BAUMGARNER UPON THE OCCASION OF HER RETIREMENT AS DELEGATION SECRETARY, TO COMMEND HER FOR HER OVER FIFTY YEARS OF DEDICATED SERVICE TO OCONEE COUNTY, AND

TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1370 -- Senators Alexander, Malloy, Jackson, Hutto, Massey, Setzler, Rankin, Martin, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Matthews, McElveen, McLeod, Peeler, Reichenbach, Rice, Sabb, Scott, Senn, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT OF SENATOR HARVEY S. PEELER, JR. OF CHEROKEE TO BE PLACED IN THE SENATE CHAMBER, LONGTIME AND BELOVED SENATOR FROM THE FOURTEENTH SENATORIAL DISTRICT, A LOYAL AND COMPASSIONATE PUBLIC SERVANT, AND A DISTINGUISHED STATESMAN.
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Senator ALEXANDER spoke on the Resolution.

Remarks by Senator ALEXANDER

Thank you, Mr. PRESIDENT and certainly to the Chairman of the Finance Committee, we appreciate you being the first President. You know on many occasions, not just once and not just twice, but on many occasions, the Chairman of Finance has reminded me that he was the first President of the Senate, and I am sure he will continue to do so.

When I think about the tradition of this Body, and as I look around this great, great Chamber here, I think of those that have impacted the State of South Carolina. Senator PEELER has, continues to have, and will for years to come have, an impact on this Senate and the State of South Carolina and its traditions. As we have honored President *Pro Temps*, it is only fitting and fair that we recognize this dedication and commitment to service to our State and your great leadership that you continue to provide. It is an honor to have this opportunity to recognize you in such a fitting way, Mr. PRESIDENT. Thank you, sir.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator ALEXANDER were ordered printed in the Journal.

The Senate Resolution was adopted.

S. 1371 -- Senators Peeler, Alexander, Grooms, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE BRENDA HART UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR FORTY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HER MUCH JOY AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1372 -- Senator Allen: A SENATE RESOLUTION TO EXTEND THE DEEPEST SYMPATHY OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO THE LOVING FAMILY AND MANY FRIENDS OF BEULAH MAE MCDOWELL OF GREENVILLE COUNTY UPON HER PASSING AND TO EXPRESS TO THEM THEIR PROFOUND SORROW.
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The Senate Resolution was adopted.

S. 1373 -- Senators Cash, Rice and Verdin: A BILL TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTION, BY ADDING ARTICLE 8, TO PROVIDE THAT ABORTIONS ARE ILLEGAL IN SOUTH CAROLINA, TO PROVIDE THAT PHYSICIANS WHO PERFORM A MEDICAL PROCEDURE OR MEDICAL TREATMENT DESIGNED TO SAVE THE LIFE OF THE MOTHER THAT ACCIDENTALLY OR UNINTENTIONALLY RESULTS IN THE DEATH OF THE UNBORN CHILD MUST DOCUMENT THE CIRCUMSTANCES SURROUNDING THE MEDICAL TREATMENT OR MEDICAL PROCEDURE AND TO PROVIDE WHAT DOCUMENTATION MUST BE MAINTAINED; TO PROVIDE THAT IT IS UNLAWFUL TO AID, ABET, OR CONSPIRE WITH SOMEONE TO PROCURE AN ABORTION; TO PROVIDE THAT IT IS UNLAWFUL TO MANUFACTURE, POSSESS FOR SALE OR DISTRIBUTION, DISTRIBUTE, OFFER

FOR SALE, SELL, OR ADVERTISE THE SALE OR DISTRIBUTION OF AN ABORTIFACIENT; TO PROVIDE THAT IT IS UNLAWFUL TO KNOWINGLY OR INTENTIONALLY TO RECRUIT, HARBOR, OR TRANSPORT A PREGNANT MINOR WHO RESIDES IN THIS STATE TO ANOTHER STATE TO PROCURE AN ABORTION OR TO OBTAIN AN ABORTIFACIENT; TO PROVIDE THAT IT IS UNLAWFUL TO COERCE A PREGNANT WOMAN TO HAVE AN ABORTION; TO PROVIDE THAT NOTHING IN THE ARTICLE MAY BE CONSTRUED TO SUBJECT A PREGNANT WOMAN TO A CRIMINAL PENALTY OR CIVIL LIABILITY FOR ANY VIOLATION OF THIS ARTICLE; TO PROVIDE THAT THE ATTORNEY GENERAL HAS THE CONCURRENT AUTHORITY TO PROSECUTE A PERSON FOR A CRIMINAL VIOLATION OF THIS ARTICLE WITH THE SEVERAL SOLICITORS OF THE STATE, WITHIN THEIR RESPECTIVE CIRCUITS; TO PROVIDE THAT THE BOARD OF MEDICAL EXAMINERS MUST REVOKE THE LICENSE OF A PHYSICIAN WHO PERFORMS AN ABORTION IN VIOLATION OF THIS ARTICLE; TO PROVIDE FOR CIVIL ACTIONS, INCLUDING WRONGFUL DEATH CLAIMS, ARISING FROM VIOLATIONS OF THIS ARTICLE; AND TO PROVIDE FOR CRIMINAL ENTERPRISE LIABILITY.

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Read the first time and referred to the Committee on Medical Affairs.

Senator CASH spoke on the Bill.

Remarks by Senator CASH

On Friday, June 24, the Supreme Court of the United States overturned the almost 50-year-old Roe v. Wade ruling. Which has allowed over… Mr. PRESIDENT, can I get some order please? The Roe v. Wade ruling has been overturned which allowed over 60 million innocent babies to be killed in the womb. I have not come forward to gloat. I do thank God, and I give God the glory for that. The Majority of opinion held the Constitution does not confer a right to abortion. Roe and Casey are overruled and the authority to regulate abortions is returned to the people and their elected representatives. I see this decision as a miracle. I honestly didn't know if I would live to see it. Now that this happened, Roe and Casey are consigned to the ash heap of history with other ignominious rulings such as Dread Scott. The battle is not over. It is simply given back to the states.

Saturday, I was out at the abortion clinic in Greenville, which kills more babies than any other place in the State. Tens of thousands of babies

have been killed there over the past 40 years. I had been asked to speak at a Love Life Prayer Vigil, and after speaking, we did give thanks and pray fervently. We were praying because it was a busy day at Grove Road on Saturday and that truly grieved me. It grieved me in part, because although we had the opportunity, we did not pass a trigger law that could have banned abortion immediately upon the overturning of Roe v. Wade.

In December, when oral arguments about the Dobbs Case were heard, immediately articles appeared that based on the questioning of the justices -- the Supreme Court might overrule Roe. So, in January, I put forward a Bill that would ban abortion in our State if Roe was overruled. A Bill that I could not get out of committee in a republican dominated Body. On May 2, there was a leak from the Supreme Court of the opinion that was forthcoming. On May 3, the Chief Justice said, yes, that is an authentic opinion that had been drafted. Now, we didn't know with certainty that the attempts to intimidate the Supreme Court, including an attempt to assassinate Justice Cavanaugh -- we didn't know with certainty if they would follow through. But my gosh, how much more did we need to be prompted to pass a trigger law? We did nothing. Why am I rehashing this? Because it is imperative that we move swiftly -- start the process, because unborn babies will continue to be killed until the General Assembly makes it illegal. You say, yes, but we have the Heartbeat Bill. It's now enforced and that will save babies who have developed biologically to the point of having a beating heart, but a lot of babies are aborted before that. In fact, half the babies in this State are currently aborted using abort efficient pills. It's imperative that we move swiftly. We need to act and we need to start the process now.

The Bill I'm introducing is largely based on model legislation put forward by the national right to life committee and authored by their senior counsel James Bopp. I want to highlight two main points of this comprehensive legislation. First, it makes abortion illegal but it does allow for medical procedures -- medical treatment designed to save the life of the mother. Other than that, it outlaws abortion. Second, it does not allow for any criminal or civil penalty if a pregnant woman violates this Act. But I will say it does contain tough penalties for anyone else involved in illegal abortion.

Friends, although I do not agree that a woman who procures an illegal abortion should not be held accountable for her actions, but my primary objective in this legislation is to ban abortion. Without exception other than efforts to save the life of a woman whose life is at stake. In order to achieve the unity, I believe it's necessary to ban abortion without

exceptions. I will give on the point of penalties for the woman. We need to be unified -- speaking to the dominant party in this Chamber. This is the model legislation put forth by the largest prolife group in the country. The prolife group that normally writes the prolife legislation that we vote on. This is their model legislation to ban abortion but without penalizing the woman and I will support it as written. So I have put forth this Bill.

Now, I understand depending on how this process works we may end up in this Body deliberating a Bill that the House passes. I don't know how that's going to work out, but this Bill is a starting point, and I come before you today to do this -- blow the trumpet and say -- any attempt by any person or any organization to water this Bill down with exceptions, I will fight with all that I have. Any attempt whether in public or in private to introduce exceptions to this Bill, if I find out about it and have certain knowledge of it, I will call names in public. I don't care who it is. I will support the Bill that the National Life to Right Committee has put forward in their model legislation, which bans abortion and does not penalize the woman and I would ask you to do the same thing. The Bill will be available for anyone to read who wants to read it. I am always available to anyone who wants to discuss the legislation, but I would invite the members of this Body who believe and run on a campaign of protecting innocent human life to sign on as co-sponsor to this Bill. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

S. 1374 -- Senators Williams, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Young: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 2022 AS "CHILDHOOD CANCER AWARENESS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT THIS CAUSE THAT SO DEEPLY IMPACTS FAMILIES IN EVERY COMMUNITY ACROSS OUR COUNTRY.
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The Senate Resolution was adopted.

H. 5452 -- Rep. Willis: A CONCURRENT RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA SOCIETY SONS OF THE AMERICAN REVOLUTION AND THE AMERICAN LEGION RIDERS OF SOUTH CAROLINA FOR SPONSORING THE PARTNERS IN PATRIOTISM RIDE/RALLY TO CELEBRATE THE FREEDOMS SO WIDELY ENJOYED IN OUR NATION.

The Concurrent Resolution was adopted, ordered returned to the House.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the reappointment:

LOCAL REAPPOINTMENT

Reappointment, Dorchester Master-In-Equity, with term to commence June 30, 2022 and expiring June 30, 2028:

The Honorable James E. Chellis, 106 Pine Grove Avenue Summerville, SC 29483

Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1366 -- Senators Grooms, Bennett, Sabb, Adams and Stephens: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE M. OLIVER UPON THE OCCASION OF HIS RETIREMENT AS CORONER, TO COMMEND HIM FOR HIS TWELVE YEARS OF DEDICATED SERVICE TO BERKELEY COUNTY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

Senator PEELER spoke on the vetoes.

Remarks by Senator PEELER

Mr. PRESIDENT, members of the Senate, we are about to take up the Governor's vetoes. I want to talk to you for just a minute. I was heading home the other evening--not too long ago and I was listening to a talk radio show. The host was pretty much giving everybody a fit politically when a caller called in and said, "If you know it all, if you have all the answers, if you think you can do such a good job, why don't you run?" And the host responded, "I don't hate myself enough to run for public office."

I thought about that a lot. Senator M. JOHNSON, you once asked me how did I put up with this for 40 years? Senator SHEALY, I do not hate myself enough to run for public office. Ladies and gentlemen of the Senate, we have got to change that. We have got to change that mindset. When I speak to classes over the years or classrooms, they always ask me one question, "Senator PEELER, what is the hardest part about being a Senator?" What is the hardest part about being a Senator? I always answer, the hardest part is being away from your family and your business. That is the hardest part.

Let me be serious with you. What was also hard for me for many years is to come to the realization that I cannot have it my way, every day, 100% of the time. I cannot do that. It was hard for me to accept that, Senator. I finally accepted it though. I want you, members of the Senate, to learn to accept that too. You cannot have it your way, every day, 100% of the time. It is called compromise. It is not a bad word. It is not a bad word in this building. It is something we need to learn. Now today there will be vetoes taken up, some overridden, some sustained. Over the years and maybe today if the House sustained this one -- we are going to sustain theirs, back and forth. I hope we do not have that back and forth today. I hope we take each veto on the merits. I will not question one of you -- your reason to vote or how you vote -- that is up to you. Vote your conscience. But, if you are racing in your mind whether I want to override this one or sustain that one, I ask you in that race, if it is tied, that the tie goes to the budget. Take the budget of South Carolina. This budget is worth protecting. Thank you.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 1 by the Governor on R271, H. 5150 by a vote of 89 to 16:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Education, Part IB, Section 1, Page 297, Proviso 1.82, SDE: Reserve Suspension

Respectfully submitted,
Speaker of the House

Received as information.

VETO 1 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Education, Part IB, Section 1, Page 297, Proviso 1.82, SDE: Reserve Suspension

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 2 by the Governor on R271, H. 5150 by a vote of 5 to 98:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 2 Department of Education, Part IB, Section 1, Page 301, Proviso 1.99. SDE: Noncertified Teacher Hiring

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 3 by the Governor on R271, H. 5150 by a vote of 70 to 31:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 3 Department of Education, Part IB, Section 1, Page 302, Proviso 1.108, SDE: Teaching Transformation Pilot Program

Respectfully submitted,
Speaker of the House

Received as information.

VETO 3 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 3 Department of Education, Part IB, Section 1, Page 302, Proviso 1.108, SDE: Teaching Transformation Pilot Program

The veto of the Governor was taken up for immediate consideration.

Senator HEMBREE spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Sabb	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Corbin Rice

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 4 by the Governor on R271, H. 5150 by a vote of 83 to 21:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 4 Department of Education-EIA, Part IB, Section 1A, Page 328, Proviso 1A.70, SDE-EIA: Surplus, Line 14, Annabelle – $1,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 4 SUSTAINED

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 4 Department of Education-EIA, Part IB, Section 1A, Page 328, Proviso 1A.70, SDE-EIA: Surplus, Line 14, Annabelle – $1,000,000

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 9; Nays 26

AYES

Allen	Hutto	Jackson
Johnson, Kevin	McElveen	McLeod
Sabb	Setzler	Williams

Total--9

NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--26

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 5 by the Governor on R271, H. 5150 by a vote of 78 to 29:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Education-EIA, Part IB, Section 1A, Page 328, Proviso 1A.70, SDE-EIA: Surplus, Line 15, Plasma Games – $1,500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 5 SUSTAINED
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Education-EIA, Part IB, Section 1A, Page 328, Proviso 1A.70, SDE-EIA: Surplus, Line 15, Plasma Games – $1,500,000

The veto of the Governor was taken up for immediate consideration.

Senator SHEALY spoke on the veto.
Senator BENNETT spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 29

AYES

Johnson, Kevin	McElveen	McLeod
Sabb	Shealy	Stephens
Williams		

Total--7

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--29

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 6 by the Governor on R271, H. 5150 by a vote of 0 to 104:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 6 Lottery Expenditure Account, Part IB, Section 3, Pages 333-335, Proviso 3.5, LEA: FY2022-23 Lottery Funding, Paragraphs (A), (B), (C), (A)(1), (A)(2), (B), (C), (D), (E), (F), (G), and (H) – SCWINS Program

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 7 by the Governor on R271, H. 5150 by a vote of 81 to 26:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Health and Human Services, Part IB, Section 33, Page 359, Proviso 33.24, DHHS: Personal Emergency Response System

Respectfully submitted,
Speaker of the House

Received as information.

VETO 7 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Health and Human Services, Part IB, Section 33, Page 359, Proviso 33.24, DHHS: Personal Emergency Response System

The veto of the Governor was taken up for immediate consideration.

Senator VERDIN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Climer	Corbin	*Johnson, Michael*
Kimbrell	Loftis	Reichenbach
Rice		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 8 by the Governor on R271, H. 5150 by a vote of 78 to 29:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 8 Department of Health and Environmental Control, Part IB, Section 34, Page 371, Proviso 34.51, DHEC: Hazardous Waste Fund County Account

Respectfully submitted,
Speaker of the House

Received as information.

VETO 8 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 8 Department of Health and Environmental Control, Part IB, Section 34, Page 371, Proviso 34.51, DHEC: Hazardous Waste Fund County Account

The veto of the Governor was taken up for immediate consideration.

Senator HUTTO spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Fanning	Gambrell
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Climer	Corbin	Garrett
Johnson, Michael	Kimbrell	Reichenbach
Rice		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained, reconsidered and overridden Veto 9 by the Governor on R271, H. 5150 by a vote of 85 to 11:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 9 Department of Revenue, Part IB, Section 109, Page 474, Proviso 109.12, DOR: Food Manufacturing Equipment

Respectfully submitted,
Speaker of the House

Received as information.

VETO 9 OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 9 Department of Revenue, Part IB, Section 109, Page 474, Proviso 109.12, DOR: Food Manufacturing Equipment

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Setzler	Shealy	Stephens
Turner	Williams	Young

Total--33

NAYS

Corbin	Martin	Massey
Reichenbach		

Total--4

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 10 by the Governor on R271, H. 5150 by a vote of 88 to 20:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 10 State Ethics Commission, Part IB, Section 110, Page 475, Proviso 110.1, ETHICS: Ethics Commission Website Changes

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 28, 2022

VETO 10 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 10 State Ethics Commission, Part IB, Section 110, Page 475, Proviso 110.1, ETHICS: Ethics Commission Website Changes

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 11 by the Governor on R271, H. 5150 by a vote of 76 to 28:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 11 General Provisions, Part IB, Section 117, Page 501, Proviso 117.74, GP: Information Technology for Health Care

Respectfully submitted,
Speaker of the House

Received as information.

VETO 11 OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 11 General Provisions, Part IB, Section 117, Page 501, Proviso 117.74, GP: Information Technology for Health Care

The veto of the Governor was taken up for immediate consideration.

Senator VERDIN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 9

AYES

Adams	Alexander	Allen
Bennett	Campsen	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Sabb	Shealy

Stephens	Turner	Verdin
Williams	Young	

Total--29

NAYS

Cash	Climer	Corbin
Cromer	*Johnson, Michael*	Kimbrell
Reichenbach	Rice	Setzler

Total--9

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 12 by the Governor on R271, H. 5150 by a vote of 38 to 66:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 12 General Provisions, Part IB, Section 117, Page 534, Proviso 117.163, GP: Justice Forty Oversight Committee

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 13 by the Governor on R271, H. 5150 by a vote of 28 to 77:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 13 Statewide Revenue, Part IB, Section 118, Page 552, Proviso 118.19, SR: Nonrecurring Revenue, Paragraph (46.2) – $25,000,000

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 14 by the Governor on R271, H. 5150 by a vote of 97 to 8:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 14 Statewide Revenue, Part IB, Section 118, Page 557, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (a) Anderson 3 Consolidation Relocation – $500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 14 OVERRIDDEN
R271, H.5150--GENERAL APPROPRIATIONS ACT

Veto 14 Statewide Revenue, Part IB, Section 118, Page 557, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (a) Anderson 3 Consolidation Relocation – $500,000

The veto of the Governor was taken up for immediate consideration.

Senator GAMBRELL spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Michael*	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Sabb	Setzler
Shealy	Stephens	Turner
Williams	Young	

Total--32

NAYS

Corbin	Kimbrell	Reichenbach
Rice		

Total--4

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 15 by the Governor on R271, H. 5150 by a vote of 5 to 102:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 15 Statewide Revenue, Part IB, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (k) The Center for Education Equity – $600,000

Respectfully submitted,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 16 by the Governor on R271, H. 5150 by a vote of 85 to 14:

R, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 16 Statewide Revenue, Part IB, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (n) John McKissick Field Upgrades – $500,000

Respectfully submitted,
Speaker of the House
Received as information.

VETO 16 OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 16 Statewide Revenue, Part IB, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (n) John McKissick Field Upgrades – $500,000

The veto of the Governor was taken up for immediate consideration.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Harpootlian	Hembree

Hutto	*Johnson, Kevin*	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Sabb
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--28

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 17 by the Governor on R271, H. 5150 by a vote of 15 to 86:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 17 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H630 State Department of Education, (q) Regional Education Centers – $3,000,000

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 18 by the Governor on R271, H. 5150 by a vote of 73 to 32:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 18 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (92) P200 Clemson PSA, Economic Development – Cultural Welcome Center – $7,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 18 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 18 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (92) P200 Clemson PSA, Economic Development – Cultural Welcome Center – $7,000,000

The veto of the Governor was taken up for immediate consideration.

Senator HUTTO spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 11

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	Martin	McElveen
McLeod	Peeler	Rankin

Sabb	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--25

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Loftis	Massey
Reichenbach	Rice	

Total--11

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 19 by the Governor on R271, H. 5150 by a vote of 96 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 19 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (a) Hunting Island – $250,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 19 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 19 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (a) Hunting Island – $250,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.
Senator CAMPSEN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 6

AYES

Alexander	Allen	Bennett
Campsen	Climer	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Sabb
Setzler	Shealy	Stephens
Turner	Williams	Young

Total--30

NAYS

Adams	Cash	Corbin
Massey	Reichenbach	Rice

Total--6

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 20 by the Governor on R271, H. 5150 by a vote of 0 to 99:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 20 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (kk) Westend Neighborhood Park Construction – $500,000

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 21 by the Governor on R271, H. 5150 by a vote of 73 to 30:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 21 Statewide Revenue, Part IB, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (uuu) Carolina Cup – $500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 21 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 21 Statewide Revenue, Part IB, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (uuu) Carolina Cup – $500,000

The veto of the Governor was taken up for immediate consideration.

Senator GUSTAFSON spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	*Johnson, Kevin*	Loftis
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--28

NAYS

Cash	Climer	Corbin
Johnson, Michael	Kimbrell	Massey
Reichenbach	Rice	

Total--8

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 22 by the Governor on R271, H. 5150 by a vote of 93 to 9:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 22 Statewide Revenue, Part 1B, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (ffff) Criterion Club of Dillon – $125,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 22 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 22 Statewide Revenue, Part 1B, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (ffff) Criterion Club of Dillon – $125,000

The veto of the Governor was taken up for immediate consideration.

Senator WILLIAMS spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Johnson, Kevin	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Sabb	Setzler
Shealy	Stephens	Turner
Williams	Young	

Total--26

NAYS

Campsen	Cash	Climer
Corbin	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 23 by the Governor on R271, H. 5150 by a vote of 67 to 29:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 23 Statewide Revenue, Part 1B, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (ccccc) Antioch Multi-Purpose Building – $200,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 23 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 23 Statewide Revenue, Part 1B, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue (93) P280 Department of Parks, Recreation & Tourism, (ccccc) Antioch Multi-Purpose Building – $200,000

The veto of the Governor was taken up for immediate consideration.

Senator STEPHENS spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 10

AYES

Alexander	Allen	Bennett
Campsen	Cash	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Hutto	*Johnson, Kevin*
Malloy	Martin	McLeod
Peeler	Rankin	Sabb
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--25

NAYS

Adams	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice		

Total—10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 24 by the Governor on R271, H. 5150 by a vote of 84 to 15:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 24 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (ppppp) State Museum – $350,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 24 SUSTAINED, RECONSIDERED AND OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 24 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (ppppp) State Museum – $350,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 23

AYES

Alexander	Allen	Gambrell
Hutto	*Johnson, Kevin*	McElveen
McLeod	Rankin	Sabb
Setzler	Stephens	Williams

Total--12

NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Garrett	Goldfinch
Gustafson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Peeler	Reichenbach

Rice	Shealy	Turner
Verdin	Young	

Total--23

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Having voted on the prevailing side, Senator MALLOY moved to reconsider the vote whereby Veto 24 was sustained.

The motion to reconsider was adopted.

Senator MALLOY spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 11

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	McElveen	Peeler
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--24

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Massey	McLeod
Reichenbach	Rice	

Total--11

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 25 by the Governor on R271, H. 5150 by a vote of 68 to 28:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 25 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (zzzzz) Charleston Wine & Food Festival – $300,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 25 SUSTAINED, RECONSIDERED AND OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 25 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (zzzzz) Charleston Wine & Food Festival – $300,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 13

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer

Fanning	Gambrell	Goldfinch
Gustafson	Hembree	Hutto
Johnson, Kevin	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Sabb	Setzler
Stephens	Williams	Young

Total--24

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice	Shealy	Turner
Verdin		

Total--13

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Having voted on the prevailing side, Senator SHEALY moved to reconsider the vote whereby Veto 25 was sustained.

The motion to reconsider was adopted.

Senator SHEALY spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 11

AYES

Adams	Alexander	Allen
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	McElveen	McLeod
Peeler	Sabb	Scott

Setzler	Shealy	Stephens
Turner	Williams	Young

Total—24

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice	Verdin	

Total—11

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 26 by the Governor on R271, H. 5150 by a vote of 69 to 34:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 26 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (eeeeee) Office of Tourism Analysis – $1,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 26 SUSTAINED, RECONSIDERED AND SUSTAINED
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 26 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (eeeeee) Office of Tourism Analysis – $1,000,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 20; Nays 17

AYES

Alexander	Allen	Bennett
Campsen	Fanning	Gambrell
Goldfinch	Hembree	Hutto
Johnson, Kevin	Malloy	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Stephens
Turner	Williams	

Total--20

NAYS

Adams	Cash	Climer
Corbin	Cromer	Garrett
Gustafson	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Reichenbach	Rice	Shealy
Verdin	Young	

Total--17

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Having voted on the prevailing side, Senator CROMER moved to reconsider the vote whereby Veto 26 was sustained.

The motion to reconsider was adopted.

Senator CAMPSEN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 12

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Hembree	Hutto
Johnson, Kevin	Malloy	McElveen
McLeod	Peeler	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total—23

NAYS

Adams	Cash	Climer
Corbin	Garrett	Gustafson
Johnson, Michael	Kimbrell	Loftis
Massey	Reichenbach	Rice

Total--12

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 27 by the Governor on R271, H. 5150 by a vote of 84 to 13:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 27 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280

Department of Parks, Recreation & Tourism, (mmmmm)
Township Auditorium – $100,000

Respectfully submitted,
Speaker of the House
Received as information.

VETO 27 SUSTAINED, RECONSIDERED AND OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 27 Statewide Revenue, Part IB, Section 118, Page 564, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (mmmmm) Township Auditorium – $100,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 6; Nays 31

AYES

Allen	Hutto	*Johnson, Kevin*
McLeod	Sabb	Williams

Total--6

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Setzler	Shealy

Stephens	Turner	Verdin
Young		

Total—31

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Having voted on the prevailing side, Senator MALLOY moved to reconsider the vote whereby Veto 27 was sustained.

The motion to reconsider was adopted.

Senator MALLOY spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 20; Nays 10

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Gustafson	Hembree
Hutto	*Johnson, Kevin*	Malloy
McElveen	Peeler	Sabb
Shealy	Stephens	Turner
Williams	Young	

Total--20

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Massey	Reichenbach
Rice		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 28 by the Governor on R271, H. 5150 by a vote of 69 to 28:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 28 Department of Education – Part IA, Section 1, Page 8, VIII. Education Improvement Act, J. EIA Non-Recurring, Annabelle – $1,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 28 SUSTAINED

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 28 Department of Education – Part IA, Section 1, Page 8, VIII. Education Improvement Act, J. EIA Non-Recurring, Annabelle – $1,000,000

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 8; Nays 27

AYES

Allen	Hutto	Jackson
Johnson, Kevin	McElveen	McLeod
Sabb	Williams	

Total--8

NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Reichenbach
Rice	Setzler	Talley
Turner	Verdin	Young

Total--27

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 29 by the Governor on R271, H. 5150 by a vote of 71 to 22:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 29 Department of Education – Part IA, Section 1, Page 8, VIII. Education Improvement Act, J. EIA Non-Recurring, Plasma Games – $1,500,000

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 28, 2022

VETO 29 SUSTAINED

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 29 Department of Education – Part IA, Section 1, Page 8, VIII. Education Improvement Act, J. EIA Non-Recurring, Plasma Games – $1,500,000

The veto of the Governor was taken up for immediate consideration.

Senator BENNETT spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 29

AYES

Johnson, Kevin	McElveen	McLeod
Sabb	Shealy	Stephens
Williams		

Total--7

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--29

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 30 by the Governor on R271, H. 5150 by a vote of 89 to 14:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 30 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H.630 State Department of Education, (f) Renovations of St. James Learning Center in Marion – $500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 30 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 30 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H.630 State Department of Education, (f) Renovations of St. James Learning Center in Marion – $500,000

The veto of the Governor was taken up for immediate consideration.

Senator WILLIAMS spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 9

AYES

Alexander	Allen	Campsen
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Loftis	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Sabb	Setzler

Shealy	Stephens	Turner
Verdin	Williams	Young

Total--27

NAYS

Adams	Cash	Climer
Corbin	*Johnson, Michael*	Kimbrell
Massey	Reichenbach	Rice

Total--9

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 31 by the Governor on R271, H. 5150 by a vote of 89 to 2:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 31 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H.630 State Department of Education, (l) Turbeville Library – $750,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 31 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 31 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H.630 State Department of Education, (l) Turbeville Library – $750,000

The veto of the Governor was taken up for immediate consideration.

Senator K. JOHNSON spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 10

AYES

Alexander	Allen	Bennett
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--27

NAYS

Adams	Cash	Climer
Corbin	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach
Rice		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 32 by the Governor on R271, H. 5150 by a vote of 26 to 71:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 32 Statewide Revenue, Part 1B, Section 118, Page 558, Proviso 118.19, SR: Nonrecurring Revenue, (78) H.630 State Department of Education, (m) Berkeley County Library - Goose Creek – $300,000

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 33 by the Governor on R271, H. 5150 by a vote of 82 to 16:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 33 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (u) Women in Unity – $300,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 33 CARRIED OVER

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 33 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (u) Women in Unity – $300,000

The veto of the Governor was taken up for immediate consideration.

On motion of Senator MASSEY, the veto was carried over.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 34 by the Governor on R271, H. 5150 by a vote of 78 to 14:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 34 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (v) The Hive Community Organization – $150,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 34 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 34 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (v) The Hive Community Organization – $150,000

The veto of the Governor was taken up for immediate consideration.

Senator FANNING spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--35

NAYS

Corbin	Massey

Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 35 by the Governor on R271, H. 5150 by a vote of 84 to 10:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 35 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (x) Nichol town Child and Family Collaborative – $25,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 35 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 35 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (x) Nichol town Child and Family Collaborative – $25,000

The veto of the Governor was taken up for immediate consideration.

Senator ALLEN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Johnson, Kevin	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--30

NAYS

Cash	Climer	Corbin
Johnson, Michael	Kimbrell	Massey
Reichenbach		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 36 by the Governor on R271, H. 5150 by a vote of 85 to 8:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 36 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (rr) Marion County Long Term Recovery Group – $100,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 36 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 36 Statewide Revenue, Part IB, Section 118, Page 559, Proviso 118.19, SR: Nonrecurring Revenue, (82) J020 Department of Health & Human Services, (rr) Marion County Long Term Recovery Group – $100,000

The veto of the Governor was taken up for immediate consideration.

Senator WILLIAMS spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 10

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	Martin	McLeod
Peeler	Rankin	Rice

Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--27

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Loftis	Massey
Reichenbach		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 37 by the Governor on R271, H. 5150 by a vote of 90 to 2:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 37 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (mmmm) Heyward House – $500,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 37 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 37 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (mmmm) Heyward House – $500,000

The veto of the Governor was taken up for immediate consideration.

Senator CAMPSEN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 11

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--27

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Loftis	Massey
Reichenbach	Rice	

Total—11

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 38 by the Governor on R271, H. 5150 by a vote of 88 to 4:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 38 Statewide Revenue, Part IB, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (rrr) Socastee Park – $5,000,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 38 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 38 Statewide Revenue, Part IB, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (rrr) Socastee Park – $5,000,000

The veto of the Governor was taken up for immediate consideration.

Senator GOLDFINCH spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 8

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Hutto
Johnson, Kevin	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Setzler	Shealy

Stephens	Turner	Verdin
Williams	Young	

Total--29

NAYS

Adams	Cash	Corbin
Johnson, Michael	Kimbrell	Massey
Reichenbach	Rice	

Total--8

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 39 by the Governor on R271, H. 5150 by a vote of 0 to 96:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 39 Statewide Revenue, Part IB, Section 118, Page 563, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (uuuu) West Orangeburg Community Center – $2,000,000

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 40 by the Governor on R271, H. 5150 by a vote of 91 to 4:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 40 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (pp) Enoree Community Revitalization – $100,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 40 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 40 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (pp) Enoree Community Revitalization – $100,000

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 10

AYES

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Loftis	Malloy	Martin
McElveen	McLeod	Peeler
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--27

NAYS

Adams	Cash	Climer
Corbin	Garrett	*Johnson, Michael*
Kimbrell	Massey	Reichenbach
Rice		

Total--10

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 41 by the Governor on R271, H. 5150 by a vote of 81 to 17:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 41 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (ww) Greeleyville Pavilion – $15,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 41 OVERRIDDEN

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 41 Statewide Revenue, Part IB, Section 118, Page 562, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (ww) Greeleyville Pavilion – $15,000

The veto of the Governor was taken up for immediate consideration.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 9

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Fanning	Gambrell	Goldfinch
Gustafson	Hembree	Hutto
Johnson, Kevin	Malloy	Martin
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total—28

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Loftis	Massey	Reichenbach

Total--9

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 42 by the Governor on R271, H. 5150 by a vote of 84 to 16:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 42 Statewide Revenue, Part IB, Section 118, Page 565, Proviso 118.19, SR: Nonrecurring Revenue, (94) P320 Department of Commerce, (j) Greenbrier Resources Community Development Center – $50,000

Respectfully submitted,

Speaker of the House
Received as information.

VETO 42 OVERRIDDEN
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 42 Statewide Revenue, Part IB, Section 118, Page 565, Proviso 118.19, SR: Nonrecurring Revenue, (94) P320 Department of Commerce, (j) Greenbrier Resources Community Development Center – $50,000

The veto of the Governor was taken up for immediate consideration.

Senator FANNING spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 9

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Hutto	*Johnson, Kevin*	Malloy
Martin	McElveen	McLeod
Peeler	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--28

NAYS

Cash	Climer	Corbin
Johnson, Michael	Kimbrell	Loftis
Massey	Reichenbach	Rice

Total--9

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 43 by the Governor on R271, H. 5150 by a vote of 61 to 39:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 43 Statewide Revenue, Part IB, Section 118, Page 566, Proviso 118.19, SR: Nonrecurring Revenue, (102) X220 Aid to Subdivisions – State Treasurer, (e) Saluda County – $364,000

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 44 by the Governor on R271, H. 5150 by a vote of 80 to 17:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 44 Statewide Revenue, Part IB, Section 118, Page 566, Proviso 118.19, SR: Nonrecurring Revenue, (102) X220 Aid to Subdivisions – State Treasurer, (x) Community Vision of Hope – $100,000

Respectfully submitted,
Speaker of the House

Received as information.

VETO 44 SUSTAINED
R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 44 Statewide Revenue, Part IB, Section 118, Page 566, Proviso 118.19, SR: Nonrecurring Revenue, (102) X220 Aid to Subdivisions – State Treasurer, (x) Community Vision of Hope – $100,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 10; Nays 24

AYES

Allen	Fanning	Hutto
Johnson, Kevin	Malloy	McElveen
McLeod	Sabb	Stephens
Williams		

Total--10

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Young

Total--24

Having failed to receive the necessary two-thirds vote, the veto of the Governor was sustained, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 45 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 45 Statewide Revenue, Part IB, Section 118, Page 550, Proviso 118.19, SR: Nonrecurring Revenue, (33) J020 Department of Health & Human Services, (d) Medical Contracts – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 46 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 46 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (44) P240 Department of Natural Resources, (d) Marine Infrastructure – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 47 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 47 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (44) P240 Department of Natural Resources, (k) Internal Roads and Farm Bridges and Boat Ramp Maintenance – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 48 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 48 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (45) P280 Department of Parks, Recreation & Tourism, (b) State Parks Road Paving – Statewide – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 49 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 49 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (45) P280 Department of Parks, Recreation & Tourism, (c) Campground Utility Replacement – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 50 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 50 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (45) P280 Department of Parks, Recreation & Tourism, (d) Statewide Campground Comfort Stations – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 51 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 51 Statewide Revenue, Part IB, Section 118, Page 551, Proviso 118.19, SR: Nonrecurring Revenue, (45) P280 Department of Parks, Recreation & Tourism, (j) Murrells Inlet Dredging – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 52 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 52 Statewide Revenue, Part IB, Section 118, Page 552, Proviso 118.19, SR: Nonrecurring Revenue, (45) P280 Department of Parks, Recreation & Tourism, (n) Cabin Construction and Renovations – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 53 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 53 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (51) E210 Prosecution Coordination Commission, (d) Intake and Analysis Program – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 54 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 54 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (52) E230

Commission on Indigent Defense Fees and Fines Expenditure Offset – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 55 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 55 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (53) D100 State Law Enforcement Division, (b) Insurance Reserve Fund Increase – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 56 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 56 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (54) K050 Department of Public Safety, (a) Insurance Reserve Fund Rate Increases – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 57 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 57 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (54) K050 Department of Public Safety, (d) Statewide Body Camera Program – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 58 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 58 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (54) K050 Department of Public Safety, (f) DPS Agent Body Worn Camera Rotation – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 59 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 59 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (54) K050 Department of Public Safety, (g) Radio Rotation – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 60 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 60 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (56) N040 Department of Corrections, (a) Security and Maintenance Reserve Fund – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 61 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 61 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (57) N080

Department of Probation, Parole and Pardon Services, (a) Insurance Rate Reserve Fund Increases – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 62 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 62 Statewide Revenue, Part IB, Section 118, Page 553, Proviso 118.19, SR: Nonrecurring Revenue, (57) N080 Department of Probation, Parole and Pardon Services, (b) Agency Fleet Replacement Plan – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 63 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 63 Statewide Revenue, Part IB, Section 118, Page 554, Proviso 118.19, SR: Nonrecurring Revenue, (65) U120 Department of Transportation, (b) Surface Transportation Resiliency Studies – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 64 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 64 Statewide Revenue, Part IB, Section 118, Page 555, Proviso 118.19, SR: Nonrecurring Revenue, (70) D300 Office of Resilience, Disaster Relief and Resilience Reserve Fund – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 65 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 65 Statewide Revenue, Part IB, Section 118, Page 555, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (f) Aiken County – Upgrades to Horse Creek Wastewater Treatment Plant (expansion for future growth) – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 66 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 66 Statewide Revenue, Part IB, Section 118, Page 555, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (h) Aiken County – Water Line from Beech Island to Jackson with elevated storage tanks and pump stations – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 67 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 67 Statewide Revenue, Part IB, Section 118, Page 555, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (i) Aiken County – Public Safety Infrastructure County Fire Suppression – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 68 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 68 Statewide Revenue, Part IB, Section 118, Page 556, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (r) Aiken County Law Enforcement Complex – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 69 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 69 Statewide Revenue, Part IB, Section 118, Page 556, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (ff) Bamberg County-Airport Improvements – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 70 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 70 Statewide Revenue, Part IB, Section 118, Page 557, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site

Litigation, (xx) Piedmont Technical College – Workforce Development and Career Training – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 71 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 71 Statewide Revenue, Part IB, Section 118, Page 557, Proviso 118.19, SR: Nonrecurring Revenue, (75) D500 Department of Administration – Savannah River Site Litigation, (yy) County Transportation Committees (excluding primary counties) – $1

Respectfully submitted,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 72 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 72 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (i) Dolly Cooper Park Improvements – $1

Respectfully submitted,
Speaker of the House

Received as information.

TUESDAY, JUNE 28, 2022

Message from the House

Columbia, S.C., June 28, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has continued Veto 73 by the Governor on R271, H. 5150 by a vote of 98 to 0:

R271, H. 5150--GENERAL APPROPRIATIONS ACT

Veto 73 Statewide Revenue, Part IB, Section 118, Page 561, Proviso 118.19, SR: Nonrecurring Revenue, (93) P280 Department of Parks, Recreation & Tourism, (cc) Carolina Cup Equipment and Repairs – $1

Respectfully submitted,
Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 1299 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

TUESDAY, JUNE 28, 2022

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointments were confirmed in open session:

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence May 3, 2021, and to expire May 3, 2024

At-Large, Governor:

Cynthia C. Mosteller, 574 Needlerush Parkway, Mt. Pleasant, SC 29646-6246

On motion of Senator HEMBREE, the question was confirmation of Cynthia C. Mosteller.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Cynthia C. Mosteller was confirmed.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

At-Large:

Flavia B. Harton, 110 Pine Forest Drive, Greenville, SC 29601-4422 *VICE* Charles T. Ferillo

On motion of Senator HEMBREE, the question was confirmation of Flavia B. Harton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Flavia B. Harton was confirmed.

Reappointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2021, and to expire July 1, 2024

South Carolina Chamber of Commerce recommendation:

Kippy D. Miller, 15 Calumet Court, Greenville, SC 29615-6005

On motion of Senator HEMBREE, the question was confirmation of Kippy D. Miller.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Kippy D. Miller was confirmed.

TUESDAY, JUNE 28, 2022

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Adonikam Hudson, 1352 Silver Dollar Lane, Timmonsville, SC 29161-8486 *VICE* James D. Beard

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

David S. Kelley, 1501 North Jones Road, Olanta, SC 29114-9466

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Tara L. Frost, 141 Gadsden Street, Summerville, SC 29483-4320 *VICE* New Seat

Initial Appointment, Berkeley County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Debra Kay Littlejohn, 404 Cherrybark Oak Street, Summerville, SC 29486-2406 *VICE* Ms. Ellen Karesh

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Alexis McElrath, 336 Sabin Court, Simpsonville, SC 29681-8125 *VICE* Scott Bingel

Reappointment, Dorchester County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

James L. Chellis, 106 Pine Grove Ave., Summerville, SC 29483

Initial Appointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Brian E. Swafford, 145 Doolittle Lane, Liberty, SC 29657-9096 *VICE* Bruce E. Anders

Initial Appointment, Union County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023
Robert Meek Hope, 110 Wingfield Drive, Union, SC 29379-9656 *VICE* David Kevin Morrow

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Robert N. Devore, 758 Haddon Road, Donalds, SC 29638-8956

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Jose Fuentes, 7 Deixler Lane, Hilton Head, SC 29928-7120

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Drew Laughlin, 5 McIntosh Rd., Hilton Head, SC 29926-2006

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Robert E. Ferguson, Jr., 30 Walling Grove Road, Beaufort, SC 29907-1024 *VICE* Douglas Lloyd Novak

Initial Appointment, Oconee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
James Cody Alexander, 120 North Little River Road, Salem, SC 29676-2813 *VICE* New Seat

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George Asbury of Vance, S.C. George was a wonderful man who was loved by his family and friends and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Alex LePorter Flint. Alex honorably served in the United States Air Force and worked for CSX Railroad until he retired. He was an active leader in his community, notably under the Masonic Order. Alex was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators VERDIN, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jonathan Wayne Morgan of Gaffney, S.C. Jon was the son-in-law of our beloved Senator Harvey S. Peeler, Jr. He was a graduate of Clemson University where he designed the ring seal decal and was a member of the Rowing Team. He served as Governor of the First SC Company of Jamestown Society and was a past president of Pickens Rotary Club. Jon enjoyed art, history and spending time with his family and friends. Jon was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 5:15 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

* * *

Tuesday, September 6, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 9:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Malachi 4:2a

In the writings of the prophet Malachi we read: "But for you who revere my name the sun of righteousness will rise with healing in its wings."

Please bow with me as we pray: Holy and ever-loving God, as we praise You this morning we ask that Your loving Spirit will fill the hearts and minds of these leaders as the Senate of South Carolina returns to tackle business. And doing so, we reflect upon Malachi's image of the sun filling every aspect of life with healing warmth. That picture is what we pray will continue to unfold for the benefit of every citizen of our State, O Lord -- the very promise of what is hope filled and right, the prospect of loving concern and understanding for the needs of all. To that end, O God, we pray that You will continue to strengthen and bless these Senators and their staff members. May they each remain determined to accomplish what is truly the best and most loving course for South Carolina's collective future, binding us all together in Your Spirit as one people sheltered under Your healing wings. So we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 29, 2022, at 10:30 A.M. and the following Act was ratified:

(R272, S. 1299) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 164 OF 2003, AS AMENDED, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION

THESE SINGLE-MEMBER ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS; AND TO AMEND ACT 105 OF 2021, AS AMENDED, RELATING TO THE CONSOLIDATION OF BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS. L:\COUNCIL\ACTS\1299ZW22.DOCX

MESSAGE FROM THE PRESIDENT

The following appointment was transmitted by the Honorable Thomas C. Alexander:

Statewide Appointment

Initial Appointment, Ethics Commission, with the term to commence March 31, 2022, and to expire April 1, 2027

Senate - Minority:

Bryant Caldwell, 1221 Main Street, Suite 1600, Columbia, SC 29201 *VICE* Donald Gist

Referred to the Committee on Judiciary.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

H. 5399 -- Reps. Lucas, G. M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J. E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M. M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus,

Trantham, Bennett, McGarry, Felder, Allison, D. C. Moss, Brittain, Nutt, Haddon, Huggins, G. R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Read the first time and referred to the Committee on Medical Affairs.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate stood in recess pending receipt of a report from the Medical Affairs Committee on H. 5399, and upon receipt of the report, it be read and placed on the calendar.

REPORT OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Wednesday, September 7, 2022, at 10:00 A.M.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Rufus Sweatman, Jr. of Chapin, S.C. Henry was the father of our beloved former Senate employee Mark Sweatman and Legislative Council drafting assistant Anna Rushton. Henry was a graduate of Rivers High School and the University of South Carolina. He retired from the State Department of Education after thirty years of dedicated service. Henry was a faithful member of Our Lady of the Lake Catholic Church where he was involved in the Men's Club and weekly Bible study group. Henry was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Audrianna "Tutu" Kind of Summerton, S.C. Audrianna was an amazing young woman who was dearly loved and will be deeply missed.

and

MOTION ADOPTED

On motion of Senator CLIMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Betty Jo Rhea of Rock Hill, S.C. Betty Jo served on the Parks and Recreation Commission and City Council before becoming Mayor in 1986. She was the first and only female to hold that office. As Mayor, she worked to revitalize and diversify the city's economy. She received numerous awards including the Order of the Palmetto, American Legion Distinguished Service Award and honorary Doctor of Humane Letters degree from Winthrop to name a few. Betty Jo published her memoir in 2020. She enjoyed hosting her television show, *City Minute*, reading, listening to music, watching Clemson football and spending time with friends and family. Betty Jo was a longtime member of Episcopal Church of Our Savior. Betty Jo was a loving mother and devoted grandmother who will be dearly missed.

TUESDAY, SEPTEMBER 6, 2022

ADJOURNMENT

At 9:08 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, September 7, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 121:1

We are reminded by the Psalmist: "I lift up my eyes to the hills -- from where will my help come? My help comes from the Lord who made heaven and earth."

Friends, let us pray: Since the Senate of South Carolina has returned to face additional work, O God, we turn to You today asking for You to bless this Body, as well as praying that Your strength and Your guidance will enfold all of us. But mostly, dear Lord, we ask You to lead these leaders and their aides as together they take on matters which directly impact every single one of us. Further, may each of these servants be acutely conscious of Your holy presence, and may they securely feel themselves lovingly directed by Your power and grace as they strive to accomplish what is right and just and needful. We all indeed fully know that our ultimate help always comes from you, dear God. May that knowledge be uppermost in the mind of every individual serving You in this place. So we pray in Your wondrous name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles R. Keep III, 9 Willow Oak Road West, Hilton Head Island, SC 29928-4408

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Bernard McIntyre, 416 Bb Sams Drive, Saint Helena Island, SC 29920-3007

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Russell A. DeMott, 1001 Mount Whitney Drive, Summerville, SC 29483-3323 *VICE* Michael H. Murphy

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Mona Lisa M. Andrews, 1754 South Pamplico Highway, Pamplico, SC 29583-4007 *VICE* Holly Wall

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly Land, 617 Henderson Street, Sumter, SC 29150-3148 *VICE* Lee Anna Tindal

Initial Appointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gary Hitt, 70 Windy Drive, Trenton, SC 29847-2316 *VICE* James McLaurin

Leave of Absence

On motion of Senator FANNING, at 11:37 A.M., Senator McLEOD was granted a leave of absence for today.

Leave of Absence

On motion of Senator CORBIN, at 11:37 A.M., Senator GAMBRELL was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator SETZLER, at 11:42 A.M., Senator JACKSON was granted a leave of absence until 1:15 P.M.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

WEDNESDAY, SEPTEMBER 7, 2022

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

We debate a lot of issues in this Chamber. Most of the issues we debate in here are very political in nature -- how we're going to spend the state's money, how we're going to change laws, about labor and relations and all kinds of political stuff? That's the majority, the vast majority of what we do. Occasionally, much less occasionally, we take up constitutional issues. We start talking about the Second Amendment that's the first thing that comes to my mind, you know, it's something that is not centered on politics of nickels and dimes. It's centered on the Constitution.

Very rarely do we take up issues that are just squarely moral in nature. That's what we have before us. It is an issue that's squarely moral in nature. Does it have constitutional ramifications? Of course, it does. It has political ramifications. Everybody likes to look at polls. It's primarily a moral issue. Where do we go for guidance on moral issues? Some people say you cannot legislate morality. If you can't legislate morality, let's remove all the laws about theft, fraud and burglary. All those things that touch morality that supposedly we cannot legislate. Let's just get rid of them and see what kind of a society we have then. Laws about killing because killing is a moral issue. So, I believe there are issues where there are simply moral absolutes, and this is one of them. I talk about it, and I think about it from that perspective until someone can convince me otherwise. I want to read to you very briefly from Psalm 19, "The law of the Lord is perfect, restoring the soul: the testimony of the Lord is sure, making wise the simple. The precepts of the Lord are right, rejoicing in the heart: the commandment of the Lord is pure enlightening the eyes. The fear of the Lord is clean enduring forever. The judgments of the Lord are true. They are righteous altogether. They are more desirable than gold, yes, the much fine gold, sweeter also than honey. The drippings of the honeycomb. Moreover, by them thy servant is warned: in keeping them there is great reward. Who can discern his errors? Equip me of hidden faults. Keep back thy servant from presumptuous sins. Let them not rule over me and I shall be blameless and acquitted great transgression. Let the words of my mouth, and meditation of my heart, be acceptable in thy sight, O Lord, my rock and my redeemer."

We are frail. We are frail creatures in our understanding and our attempts, something that is so contentious but of course, we do have to attempt. We do have to try to right the law that addresses the situation. My starting point in this debate is simply quite honestly the sixth commandment. Thy shall not murder. Intentional taking the life of an innocent person is a very simple definition of murder that I will stand by. I believe it's a moral absolute. It's not up for debate and it's not up for vote. It's not up for the majority will of this legislature or public referendum. It's a moral absolute. I believe that when we get into the business of legislating which innocence can be killed; we're not going to have legal protection from society. And we're going to set the parameters by voting on what the conditions are and how many weeks and so on and so forth. I do believe we have ventured in the area of presumptuousness. We ventured into the area of facing this child with anomalies that are incapable of life according to somebody's opinion. I presume that we know best, and that child can be intentionally killed. We presume in the hard cases that lie before us which we have discussed and apparently are going to discuss a lot more. We presume there has to be this state sanctioned allowance for the killing of a child conceived, through no fault of its own, through an act of rape and incest. You know if I was to stand up and read you the stories of people like Ethel Waters, whose mother was raped at knifepoint when she was 12 or 13 and gave birth to Ethel Waters at the age of 13. I could go on and on about children who should have been deformed by their hereditary genetics. People that would be missing from this world if they had not been born and made their contributions. So, I'm going to continue that effort to try to provide legal protection for all the innocents. I would call upon those who believe in the sanctity of human life that all humans are created equal in the image of God to join me in that effort. I appreciate your attention, thank you.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

Remarks by Senator SHEALY

To say it's tough to be a woman in politics is an understatement. To say it's really tough to be a woman in politics in South Carolina is hardly a statement at all. You can tell by looking around this room. You can tell by looking at the portraits on the wall in this room and in the House

Chamber and the halls of the State House. You can tell how tough it is by some of the comments made by some of the people in the lobby -- Things like, "Women aren't fit to serve", "That God doesn't want us here". Well God's pretty smart -- if God didn't want us here, I'm pretty sure we wouldn't be here. The reason we come back everyday is because it is worth it. It is one more victory for the women and girls who have been told they do not belong. Fact is the numbers tell us that women legislators get more meaningful legislation passed and work better together and better across the aisle.

Here is where the problem comes in -- we know we are smart. We run the household, we run businesses, have jobs, take care of the children, take care of our aging parents, and we understand it all. The only thing that we are not smart enough to do is take care of our own bodies. We need men in government -- not medical professionals to do that. The closest thing we have to a medical professional in this Chamber is Senator CROMER, he is a pharmacist and I really respect you Senator CROMER but I do not want you as my OB-GYN. The fact is I do not want anyone in this room making life and death decisions for me, my daughter, my granddaughter -- and for that fact anyone. I also do not want the person I choose as my medical professional to stop in the middle of a procedure and request the South Carolina Code of Laws to decide if he can proceed or if he may be committing a crime punishable by a fine or time in prison.

Ladies and gentlemen -- I do not want any 10 year old who is raped by her 13 year old brother (and yes it happened right here in West Columbia) to be afraid -- because first no one taught her about sex, because there's no sex education in elementary school. She did not know she was pregnant until she was 6 months and she was forced to have a baby at 10 years old. The chances of this young girl's reproductive system ever being normal and her having children with someone she really loves, have greatly diminished not to mention her psychological damage. But in the South Carolina Legislature, we know best.

But you ask, why am I talking about this -- isn't she pro-life? Yes, I am pro-life. I am also pro-life of the mother, the life she has with her children who are already born. I care about the children who are forced into an adulthood that was made up by a legislature full of men so they can take a victory lap and feel good about it.

You want children raising children who will most likely suffer domestic violence and live in poverty, but you do not care because you have done your job and you will forget about them once they are born. You will fight my legislation on foster homes and adoption. You

will not support legislation to stop sex trafficking and pornography. You will not support my legislation for free meals for all children in schools. You are not going to help me on that.

If you want to believe that God is wanting you to push a Bill through with no exceptions, that kills mothers, ruins the lives of children, and lets mothers bring home babies to bury, then I think you are miscommunicating with God or maybe you are just not communicating with him at all.

I know we disagree on a lot of issues but hearing you talk about menstrual cycles, conception, how you know when your egg is fertilized, or having the baby -- I got to tell you it really disgusts me. I really do not think there are but five of us that sit in this Chamber that can even speak on those issues honestly. I do not even believe your wives would agree that you know how it feels.

But before I sit down, I have one thing to say to you. Think about your wives, think about your daughters, your granddaughters, your nieces, and all those cute little girls' faces in your church. Then think about the decisions you want to make for them even though you do not know what their situations are. They may have been raped, maybe someone in their family is abusing them and you do not know it. Think about them when you see them in church, that happened to a little girl in church with me. Her mom and daddy were abusing her -- they finally ended up killing her -- they were sexually abusing her. Maybe they have a serious illness but instead of letting a doctor decide the best method of care for that child, let the South Carolina Legislature do it. We think we can do a better job. Well, I just do not agree. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator SHEALY were ordered printed in the Journal.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

Thank you for the opportunity to express a few of my thoughts regarding a Medical Affairs Committee meeting that we had yesterday. I want to thank all of the members of the committee for being attentive during that time. As the Senator before me, my sister Senator said earlier, I was incredulous about the lack of understanding that our members, many of our male counterparts, had about the woman's body. I was surprised time and time again of the statements that showed not only did

they know about the woman's body; but apparently, their heads have been in the sand on the reality of what South Carolina looks like in 2022.

I am surprised that there is still a lack of understanding that there is supposed to be a separation of church and state. Yes, I see some of the members, while I say, "separation of church and state," turn and look away. I see and I have seen over the last few years that there's a divide in South Carolina and that's sad because we're one State and we're not a very large State at that. And here we are again!

I started this session hearing that in D.C., they did not want to have filibusters -- they were afraid their rights -- their filibusters would be taken away. That's exactly what happened in this Chamber under a different name. Here we are today. We're here under a *Sine Die* Resolution that's supposed to take up this *Dobbs* issue, but what it really meant was we're going to take up the issue of abortion, stripping away women's rights and choice. It gives a woman and a child power to live a very productive life. This soul-sucking effort to control a woman's pregnancy; I'm sorry gentlemen, but I'm not going to participate any longer in this insulting and degrading debate.

This is not your place. Let the people of South Carolina decide. You say you represent them -- let them decide. Let your sisters, let your mothers, let your daughters, let your grandchildren decide. I have been telling my constituents from day one that this is your constitutional right. If you do not speak up, you'll lose it. I told people yesterday to look at *The Handmade's Tale.* I've been hearing since I got here that Bills start out very small and each year they progress. This year, you tell us what we -- what we shall do for our reproductive rights. Then next year, what? You know I've heard some members of this Chamber even say, oh, my granddaughter says, or my constituents say, don't let them kill the babies. What are you talking about? That's your opportunity, that is your opportunity to explain to your grandchildren and your children that this is about life -- a productive life. I'm protecting your rights. I feel insulted when I hear people bringing up things that happened before Christ. I believe in the Bible. I raised my children in the church, but you know what? I believe in life, liberty and the sanctity of a good life.

We've already seen proof that the polls show -- they showed this summer -- that only 8% of South Carolinians want a Bill that we're confronting here today and yet it was rammed down our throats in the *Sine Die* Resolution. But yet, let's march on for a few at the top part of the State. You've seen the consequences of the Supreme Court's overturning *Roe vs. Wade* in elections. You've seen the results in Kansas what the voters have said. They rejected an abortion ban by a huge

margin; but yet here we go. South Carolina shooting the first battle cry. Come on! The *Cook Political Report* is flipping their election ratings daily from leaning Republican to toss up, you know what, here we go. Candidates and members of congress including those in our own State are scrubbing their websites where they've been talking about anti-abortions.

Now, I sat in session yesterday and I heard some very good amendments to the abortion Bill. But you know what? You own this. You decided that we are going to come here and tell women, even though you don't know what you're talking about, what their bodies should feel like when they become pregnant. You're going to tell us what we should do when we become pregnant.

But yet, I look at you thumping that Bible. Who are you talking to? Are you talking to the political pundits of the far right? Are you talking to the women that you love? We're not up here for re-election this year. None of us are. We do not run again until 2024. We're not up here for re-election this year. And I'm sure some of you are betting that women will forget your votes today, before 2024 when you have to run again. I can assure you with every breath in my body that I will make sure they don't.

If we are here to represent our constituents, their voices must be considered. They've told us they didn't want *Roe* overturned, that they don't support abortion bans, and they don't like what's been happening at the State House this summer -- but we march on. So instead of personal agendas, religious archaic beliefs, and moral codes that you should all enforce in your own house instead of in this Chamber, let's do what the voters of South Carolina want. Let's codify the stipulations of the *Roe vs. Wade* decision that governed our land for nearly 50 years. And if you don't believe me, let's ask the voters. Don't trust me, let's put this issue before the voters. Let the people of South Carolina decide. If abortion remains legal in this State, the issue is too important to be decided by a few men in this State House. It's up to you. Thank you.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator MATTHEWS were ordered printed in the Journal.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

In January 2021, I was a new Senator as we debated S.1, which passed. I voted for it. Because other women of this Body spoke so very eloquently, I chose not to speak to the Bill. Today is a new day with a new Bill, and it needs every female voice we can muster. I have never had an abortion, but I do live in "realville" as Rush Limbaugh used to say. The real consequences of this Bill must be addressed. Yesterday, while my husband was driving us home from visiting his family in PA, I watched the Senate Medical Affairs Committee meeting that was almost 6 hours long. I watched all exemptions be eliminated -- all of them.

I do agree with Senator CASH that there are no easy answers, but there are right ones. What is right is that we do the best job possible balancing the rights of the child with the rights of the mother, but this Bill does not seem to regard the mother at all. The kind Senator DAVIS brought this view into focus yesterday at the Senate Medical Affairs meeting. He offered that this Bill does not recognize or even acknowledge any other right. Do we women have no right to any autonomy of our bodies? Are we simply baby machines? Are the circumstances by which the female is pregnant entirely irrelevant? Pregnant with a dead baby? Nope. Too bad. Have ectopic pregnancy? Nope. Too bad. Raped at 11 by grandfather and pregnant? Nope. Too bad.

In a utopian world for many of us, no one would have sex before marriage and every single mother would carry to full term with no medical problems whatsoever. The Bill in front of us today can be called wishful thinking legislation. We wish there were fewer teenage pregnancies, we wish we did not have to make the decision to reduce the number of embryos to twins if needed for viability, we wish all children would wait until marriage or an adult committed relationship before engaging in sexual activity, *we wish* that contraception is just understood by all no matter the age and all information taught at home, we wish that women would stop talking about their bodies -- did that last one catch your attention? Legislation is not created in a vacuum.

Seems like women will be penalized for being victims of rape, incest, or being pregnant with a fatal fetal anomaly. The majority of our voters do not support this Bill with no exceptions; this is fact. I have been warned not to "water down the Bill". This is not a loophole. I do not understand how S.1 could be so widely supported with this obvious exception less than two years ago, and now, it is completely off the table? We have a real opportunity to clearly define a fatal fetal anomaly. There seems to be some confusion on birth defects v. fatal fetal anomalies. I was born with a congenital defect of hearing loss with about half of my

hearing in my right ear and a malformed mouth. Fatal birth defects are not the same as all birth defects. Down syndrome is not a fatal fetal anomaly as suggested yesterday. Chromosomal abnormalities account for about half of all miscarriages, but the key word here is fatal. Prenatal testing between weeks 18 - 23 allows the doctors to view development of the formation of baby's head, brain, and facial features, spinal development, structure of the abdominal wall and internal organ, heart and lung structure and function, kidney formation and function, and formation of limbs, hands, and feet. There are two general categories of fetal anomalies, structural and functional. It is very possible that some defects will not be visible until later in pregnancy. Lethal means the baby cannot survive outside the uterus.

Being forced to carry a baby with a lethal anomaly would be a nightmare. So, what generally happens in a forced birth in these circumstances? A high degree of severe infection. These anomalies need to be clearly defined and included in this Bill. I cannot support this Bill without this exception. I heard about testimony by a woman, Michelle Cilley Foisy, who was pregnant with a baby with no brain and a missing heart chamber.

I support increased access to contraception, more affordable contraception, expanded sex education to include what contraceptives are, mandated coverage of cost of contraceptives, and provided assurances to doctors that this Bill will not interfere with best medical practices and standard care.

We must face reality. We do not live in the Dark Ages. This is not simply a moral discussion, and I am not advocating for abortion on demand or abortion as birth control. There are more considerations that must be undertaken. Short-term decision-making and wishful thinking legislation does not allow us legislators to mollify the consequences of what we are doing. Abortion should be safe, legal, but extremely rare. Please support the exemption of fatal fetal anomalies.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GUSTAFSON were ordered printed in the Journal.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

WEDNESDAY, SEPTEMBER 7, 2022

Remarks by Senator SENN

Good morning, colleagues. Ladies and gentlemen of the Senate, what I heard coming from the mouths of the majority of the men in the Medical Affairs Committee just sickened me because what I heard was -- and this is how my brain works anyway -- that you little ladies in South Carolina need to listen to us. We can take care of everything for y'all little ladies, and I also heard that little ladies have no place in politics. Just look at that Steve Lefemine guy who is always swirling around doll babies and sending out horrible emails to us. He basically said as much in an email and yet we let him in here time and time again to let him send us offensive stuff. Don't you remember the time he even sent around an email saying that if women take longer than two seconds to put on their pants, then their pants are too tight? Why do we listen to this kind of stuff? Why do we have to put up with it? Why can he even email us? But it's okay, everybody just laughs it off. I don't laugh it off when it comes from my own colleagues.

To those of you who stood up for women yesterday, I am grateful, but to those of you who feel that women are inferior remember you were warned when you are challenged by a female. I have been in the Senate going on seven years now and for each of those years we have talked about abortion. Here we go again, but why now? And I'm not talking about Roe vs. Wade. I'm talking about the fact that this woefully underpaid part-time legislature is supposed to be out of session for time with family or for in-district business but no, we are here telling our citizens that we need to come for special session because women and families need your guidance, because y'all know better than them. Right? Y'all know better than the women and the families. What I don't understand is why you don't understand that you cannot legislate morality. You cannot tell people who to sleep with. You cannot tell people who to marry and you cannot tell women what to do with their own bodies. Try as you might. Try as you might, but I can tell you now, a woman who is hell-bent to have an abortion is going to have an abortion despite what this legislature says. It may be messy, but she is going to get it done. We little ladies can take care of ourselves. But if given time -- if women are given time to adjust to their situation, to say okay I'm pregnant. What am I going to do? How am I going to handle this -- in many scenarios? Whether they're raped or not, let's just say they've had a night of sex and they shouldn't have done that. A lot of people in here want to even take away the morning after pill. What if a woman just has, oh heaven forbid, sex and finds herself pregnant? Maybe if we give her time to come to grips with her reality, she's going to do the right thing,

but if she is rushed, she may not do the right thing. She may run off to another state and she may get an abortion lickety-split that she would not have gotten if she had been given time from the rest of us here in the legislature to come to grips and make the right decision.

What you may not understand is that no woman really wants to have an abortion. Do you know anybody that wants to have an abortion? I mean that just does not happen. I mean to me, all women are truly pro-life, but a woman that has an abortion feels she has no choice. Thankfully, I've never been in that situation, but I will not judge. I will not judge my fellow females who have been in that situation.

I listened to a podcast, and it was actually the first podcast that I had ever listened to, but it was by an author named Jodi Picoult. She is one of my favorite authors. It is just a little two-hour read. You should listen to it. It's hilarious because everybody wakes up in America and, all of a sudden, only men can be pregnant, and it is hilarious. It is hilarious. I mean the women are getting the best jobs. The guys are waking up feeling like they're puffy and getting a little fat. They're all teary-eyed. They're getting hormonal. The women are getting the best jobs and the men are mad because their former girlfriends, who had broken up with them are out at the bar drinking beer. If you guys could picture yourselves getting pregnant from a one-night stand or maybe sleeping with somebody that you shouldn't have slept with or maybe just because it is just not right for your body, because it could be very dangerous for your body. If you ever thought like that, then you would never be bringing a Bill like this.

Like I said, ladies and gentlemen, back to my original question. I do wonder why we are here discussing this in September and not when regular business is at hand, because the Supreme Court has already indicated that they are likely to weigh in. But instead of waiting to review the impacts of other states -- we are not going to do that. Instead, we are back here trying to make a rush decision, which I believe is going to be turned around if we don't do this thing the right way and let it go through the proper channels. In addition, if you disagree with me consider this. I think it is going to be interesting in the November elections to see what is going to happen because this issue is huge. Fifty-one percent of the population now are women. You don't think that we're going to vote on this? You don't think that women will vote single issue on something like this? Because they will. There is a woman out there who is my constituent. She is holding up a sign saying, do women not have any rights or any thoughts in the Republican Party right now? Another one of my constituents spoke when we had the one day that people could

come and testify. She was raped at age 12 by two men when she was there babysitting. They locked the kids out of the house, raped this little girl then made her wash the sheets while the wife was out of the house. She got raped. She got pregnant on her first time ever having sex. Isn't that awful? She was so ashamed she didn't want her parents to know. She thought, first of all, that her daddy would kill the men, but she also thought that her parents, neighborhood and everybody in her school would feel that she was tainted somehow. So that little girl, thankfully, found a nurse who was her neighbor who took her to another state to have an abortion and her parents did not even find out about it. She suffered through that alone. What she did not tell y'all though is that five years later those two men who raped her, raped, and killed an 18-year-old and so they're in prison now. Thank gosh. But this Body would have that 12-year-old carry that child to term. That is something that I cannot even think about. I just cannot even think about that.

I'm trying to wrap this up for you. Think about the Republican Creed. I don't know how abortion became so big in our Party. It's because there are extremists that turn around and they make the agendas. They make the platform, so here that is on the platform, but if you listen to the Republican Creed there is nothing even close to that -- nothing close to that on the platform. What I ask you to do is start focusing less on social issues and focusing more on lowering taxes and on fiscal conservatism, please. That is my ask. The other thing I'm asking is, please, give us equal rights. You know y'all won't even give us equal rights and here is why. We don't need equal rights. We got y'all. The little ladies, we got y'all. Why would we even need equal rights? I do hope that one of you chairman are going to let equal rights come out of the box this year.

My final ask is let's put this whole issue on the ballot. Let's put it on the ballot, but we won't do that because y'all are scared to do that. The same thing that happened in Kansas would happen here resoundingly. y'all think you know better than your own constituents. Y'all have said, time and again your constituents want this. Mine don't. I can tell you now, mine don't and odds are that yours don't either. We can do better than this, ladies and gentlemen. We can do better than this. We are better than this. I'm going to ask you to please, please at least give us exceptions and I'm going to ask you to please let us put this on a referendum. Thank you.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator SENN were ordered printed in the Journal.

WEDNESDAY, SEPTEMBER 7, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1375 -- Senator Stephens: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SAINT PETER AFRICAN METHODIST EPISCOPAL CHURCH.
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The Senate Resolution was adopted.

S. 1376 -- Senators Stephens and Hutto: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF WILLIE B. OWENS, SR. AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1377 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE LORICK OFFICE PRODUCTS UPON THE OCCASION OF ITS EIGHTY-FIFTH ANNIVERSARY AND TO COMMEND JEANNE LORICK BRUTSCHY AND KAREN LORICK BROACH FOR THEIR ENTREPRENEURSHIP AND THEIR MANY YEARS OF DEDICATED SERVICE TO THE COLUMBIA COMMUNITY AND TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1378 -- Senators Corbin, Loftis and Kimbrell: A SENATE RESOLUTION TO CONGRATULATE DR. GENE C. FANT, JR. UPON THE OCCASION OF HIS FIFTH ANNIVERSARY AS PRESIDENT OF NORTH GREENVILLE UNIVERSITY AND TO RECOGNIZE AND HONOR HIS MANY CONTRIBUTIONS TO THE ACADEMIC COMMUNITY.
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The Senate Resolution was adopted.

S. 1379 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JANNIE LOU MCCULLOUGH MITCHELL AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1380 -- Senator Malloy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SHEILA MARIE JONES UPON THE OCCASION OF HER BECOMING THE FIRST WOMAN AND FIRST PERSON OF COLOR TO HOLD THE POSITION OF BUILDING OFFICIAL FOR THE CITY OF DARLINGTON.
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The Senate Resolution was adopted.

S. 1381 -- Senators Stephens, Scott and Williams: A SENATE RESOLUTION TO CONGRATULATE SOUTH CAROLINA STATE UNIVERSITY'S ROTC PROGRAM UPON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY AND TO COMMEND THE PROGRAM FOR ITS MANY YEARS OF DEDICATED SERVICE TO SOUTH CAROLINA STATE UNIVERSITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1382 -- Senators Shealy and Gustafson: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 2022 AS "KINSHIP CARE MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1383 -- Senator Allen: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF SHEMYIA TONETTE "MYIAELLA" RILEY OF GREENVILLE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1384 -- Senator Reichenbach: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF CORPORAL SARA KINSY WEAVER OF FLORENCE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS AND COWORKERS.
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The Senate Resolution was adopted.

H. 5481 -- Reps. May, McCabe, Caskey, Calhoon, Huggins, Forrest, Wooten, Ott and Ballentine: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF DOROTHY JEAN JONES OF LEXINGTON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Concurrent Resolution was adopted, ordered returned to the House.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

COMMITTEE AMENDMENT ADOPTED, AMENDED READ THE SECOND TIME

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the committee amendment.

Senator CASH proposed the following perfecting amendment (5399R022.KMM.RJC), which was ruled out of order:

Amend the committee amendment, as and if amended, by striking Section 44-41-810 and inserting:

/ Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant for reasons other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn human being.

(2) 'Conception' means the fecundation of the ovum by the spermatozoa.

(3) 'Contraceptive' means a drug, device, or chemical administered before the time when a pregnancy could be determined through

conventional medical testing and if the contraceptive drug, device, or chemical is sold, used, prescribed, or administered in accordance with manufacturer instructions.

(4) 'Physician' means a person licensed to practice medicine in this State.

(5) 'Pregnancy' means the condition of a woman carrying a fetus or embryo within her body as the result of conception.

(6) 'Probable gestational age' means the age of an unborn human being as calculated from the first day of the last menstrual cycle of a pregnant woman.

(7) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct.

(8) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(9) 'Selective reduction' means a procedure associated with assistive reproductive technologies that stops the development of one or more unborn human beings in utero.

(10) 'Unborn human being' means an individual organism of the species homo sapiens from conception until live birth. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-820(A) and (B) and inserting:

/ Section 44-41-820. (A) It is unlawful to knowingly administer to, prescribe for, procure for, or sell to any woman known to be pregnant any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) It is unlawful to knowingly use or employ any instrument, device, means, or procedure upon a woman known to be pregnant with the specific intent of causing an abortion. /

Amend the committee amendment further, as and if amended, on page [5399-4] by striking line 1 and inserting:

/ that all reasonable efforts were made to save the unborn human being in the event it /

Amend the committee amendment further, as and if amended, on page [5399-5] by striking lines 1 and 2 and inserting:

/ death for another unborn human being, or the substantial and irreversible physical impairment of a major bodily function of another unborn human being. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-840 and inserting:

/ Section 44-41-840. (A) In addition to whatever remedies are available under the common or statutory law of this State, failure to comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(B) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(C) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article may be maintained by:

(1) the woman upon whom an abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

(3) a solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

The injunction prevents the person or persons who violated the article from further violation of this article in this State.

(D) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff against the defendant.

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) In no case may civil damages be awarded to any plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action under this section must be brought within three years from the date of the abortion and is not subject to the limitations and requirements of Chapter 79, Title 15. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

Point of Order

Senator MALLOY raised a Point of Order that the perfecting amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The Committee on Medical Affairs proposed the following amendment (5399R009.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act may be cited and shall be known as the "South Carolina Human Life Protection Act".

SECTION 2. Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Article 7

South Carolina Human Life Protection Act

Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn human being. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the unborn human being, or to remove a dead unborn human being.

(2) 'Contraceptive' means a drug, device, or chemical administered before the time when a pregnancy could be determined through conventional medical testing and if the contraceptive drug, device, or chemical is sold, used, prescribed, or administered in accordance with manufacturer instructions.

(3) 'Female' means a biological female as assigned at the time of birth or an intersexed person capable of producing an ovum at birth.

(4) 'Physician' means any person licensed to practice medicine and surgery, or osteopathic medicine and surgery, in this State.

(5) 'Pregnant woman' means the human biological female reproductive condition of having a living unborn human being within her uterus, whether or not she has reached the age of majority.

(6) 'Probable gestational age' means the age of an unborn human being as calculated from the first day of the last menstrual cycle of a pregnant woman.

(7) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct.

(8) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(9) 'Selective reduction' means a procedure associated with assistive reproductive technologies that stops the development of one or more fetuses in utero.

(10) 'Unborn human being' means an individual organism of the species homo sapiens from conception until live birth.

Section 44-41-820. (A) It is unlawful to knowingly administer to, prescribe for, procure for, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) It is unlawful to knowingly use or employ any instrument, device, means, or procedure upon a pregnant woman with the specific intent of causing an abortion.

(C)(1) A person who violates subsection (A) or (B) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(2) Any person who uses force or the threat of force to intentionally injure or intimidate any person, for the purpose of coercing an abortion in violation of subsection (A) or (B) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(3) Notwithstanding the provisions of Section 44-41-830, any person who is not a physician licensed in this State, who prescribes any means of abortion as defined in this article, for the purpose of facilitating an abortion inside the borders of this State, violates Section 44-41-820, is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

Section 44-41-830. (A) It is not a violation of Section 44-41-820 for a physician to perform a medical procedure necessary in reasonable medical judgment to prevent:

(1) the death of the pregnant woman;

(2) a substantial risk of death for the pregnant woman because of a physical condition; or

(3) the substantial physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions.

However, the physician shall make reasonable medical efforts under the circumstances to preserve the life of the pregnant woman's unborn human being, to the extent it does not substantially risk the death or physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions and in a manner consistent with reasonable medical practice. A medical procedure shall not be considered necessary if based on a claim or diagnosis that a woman will engage in conduct that she intends to result in her death or in a substantial physical impairment of a major bodily function.

(B) A physician who performs a medical procedure as described in subsection (A) shall certify, in a written document, that the medical procedure was necessary, by reasonable medical judgment, to prevent the death of the pregnant woman, to prevent a substantial risk of death for the pregnant woman because of a physical condition, or to prevent the substantial risk of a substantial physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions. In the document the physician shall specify the pregnant woman's medical condition that the medical procedure was asserted to address; the medical rationale for the physician's conclusion that the medical procedure was necessary to prevent the death of the pregnant woman, to prevent a substantial risk of death for the pregnant woman because of a physical condition, or to prevent the serious risk of a substantial impairment of a major bodily function of the pregnant woman; and that all reasonable efforts were made to save the fetus in the event it was living and in utero. This documentation must be included in the woman's medical records within thirty days from the date of the procedure. The physician's exercise of reasonable medical judgement for a permitted medical procedure is presumed within the applicable standard of care.

(C) It is presumed that the following medical conditions constitute a substantial risk of death or substantial risk of a substantial physical impairment of a major bodily function of a pregnant woman: molar pregnancy, partial molar pregnancy, blighted ovum, ectopic pregnancy, severe preeclampsia, HELLP syndrome, abruptio placentae, severe physical maternal trauma, uterine rupture, intrauterine fetal demise, and miscarriage. However, when an unborn human being is alive in utero, the physician must make all reasonable efforts to deliver and save the life of the unborn human being during the process of separating the unborn human being from the pregnant woman to the extent it does not adversely affect the life or physical health of the pregnant woman, and in a manner consistent with reasonable medical practice. The

enumeration of the medical conditions in this subsection is not intended to exclude or abrogate other conditions that satisfy the exclusions of subsection (A) or prevent other procedures that are not included in the definition of abortion in Section 44-41-810.

(D) Medical treatment provided to the pregnant woman by a physician which results in the accidental or unintentional injury to or the death of her unborn human being is not a violation of Section 44-41-820.

(E) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or administration of a contraceptive measure, drug, chemical, or device if the contraceptive measure, drug, chemical, or device is used, sold, prescribed, or administered in accordance with manufacturer instructions and is not used, sold, prescribed, or administered to cause or induce an abortion of a clinically diagnosable pregnancy.

(F) Nothing in this article shall be construed to prohibit assisted reproductive technology procedures including, but not limited to, in vitro fertilization accepted as standard of care by the reproductive medical community. No part of the assisted reproductive procedures considered the normal standard constitute an abortion procedure. However, the practice of selective reduction, shall constitute an abortion in violation of Section 44-41-820 except, when necessary, in reasonable medical judgment, to prevent a substantial risk of death for another fetus, or the substantial and irreversible physical impairment of a major bodily function of another fetus.

(G)(1) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or insertion of an intrauterine device if the intrauterine device is used, sold, inserted, or prescribed within the reasonable standard of care by a physician and is not used, sold, prescribed, or administered to cause or induce an abortion of a clinically diagnosable pregnancy.

(2) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or administration of an emergency contraceptive drug designed to be taken within five days of unprotected sex and used according to the manufacturer's instructions. For purposes of this item, an emergency contraceptive drug does not include mifepristone or misoprostol.

Section 44-41-840. A woman upon whom an abortion has been performed or induced in violation of this article may bring a wrongful death civil action on behalf her unborn child pursuant to Article 1, Chapter 51, Title 15.

Section 44-41-850. A pregnant woman on whom an abortion is performed or induced in violation of this article may not be criminally prosecuted for violating any of the provisions of this article or for attempting to commit, conspiring to commit, or acting complicitly in committing a violation of any of the provisions of the article and is not subject to a civil or criminal penalty based on the abortion being performed or induced in violation of any of the provisions of this article.

Section 44-41-860. In addition to any other penalties imposed by law, a physician or any other professionally licensed person who intentionally, knowingly, or recklessly violates the prohibition in Section 44-41-820 commits an act of unprofessional conduct and the person's license to practice in the State of South Carolina immediately shall be revoked by the State Board of Medical Examiners for South Carolina, after due process according to the rules and procedures of the State Board of Medical Examiners. A complaint may be originated by any person or sua sponte. In addition, the State Board of Medical Examiners may assess costs of the investigation, fines, and other disciplinary actions it may deem appropriate.

Section 44-41-870. In every civil or criminal proceeding or action brought under this article, the court shall rule whether the anonymity of any woman upon whom an abortion has been performed or induced shall be preserved from public disclosure if the woman does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel, and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest, and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman upon whom an abortion has been performed or induced, anyone, other than a public official, who brings an action pursuant to Section 44-41-820 shall do so under a pseudonym. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 44-41-880. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting

abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect."

SECTION 3. Article 3, Chapter 17, Title 63 of the 1976 Code is amended by adding:

"Section 63-17-325. A biological father of a child has a duty to pay the mother of the child the following financial obligations beginning with the date of conception:

(1) child support payment obligations in an amount determined pursuant to Section 63-17-470;

(2) fifty percent of the mother's pregnancy expenses.

(a) Any portion of a mother's pregnancy expenses paid by the mother or the biological father reduces that parent's fifty percent obligation regardless of when the mother or biological father pays the pregnancy expenses.

(b) Pregnancy expenses must include fifty percent of the mother's insurance premiums that are not paid by her employer or governmental program beginning from the date of conception and before the pregnancy ends, unless otherwise ordered by the court.

(c) Item (2) does not apply if a court apportions pregnancy expenses as part of an award of child support in item (1).

(B) In the case of a mother who becomes pregnant as a result of rape or incest, the biological father, in addition to the duties imposed by subsection (A), also is responsible for the full cost of any expenses incurred by the mother for mental health counseling arising out of the rape or incest.

(C) The duties imposed by this section accrue at the time of conception and must be applied retroactively when paternity is contested and medical evidence establishes the paternity of the child. Interest accrues on any retroactive obligations beginning with conception until either the obligations are brought current or paid in full whichever happens first. The rate of interest must be calculated based on the applicable interest rate for money decrees and judgments in this State established annually by the South Carolina Supreme Court.

SECTION 4. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3810. There is allowed as a deduction in computing South Carolina taxable income of an individual, a South Carolina unborn human being dependent exemption equal to three thousand dollars for each eligible unborn dependent of the taxpayer, who is unborn at some

point during the income tax year and has reached a probable gestational age of at least six weeks.

SECTION 5. The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of their respective bodies in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act. In a federal court action that challenges the constitutionality of this act the Legislature may seek to intervene, to file an amicus brief, or to present arguments in accordance with federal rules of procedure. Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute legal actions or defend state agencies, officers or employees as otherwise provided. In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function independently from each other in the representation of their respective clients.

SECTION 6. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 16; Nays 11; Present 1

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Garrett	Goldfinch	*Johnson, Michael*
Kimbrell	Loftis	Martin

Peeler	Reichenbach	Rice
Verdin		

Total --16

NAYS

Bennett	Cromer	Davis
Gustafson	Hembree	Massey
Rankin	Shealy	Talley
Turner	Young	

Total --11

PRESENT

Matthews

Total --1

The amendment was adopted.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye".

Point of Order

Senator MARTIN raised a point of order under Rule 16 regarding the requirement that Senators present must record their vote.

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R015.SP.TD), which was tabled:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/(__)Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if the pregnancy is the result of rape or incest, and the probable post-fertilization age of the fetus is fewer than twenty weeks. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

RECESS

At 12:19 P.M., on motion of Senator MASSEY, with Senator DAVIS retaining the floor, the Senate receded from business until 12:55 P.M.

At 1:05 P.M., the Senate resumed.

Senator DAVIS continued explaining the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 6; Present 1

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Goldfinch	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total—23

NAYS

Bennett	Davis	Gustafson
Hembree	Senn	Shealy

Total--6

PRESENT

Malloy

Total--1

The amendment was laid on the table.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye".

Senator CASH proposed the following amendment (5399R023.KMM.RJC), which was not adopted:

Amend the bill, as and if amended, by striking Section 44-41-810 and inserting:

/ Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant for reasons other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn human being.

(2) 'Conception' means the fecundation of the ovum by the spermatozoa.

(3) 'Contraceptive' means a drug, device, or chemical administered before the time when a pregnancy could be determined through conventional medical testing and if the contraceptive drug, device, or chemical is sold, used, prescribed, or administered in accordance with manufacturer instructions.

(4) 'Physician' means a person licensed to practice medicine in this State.

(5) 'Pregnancy' means the condition of a woman carrying a fetus or embryo within her body as the result of conception.

(6) 'Probable gestational age' means the age of an unborn human being as calculated from the first day of the last menstrual cycle of a pregnant woman.

(7) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct.

(8) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(9) 'Selective reduction' means a procedure associated with assistive reproductive technologies that stops the development of one or more unborn human beings in utero.

(10) 'Unborn human being' means an individual organism of the species homo sapiens from conception until live birth. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-820(A) and (B) and inserting:

/ Section 44-41-820. (A) It is unlawful to knowingly administer to, prescribe for, procure for, or sell to any woman known to be pregnant any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) It is unlawful to knowingly use or employ any instrument, device, means, or procedure upon a woman known to be pregnant with the specific intent of causing an abortion. /

Amend the committee amendment further, as and if amended, on page [5399-4] by striking line 1 and inserting:

/ that all reasonable efforts were made to save the unborn human being in the event it /

Amend the committee amendment further, as and if amended, on page [5399-5] by striking lines 1 and 2 and inserting:

/ death for another unborn human being, or the substantial and irreversible physical impairment of a major bodily function of another unborn human being. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-840 and inserting:

/ Section 44-41-840. (A) In addition to whatever remedies are available under the common or statutory law of this State, failure to comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(B) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(C) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article may be maintained by:

(1) the woman upon whom an abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

(3) a solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

The injunction prevents the person or persons who violated the article from further violation of this article in this State.

(D) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff against the defendant.

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) In no case may civil damages be awarded to any plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action under this section must be brought within three years from the date of the abortion and is not subject to the limitations and requirements of Chapter 79, Title 15. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 8; Nays 20; Present 1

AYES

Cash	Corbin	Gambrell
Garrett	Loftis	Martin
Rice	Verdin	

Total -- 8

NAYS

Adams	Alexander	Bennett
Campsen	Climer	Cromer
Davis	Goldfinch	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Massey	Peeler	Rankin
Reichenbach	Shealy	Talley
Turner	Young	

Total--20

PRESENT

Malloy

Total--1

The amendment failed.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "nay".

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R026.KM.TD), which was carried over:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/ ( ) It is not a violation of Section 44-41-820 if an abortion is performed or induced on a pregnant woman if in reasonable medical judgment, the unborn human being has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R010.SP.TD), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. A.The Public Employee Benefit Authority and the State Health Plan shall cover prescribed contraceptives for dependents under the same terms and conditions that the plan provides contraceptive coverage for employees and spouses. The State Health Plan shall not apply patient cost sharing provisions to covered contraceptives.

B. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

"Section 38-71-146. All individual and group health insurance and health maintenance organization policies in this State shall include

coverage for contraceptives. For purposes of this section, 'contraceptive' means any drug, device, or medication to prevent pregnancy. A contraceptive may prevent ovulation, fertilization, or implantation in the uterus. A contraceptive does not include any drug, device, or medication used with the intent of terminating a pregnancy of a woman known to be pregnant." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 9; Present 1

AYES

Adams	Alexander	Bennett
Campsen	Climer	Cromer
Davis	Goldfinch	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Massey	Peeler	Rankin
Reichenbach	Senn	Shealy
Turner	Williams	Young

Total--21

NAYS

Cash	Corbin	Gambrell
Garrett	Loftis	Martin
Rice	Talley	Verdin

Total--9

PRESENT

Malloy

Total--1

The amendment was adopted.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye".

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R012.SP.TD), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. The Departments of Health and Environmental Control, Health and Human Services, Disabilities and Special Needs, Education, Social Services, Mental Health, Alcohol and Other Drug Abuse Services, Corrections, and Juvenile Justice must, through their offices, provide increased access to contraceptives for persons over the age of thirteen, particularly in rural, low-income, and historically marginalized communities within the state. Increased access must include providing contraceptives at low or no cost, providing a list of easily accessible resources to procure contraceptives, and including educational materials with any distributed contraceptives. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator MASSEY spoke on the amendment.

Senator CAMPSEN spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 2; Present 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler

Rankin	Reichenbach	Rice
Talley	Turner	Verdin
Young		

Total--25

NAYS

Davis	Gustafson

Total--2

PRESENT

Malloy

Total--1

The amendment was laid on the table.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye".

Senator DAVIS proposed the following amendment (5399R025.SP.TD), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. There is created the Comprehensive Sexual Health Education and Reproductive Health Care Task Force to research and report on best practices in comprehensive sexual health education and reproductive health care for residents of South Carolina age thirteen and older that shall be taken under consideration to be passed into law. The task force shall be comprised of:

(1) a representative from the Senate Medical Affairs Committee;

(2) a representative from the House of Representative's Medical, Military, Public and Municipal Affairs Committee; and

(3) representatives from government and non-government organizations at the state and local levels including, but not limited to the Departments of Health and Environmental Control, Health and Human Services, Education, Disabilities and Special Needs, Social Services, Mental Health, Corrections, and Juvenile Justice; Alcohol and Other Drug Abuse Services, Fact Forward, New Morning, and the medical community, specifically those in the

field of adolescent obstetrics and gynecology, University of South Carolina Arnold School of Public Health, Medical University of South Carolina.

The task force shall study and make recommendations to improve areas affecting comprehensive sexual health education and reproductive health care for residents of South Carolina age thirteen and older on the following topics:

(1) age-appropriate, medically accurate sexual and reproductive health education;

(2) access to affordable, comprehensive health services;

(3) access to affordable contraception methods;

(4) family based educational resources to empower caregivers to educate minors in their life.

The task force will make recommendations through a written report to the Senate Medical Affairs Committee and the House of Representative's Medical, Military, Public and Municipal Affairs Committee no later than December 31, 2023. After issuing the report, the task force shall dissolve. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator DAVIS spoke against the Point of Order.

Senator CASH spoke in favor of the Point of Order.

Senator MASSEY spoke on the Point of Order.

RECESS

At 3:05 P.M., on motion of Senator HUTTO, with unanimous consent and Senator DAVIS retaining the floor, the Senate receded from business not to exceed 15 minutes.

At 3:40 P.M., the Senate resumed.

On motion of Senator DAVIS, the amendment was withdrawn.

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R026.KM.TD), which was adopted:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/ ( ) It is not a violation of Section 44-41-820 if an abortion is performed or induced on a pregnant woman if in reasonable medical judgment, the unborn human being has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 10; Nays 20; Present 1

AYES

Alexander	Cash	Climer
Corbin	Garrett	Loftis
Martin	Reichenbach	Rice
Verdin		

Total--10

NAYS

Adams	Bennett	Campsen
Cromer	Davis	Gambrell
Goldfinch	Gustafson	Hembree
Johnson, Michael	Kimbrell	Massey
Peeler	Rankin	Senn
Shealy	Talley	Turner
Williams	Young	

Total--20

PRESENT

Malloy

Total--1

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Recorded Vote

Senators CORBIN and MARTIN desired to be recorded as voting against the adoption of the amendment.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "nay".

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R034.SP.TD), which was carried over:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/( ) A physician who performs or induces an abortion in a hospital pursuant to the circumstances relevant to preserving the life of the mother as prescribed in this section shall be immune from civil action or criminal prosecution regarding medical procedures and treatments administered to the pregnant woman if those medical procedures or treatments are provided for under this section and are consistent with current standard of care for the physician's specialty under the circumstances provided for in this section. Immunity from civil or criminal liability provided in this subsection also extends to any nurse, technician, or other person who participates in such medical procedure or treatment with the physician. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CASH spoke on the amendment.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Senator KIMBRELL proposed the following amendment (5399R024.SP.JK), which was carried over:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/(__)(1) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if the pregnancy is the result of rape or incest, and the probable post-fertilization age of the fetus is fewer than six weeks.

(2) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if there exists a fetal anomaly. 'Fetal anomaly' means that, in reasonable medical judgment, the unborn human being has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth.

(3) A physician who performs or induces an abortion on a pregnant woman based on the exceptions in subsection (1) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest. The name of the minor victim shall remain sealed unless otherwise ordered by a court. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

On motion of Senator KIMBRELL, the amendment was carried over.

Senator CASH proposed the following amendment (5399R032.KMM.RJC), which was adopted:

Amend the bill, as and if amended, by striking Section 44-41-810 and inserting:

/ Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant for reasons other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn human being.

(2) 'Conception' means the fecundation of the ovum by the spermatozoa.

(3) 'Contraceptive' means a drug, device, or chemical administered before the time when a pregnancy could be determined through conventional medical testing and if the contraceptive drug, device, or chemical is sold, used, prescribed, or administered in accordance with manufacturer instructions.

(4) 'Physician' means a person licensed to practice medicine in this State.

(5) 'Pregnancy' means the condition of a woman carrying a fetus or embryo within her body as the result of conception.

(6) 'Probable gestational age' means the age of an unborn human being as calculated from the first day of the last menstrual cycle of a pregnant woman.

(7) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct.

(8) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(9) 'Selective reduction' means a procedure associated with assistive reproductive technologies that stops the development of one or more unborn human beings in utero.

(10) 'Unborn human being' means an individual organism of the species homo sapiens from conception until live birth. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-820(A) and (B) and inserting:

/ Section 44-41-820. (A) It is unlawful to knowingly administer to, prescribe for, or distribute to any woman known to be pregnant any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) It is unlawful to knowingly use or employ any instrument, device, means, or procedure upon a woman known to be pregnant with the specific intent of causing an abortion. /

Amend the committee amendment further, as and if amended, on page [5399-4] by striking line 1 and inserting:

/ that all reasonable efforts were made to save the unborn human being in the event it /

Amend the committee amendment further, as and if amended, on page [5399-5] by striking lines 1 and 2 and inserting:

/ death for another unborn human being, or the substantial and irreversible physical impairment of a major bodily function of another unborn human being. /

Amend the committee amendment further, as and if amended, by striking Section 44-41-840 and inserting:

/ Section 44-41-840. (A) In addition to whatever remedies are available under the common or statutory law of this State, failure to comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(B) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(C) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article may be maintained by:

(1) the woman upon whom an abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

(3) a solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

The injunction prevents the person or persons who violated the article from further violation of this article in this State.

(D) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff against the defendant.

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) In no case may civil damages be awarded to any plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action under this section must be brought within three years from the date of the abortion and is not subject to the limitations and requirements of Chapter 79, Title 15. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 18; Nays 12; Present 1

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Gambrell	Garrett	Goldfinch
Gustafson	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Verdin

Total--18

NAYS

Bennett	Cromer	Davis
Hembree	*Johnson, Michael*	Rankin
Senn	Shealy	Talley
Turner	Williams	Young

Total--12

PRESENT

Malloy

Total--1

The amendment was adopted.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye".

Senators CAMPSEN and CLIMER proposed the following amendment(AHB\5399C001.NBD.AHB22), which was ruled out of order:

Amend the bill, as and if amended, SECTION 2, page [5399-5], after line 27, by adding:

/ Section 44-41-855. A person who violates the provisions of Article 7, Chapter 3, Title 16, relating to any degree of criminal sexual conduct, or Section 16-15-20, relating to the offense of incest, and pregnancy results from the unlawful conduct as described in this section is subject to an additional penalty enhancement of not more than ten years in addition to the penalty provided for the underlying offense. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator GARRETT spoke against the Point of Order.

Senator MATTHEWS spoke in favor of the Point of Order.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Objection

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

Senator KIMBRELL proposed the following amendment (5399R035.SP.JK), which was tabled:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/(__)(1) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if the pregnancy is the result of rape or incest, and the probable post-fertilization age of the fetus is fewer than six weeks.

(2) A physician who performs or induces an abortion on a pregnant woman based on the exceptions in subsection (1) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest. The name of the minor victim shall remain sealed unless otherwise ordered by a court. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 18

AYES

Allen	Cash	Davis
Gambrell	Garrett	Gustafson
Harpootlian	Hutto	*Johnson, Kevin*
Malloy	Martin	Matthews
McElveen	Reichenbach	Rice
Sabb	Scott	Senn

Setzler	Shealy	Stephens
Verdin	Williams	

Total--23

NAYS

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Goldfinch	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Rankin
Talley	Turner	Young

Total—18

The amendment was laid on the table.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "nay".

RECESS

At 6:36 P.M., on motion of Senator MATTHEWS, the Senate receded from business not to exceed 5 minutes.

At 6:47 P.M., the Senate resumed.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Recorded Vote

Senators GUSTAFSON, MATTHEWS, DAVIS, SHEALY, ALLEN, SENN, KIMPSON and HUTTO desired to be recorded as voting against the second reading of the Bill.

Recorded Vote

Senator MARTIN desired to be recorded as voting in favor of the second reading of the Bill.

Statement by Senator MALLOY

Today's protracted debate on H. 5399 engendered discussions of the most private and at times tragic circumstances in the lives of South Carolinians. When discussing situations of rape, incest, and fatal conditions arising during pregnancy, we must be judicious and respectful. I write separately to commit my position to the record.

During the debate, there were amendments offered that were meant to mitigate the wrongs in the Bill that would threaten the lives of girls, women, and anyone able to be pregnant. I voted "present" or abstained from the votes on these amendments as is permitted under the Rules of the Senate. While some of these amendments were worthy of consideration and potential improvements to the public policy of our State, at the core of this debate was a Bill flawed in its premise. H. 5399 does nothing to enrich the lives of living, breathing South Carolinians -- citizens who need healthcare, housing, education, infrastructure and jobs. The Bill presumes to insert state government into intimate and personal conversations between women and their families and doctors.

To reflect the respect, I have for those placed directly in harm's way as a result of the Bill, I did not vote on the amendments.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gary Hitt, 70 Windy Drive, Trenton, SC 29847-2316 *VICE* James McLaurin

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kimberly Land, 617 Henderson Street, Sumter, SC 29150-3148 *VICE* Lee Anna Tindal

Initial Appointment, Dorchester County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Russell A. DeMott, 1001 Mount Whitney Drive, Summerville, SC 29483-3323 *VICE* Michael H. Murphy

Initial Appointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Mona Lisa M. Andrews, 1754 South Pamplico Highway, Pamplico, SC 29583-4007 *VICE* Holly Wall

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles R. Keep III, 9 Willow Oak Road West, Hilton Head Island, SC 29928-4408

Reappointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Bernard McIntyre, 416 Bb Sams Drive, Saint Helena Island, SC 29920-3007

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Jane Stinson Thompson of Gaffney, S.C. Jane was the grandmother of our beloved Senate page, Katelin Mathis. Jane was a graduate of Woodruff High School and the University of South Carolina. She was a retired RN who worked for Cherokee Memorial Hospital, the Department of Disabilities and Special Needs and the Department of Health and Environmental Control. Jane was an elder and choir member at Limestone Presbyterian Church. Jane was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Rose Wilder of Kingstree, S.C. Dr. Wilder was known as a mentor and legend in the field of education in South Carolina. In 1994, she became the first African American female superintendent in the State since Reconstruction for Clarendon School District Two. Dr. Wilder received numerous awards including Outstanding Superintendent by the South Carolina School Boards Association in 1999 and Superintendent of the Year during the 2013-2014 School Year. Dr. Wilder was a pioneer for educators who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators PEELER and ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Fred Hoover of Clemson, S.C. Fred was a longtime Clemson athletic trainer for over 40 years. He began his career in 1959 under Frank Howard. Upon retirement, he worked part time for the athletic department for 16 additional years on football weekends. Frank was a leader in his field and served as chairman of the National Athletic Trainers Association. He received the Distinguished Service to Sports Medicine Award and the Distinguished Service Sports Award and was inducted into the South Carolina Athletic Hall of Fame in 2022. Fred was a devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:54 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Thursday, September 8, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 16:16

As we are reminded in Proverbs: "How much better to get wisdom than gold, to choose understanding rather then silver."

Good friends, let us once again bow in prayer: O loving God, the very gifts of wisdom and understanding are each so incredibly precious and valuable -- and consequently so critically important. From the very beginning of time each of these qualities has possessed a power to make a difference around the globe. And they have indeed done so. Therefore, O Lord, today we call upon You to bestow new portions of these gifts of profound wisdom and compassionate understanding to each Senator and every staff member serving here in this place. For truly, especially in this day and time, the women, men and children of South Carolina deserve nothing less than the greatest and most loving guidance and care these leaders can grant them. May it be so, O God. May it be so. In Your name we humbly pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Gambrell
Garrett	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Kimpson
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Rice	Sabb	Scott

Shealy	Stephens	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Oconee County Magistrate, with the term to commence April 30, 2020, and to expire April 30, 2024

Erin Moon McKinney, 15084 Beacon Ridge Drive, Seneca, SC 29678-1368 *VICE* Michael Todd Simmons

Leave of Absence

On motion of Senator YOUNG, at 10:44 A.M., Senator TALLEY was granted a leave of absence until 12:30 P.M.

Leave of Absence

On motion of Senator M. JOHNSON, at 11:12 A.M., Senator FANNING was granted a leave of until 12:25 P.M.

Leave of Absence

On motion of Senator FANNING, at 12:30 P.M., Senator McLEOD was granted a leave of absence for today.

Leave of Absence

On motion of Senator Talley, at 4:54 P.M., Senator RANKIN was granted a leave of until 10:00 A.M. Friday, September 9, 2022.

Leave of Absence

On motion of Senator TURNER, at 7:52 P.M., Senator TALLEY was granted a leave of absence until 9:00 P.M.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

Remarks by Senator STEPHENS

Good morning, Mr. PRESIDENT and colleagues. Again, I thank the citizens of District 39 for affording me the opportunity to represent them in this Body. As mentioned in my installation speech to this Body back in 2021, I do not take this position lightly, and I am not here for personal gains or political gamesmanship. We are all here to carry out the duties of which our oath of office prescribed.

The past couple of months, well the entire Senate Session since January, I must say truly have been an enlightening and soul searching event that puts to test my super-ego that operates as a moral conscience and the ego, the realistic part, that mediate between the desires of the id and the super-ego. After hearing the presentation of my colleagues yesterday and into the evening, I witnessed a very true passion for what my colleagues believe in -- that will enhance the life living of the citizens of South Carolina for many generations to come.

I came into this Body with the energy, and I thought the intellect to change South Carolina just by my being present in this law-making body. I cannot just vote on an issue without doing myself due diligence. I have come to respect the opinions of others and be open to other points of view which prompts me to think of the generational effects of this legislation. I said to my colleagues that we need to continue constructive dialogue so that we pass legislation that guarantees the goal for which it was proposed.

There is a song I came to love in the 1970's, Senator MATTHEWS. It was by the O'Jays, "Give the People What They Want." Truly, give the people what they want. I have been all over the Nation and everybody wants the same thing. It is a unanimous decision -- they are ready for a change. It is about time for things to get better. People want the truth, the truth and no more lies. People want freedom, justice and equality. I want it for you, and I want it for me. People want better education. People need understanding. People need equality. People need freedom.

Article 7 of the South Carolina Human Life Protection Act beyond the shadow of a doubt gives me heartburn in its present form. There were some good amendments proposed yesterday. Was it truly what the majority of the people wanted? I will say not. People want the choice and the right to do with their bodies as we men may never understand. Because we hold these truths to be self-evident that we are all created equal and endorsed by our creator with certain unalienable rights that among these are life, liberty and happiness.

In my closing, I ask the question, "If passed would this State be forcing a woman to undergo a life-threatening unsafe abortion, threatening her

right to life?" These unsafe abortions are responsible for the death of 47,000 women per the World Health Organization. The incidents of unsafe abortions are closely associated with high maternal mortality rates. Therefore, laws that force women to resort to unsafe procedures infringe upon a woman's right to life.

I ask you my colleagues -- let us not hastily pass something that we know people do not want. Thank you, Mr. PRESIDENT, and thank you, fellow colleagues.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator STEPHENS were ordered printed in the Journal.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

We debated a lot of issues in this Chamber. Most of the issues we debate in here are very political in nature -- how we're going to spend the state's money, how we're going to change laws, about labor and relations and all kinds of political stuff. That's the majority -- vast majority of what we do. Occasionally, much less occasionally, we take up constitutional issues. We start talking about the Second Amendment that's the first thing that comes to my mind, you know, it's something that is not centered on politics of nickels and dimes. It's centered on the Constitution. Speaking on that, it centers on the Constitution. Very rarely do we take up issues that are just squarely moral in nature. That's what we have before us. It is an issue that's squarely moral in nature. Does it have constitutional ramifications? Of course it does. It has political ramifications. Everybody likes to look at polls. It's primarily a moral issue. Where do we go for guidance on moral issues? Some people say you cannot legislate morality. If you can't legislate morality, let's remove all the laws about theft, fraud, burglary -- all those things that touch on morality that supposedly we cannot legislate. Let's just get rid of them and see what kind of a society we have then. Laws about killing because killing is a moral issue. So, I believe there are issues where there are simply moral absolutes and this is one of them. I talk about it, and I think about it from that perspective until someone can convince me otherwise.

I want to read to you very briefly from Psalm 19. "The law of the Lord is perfect, restoring the soul: the testimony of the Lord is sure, making wise the simple. The precepts of the Lord are right, rejoicing in the heart: the commandment of the Lord is pure enlightening the eyes. The fear of the Lord is clean enduring forever. The judgments of the Lord are true. They are righteous altogether. They are more desirable than gold, yes, the much fine gold, sweeter also than honey. The drippings of the honeycomb. Moreover, by them thy servant is warned: in keeping them there is great reward. Who can discern his errors? Equip me of hidden faults. Keep back thy servant from presumptuous sins. Let them not rule over me and I shall be blameless and acquitted great transgression. Let the words of my mouth, and meditation of my heart, be acceptable in thy sight, Oh, Lord, my rock and my redeemer." We are frail. We are frail creatures in our understanding and our attempts -- something that is so contentious but of course, we do have to attempt. We do have to try to right the law that addresses the situation. My starting point in this debate is simply quite honestly the sixth commandment. Thy shall not murder. Intentional taking the life of an innocent person is a very simple definition of murder that I will stand by. I believe it's a moral absolute. It's not up for debate and it's not up for vote. Not up for the majority will of this legislature or public referendum. It's a moral absolute. I believe that when we get into the business of legislating which innocence can be killed, we're not going to have legal protection from society. And we're going to set the parameters by voting on what the conditions are and how many weeks and so on and so forth. I do believe we have ventured in the area of presumptuousness. Ventured into the area of facing this child with anomalies that are incapable of life according to somebody's opinion. I presume that we know best, and that child can be intentionally killed. We presume in the hard cases that lie before us which we have discussed and apparently are going to discuss a lot more. We presume there has to be this state sanctioned allowance for the killing of a child conceived through no fault of its own through an act of rape and incest. You know if I were to stand up and read you the stories of people like Ethel Waters, whose mother was raped at knifepoint when she was 12 or 13 and gave birth to Ethel Waters at the age of 13 -- I could go on and on about children who should have been deformed by their hereditary genetics. People that would be missing from this world if they had not been born and made their contributions. So, I'm going to continue that effort to try to provide legal protection for all the innocents. I would call upon those who believe in the sanctity of human life -- all humans are

created equal in the image of God -- to join me in that effort. Thank you, I appreciate your attention.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Remarks by Senator KEVIN JOHNSON

Thank you, Mr. PRESIDENT and members of the Senate. As we have been debating this Bill in full Session, I have been relatively quiet. I've been quiet mainly because I agree with Senator HUTTO as he has emphasized very emphatically, even in our committee meetings, that this is just a bad Bill.

I don't think my vote on any of these amendments is going to change how I feel. I have said time and time again that I don't consider myself to be for abortion or against abortion. I consider myself pro-choice. I consider abortion as a very serious issue that puts a lot of stress on mothers, regardless of which side of the category they fall on and I just don't know if I feel comfortable telling a woman under that circumstance what she should or should not do.

I believe in choice, and we have choice, but we only offer choice to one side of the equation. What I believe in is choice for both sides. If you are in that position and want to have the baby, that's your choice and if you don't want to, that's also your choice. A woman can decide and make that choice with consultation from people that will help her. I just know that I am not going to tell a woman what she can and cannot do in those situations.

I keep hearing pro-life, and I go back to my friend Senator McLEOD, and she says, "You know a lot of people who say they are pro-life, are not pro-life, they are pro-birth" and I tend to believe that because if I am pro-life, I would have a problem with so many assault weapons being in the hands of bad people. Now, I do believe in the right for citizens to bear arms but if I am pro-life I have a problem with all these assault rifles -- it's a known fact that people have them because they are weapons intended to kill a lot of people, very quickly. If I am pro-life, I am in favor of the change in the minimum wage, because we just can't live off

$7.25 an hour. If I am "pro-life", I am in favor of Medicaid expansion, which I have filed a Bill about every year for the past several years and it can't even get a hearing. Pro-life is funding head start and early childhood education and all these things that are going to allow these children and their families to have life -- which I think the Bible says something about "having it more abundantly."

I keep hearing people ask what gives government officials or legislators the right to take even one innocent life. That's a good point. Sometimes I wonder what gives us the right as government officials and as a legislature to tell a woman what to do with her body. What gives us that right? The thing that gets me -- I heard a while ago while being in the business of legislating, "Which innocent life can be killed?" So, I'll end with this, if I am pro-life, I'm against the death penalty. As I sit here being very quiet, I remember back in 2021 a Bill came before us to add a firing squad as another method of capital punishment, and I looked at the list of people who voted for it, and all of the people who are pro-life voted for that. I know some might say, "Well you know these people committed heinous crimes, and they deserve the death penalty," and I would agree with that to the extent that research and statistics show without a doubt there have been people that have been put to death under the death penalty who were later found to be innocent. There have also been people who were on death row, about to be put to death, but because of new technology with DNA and other things, they were found to be innocent.

So, when I go back to the question from my friend, Senator CASH, I appreciate his resolve on this issue of "What gives the government the right to legislate the killing of innocent people?" I look back and see that he and others voted to kill people as capital punishment, although we know that there are other options to punish people. We also know from brief research that innocent people, and that's what we're talking about here --- innocent people -- have been killed under the death penalty. So, if you go back and look at the vote on that Bill, the vote failed, with one exception -- as far as adding the firing squad which tells me you believe in the death penalty. It failed with one exception along party lines and then a few months later, when it went to the House and they made some changes, it came back over here and the changes that were made in the House were concurred with along party lines. So, I have a problem reconciling being pro-life when you vote to kill people who may be innocent in one instance and then you talk about being pro-life as it relates to abortion.

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator K. JOHNSON were ordered would be printed in the Journal.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 1385 -- Senators Massey, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO COMMEND REAGAN CHASE KELLEY FOR HIS FIVE YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA SENATE AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

Appointment Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointment

Initial Appointment, Ethics Commission, with the term to commence March 31, 2022, and to expire April 1, 2027

Senate - Minority:

Bryant Caldwell, 1221 Main Street, Suite 1600, Columbia, SC 29201
VICE Donald Gist

Received as information.

Motion Adopted

On motion of Senator MARTIN, the Senate agreed to go into Executive Session prior to adjournment.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Bill.

Senators DAVIS and GUSTAFSON proposed the following amendment (5399R034.SP.TD), which was carried over:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/( ) A physician who performs or induces an abortion in a hospital pursuant to the circumstances relevant to preserving the life of the mother as prescribed in this section shall be immune from civil action or criminal prosecution regarding medical procedures and treatments administered to the pregnant woman if those medical procedures or treatments are provided for under this section and are consistent with current standard of care for the physician's specialty under the circumstances provided for in this section. Immunity from civil or criminal liability provided in this subsection also extends to any nurse, technician or other person who participates in such medical procedure or treatment with the physician. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, the amendment was carried over.

Senator KIMBRELL proposed the following amendment (5399R024.SP.JK), which was withdrawn:

Amend the bill, as and if amended, in SECTION 2, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/(__)(1) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if the pregnancy is the result of rape or incest, and the probable post-fertilization age of the fetus is fewer than six weeks.

(2) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if there exists a fetal anomaly. 'Fetal anomaly' means that, in reasonable medical judgment, the unborn human being has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth.

(3) A physician who performs or induces an abortion on a pregnant woman based on the exceptions in subsection (1) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest. The name of the minor victim shall remain sealed unless otherwise ordered by a court. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator KIMBRELL, with unanimous consent, the amendment was withdrawn.

Senator MALLOY proposed the following amendment (5399R014.KMM.GM), which was withdrawn:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting:

/A JOINT RESOLUTION

TO PROPOSE AN AMENDMENT TO ARTICLE I OF THE SC CONSTITUTION, RELATING TO THE DECLARATION OF

RIGHTS, BY ADDING SECTION 26 TO PROVIDE THAT THERE IS NO STATE CONSTITUTIONAL RIGHT TO AN ABORTION IN SOUTH CAROLINA BUT THE GENERAL ASSEMBLY MAY ENACT LAWS ALLOWING FOR AN ABORTION UNDER CERTAIN ENUMERATED CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina

SECTION 1. It is proposed that Article I of the Constitution of this State is amended by adding a new section to read:

"Section 26. (A) The General Assembly shall enact no law permitting the termination of the use or prescription of any instrument, medicine, drug, or any other substance or device to intentionally kill the unborn child of a woman known to be pregnant; or to intentionally prematurely terminate the pregnancy of a woman known to be pregnant, with an intention other than to increase the probability of a live birth or of preserving the life or health of the child after live birth. In the context of this section, a pregnancy begins at conception which is that point in time when a fertilized ovum implants in the endometrium of a woman.

(B) Notwithstanding the forgoing provisions of this section, the General Assembly may enact a law that would otherwise violate this section if the pregnancy to be terminated was the result of rape or incest; the termination of the pregnancy is necessary to preserve the life of the mother; or there exists a medical a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of her pregnancy without first determining post-fertilization age to avert her death or for which the delay necessary to determine post-fertilization age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions.

(C) The General Assembly may enact laws necessary to enforce this section."

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Article I of the Constitution of this State, relating to the Declaration of Rights, be amended by adding Section 26 to provide that there is no state constitutional right an abortion provided that the General Assembly may enact exceptions for rape, incest, and the life or health of the mother?

Yes ☐
No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Senators RANKIN, MALLOY, TALLEY, DAVIS, SENN, SHEALY, JACKSON, SETZLER, McELVEEN, GUSTAFSON and SETZLER proposed the following amendment (JUD5399.001), which was ruled out of order:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

/ A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO DECLARATION OF RIGHTS, BY ADDING SECTION 26, TO RECOGNIZE THAT SECTIONS 3 AND 10 OF ARTICLE I PROVIDE FOR A RIGHT OF BODILY INTEGRITY AND AUTONOMY THAT INCLUDES A LIMITED RIGHT TO ABORTION AND TO AUTHORIZE THE GENERAL ASSEMBLY TO PROVIDE BY LAW FOR THE REGULATION OF ABORTION, INCLUDING WHEN A CLINICALLY DIAGNOSABLE PREGNANCY MAY BE TERMINATED AND WHETHER STATE FUNDING MAY BE USED TO TERMINATE A CLINICALLY DIAGNOSABLE PREGNANCY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Article I of the Constitution of this State be amended by adding:

"Section 26. The provisions of Section 3 and Section 10 of this article provide for a right of bodily integrity and autonomy that includes a limited right to abortion. The General Assembly shall provide by law for regulation of abortion in this state, including when a clinically diagnosable pregnancy may be terminated and whether state funding may be used to terminate a clinically diagnosable pregnancy."

SECTION 2. Notwithstanding any statutory provision of law to the contrary, the proposed amendment must be submitted to the qualified

electors at the next general election for representatives in 2022. Ballots must be provided at the various voting precincts with the following words printed on the ballot:

"Must Article I of the Constitution of this State be amended by adding Section 26 so as to provide for a right of bodily integrity and autonomy that includes a limited right to abortion and to authorize the General Assembly to provide by law for regulation of abortion in this state, including when a clinically diagnosable pregnancy may be terminated and whether state funding may be used to terminate a clinically diagnosable pregnancy.

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'." /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator RANKIN spoke against the Point of Order.

Senator MALLOY spoke against the Point of Order.

Senator MASSEY spoke in favor of the Point of Order.

Senator MALLOY spoke on the Point of Order.

Senator RANKIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Motion Under Rule 15A Failed

At 12:25 P.M., pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, that the Clerk be prohibited from receiving further amendments after one hour from the adoption of this motion, and debate on the pending amendments be limited to 10 minutes for proponents and 10 minutes for opponents,

then debate on the main question be limited to 20 minutes for proponents and 20 minutes for opponents.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 13; Nays 30

AYES

Adams	Alexander	Cash
Climer	Corbin	Gambrell
Garrett	Hembree	Kimbrell
Loftis	Martin	Reichenbach
Rice		

Total--13

NAYS

Allen	Bennett	Campsen
Cromer	Davis	Fanning
Goldfinch	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimpson	Malloy
Massey	Matthews	McElveen
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--30

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye."

Motion Under Rule 15A Failed

At 12:33 P.M., Pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, and debate on the pending amendments be limited to 10 minutes for proponents and 10 minutes for opponents.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 31

AYES

Adams	Alexander	Cash
Climer	Corbin	Gambrell
Garrett	Loftis	Martin
Reichenbach	Rice	Verdin

Total--12

NAYS

Allen	Bennett	Campsen
Cromer	Davis	Fanning
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Kimpson	Malloy	Massey
Matthews	McElveen	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--31

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Statement by Senator GROOMS

Due to an immediate family member's urgent medical issue, I was out of the Chamber when this vote was taken. Had I been in the Chamber, I would have voted "aye."

RECESS

At 12:39 P.M., on motion of Senator MASSEY, the Senate receded from business until 1:10 P.M.

At 2:25 P.M., the Senate resumed.

Senators MALLOY and JACKSON proposed the following amendment (5399R013.KMM.GM), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. A. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

"Section 44-6-120. A pregnant woman whose income is at or below one hundred thirty-eight percent the federal poverty level is eligible for Medicaid as provided for in the 'Patient Protection and Affordable Care Act' (P.L. No. 111-148), and amendments to that act. A pregnant woman who is eligible for Medicaid pursuant to this act shall remain eligible for Medicaid after the birth of her child until that child reaches the age of majority as long as the woman's income level does not exceed one hundred thirty-eight percent of the federal poverty level during that time."

B. This SECTION is effective January 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler

Rankin	Reichenbach	Rice
Senn	Talley	Turner
Verdin	Young	

Total—29

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Setzler	Stephens	Williams

Total--15

The amendment was laid on the table.

Senator KIMPSON proposed the following amendment (5399R037.SP.MEK), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 5, Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Section 44-41-415. It is unlawful to impose any undue burden on a woman's right to obtain a lawful abortion."

SECTION 2. Section 44-41-20 and Article 5, Chapter 41, Title 44 of the 1976 Code are repealed.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The amendment was laid on the table.

Senator MASSEY proposed the following amendment (5399R030.SP.ASM), which was withdrawn:

Amend the bill, as and if amended, striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited and shall be known as the "South Carolina Human Life Protection Act".

SECTION 2. Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Article 7

South Carolina Human Life Protection Act

Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant for reasons other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn human being.

(2) 'Conception' means the fecundation of the ovum by the spermatozoa.

(3) 'Contraceptive' means a drug, device, or chemical administered before the time when a pregnancy could be determined through conventional medical testing and if the contraceptive drug, device, or chemical is sold, used, prescribed, or administered in accordance with manufacturer instructions.

(4) 'Fetal anomaly' means that, in reasonable medical judgment, the unborn human being has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth.

(5) 'Physician' means a person licensed to practice medicine in this State.

(6) 'Pregnancy' means the condition of a woman carrying a fetus or embryo within her body as the result of conception.

(7) 'Probable gestational age' means the age of an unborn human being as calculated from the first day of the last menstrual cycle of a pregnant woman.

(8) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct.

(9) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(10) 'Selective reduction' means a procedure associated with assistive reproductive technologies that stops the development of one or more unborn human beings in utero.

(11) 'Unborn human being' means an individual organism of the species homo sapiens from conception until live birth.

Section 44-41-820. (A) It is unlawful to knowingly administer to, prescribe for, or distribute to any woman known to be pregnant any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) It is unlawful to knowingly use or employ any instrument, device, means, or procedure upon a woman known to be pregnant with the specific intent of causing an abortion.

(C)(1) A person who violates subsection (A) or (B) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(2) Any person who uses force or the threat of force to intentionally injure or intimidate any person, for the purpose of coercing an abortion in violation of subsection (A) or (B) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(3) Any person who is not a physician licensed in this State, who prescribes any means of abortion as defined in this article, for the purpose of facilitating an abortion inside the borders of this State, violates this section, is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

Section 44-41-830. (A) Section 44-41-820 does not apply to a physician who performs or induces an abortion if the physician determines according to reasonable medical judgment that a medical emergency exists that prevents compliance with the section.

(B) A physician who performs or induces an abortion on a pregnant woman based on the exception in subsection (A) shall make written notations in the pregnant woman's medical records of the following:

(1) the physician's belief that a medical emergency necessitating the abortion existed; and

(2) the medical rationale to support the physician's conclusion that the pregnant woman's medical condition necessitated the immediate abortion of her pregnancy to avert her death.

(C) For at least seven years from the date the notations are made, the physician shall maintain in his own records a copy of the notations.

Section 44-41-840. (A) A physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if:

(1) the pregnancy is the result of rape, and the probable post-fertilization age of the fetus is fewer than twelve weeks;

(2) the pregnancy is the result of incest, and the probable post-fertilization age of the fetus is fewer than twelve weeks;

(3) the physician is acting in accordance with Section 44-41-850; or

(4) there exists a fetal anomaly, as defined in Section 44-41-810(4).

(B) A physician who performs or induces an abortion on a pregnant woman based on the exception in either subsection (A)(1) or (2) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

Section 44-41-850. (A) Section 44-41-820 does not apply to a physician who performs a medical procedure that, by reasonable medical judgment, is designed or intended to prevent the death of the pregnant woman or to prevent the serious risk of a substantial and irreversible impairment of a major bodily function of the pregnant woman.

(B) A physician who performs a medical procedure as described in subsection (A) shall declare, in a written document, that the medical procedure was necessary, by reasonable medical judgment, to prevent the death of the pregnant woman or to prevent the serious risk of a substantial and irreversible physical impairment of a major bodily function of the pregnant woman. In the document, the physician shall specify the pregnant woman's medical condition that the medical procedure was asserted to address and the medical rationale for the physician's conclusion that the medical procedure was necessary to prevent the death of the pregnant woman or to prevent the serious risk of a substantial and irreversible impairment of a major bodily function of the pregnant woman.

(C) A physician who performs a medical procedure as described in subsection (A) shall place the written document required by subsection (B) in the pregnant woman's medical records. For at least seven years from the date the document is created, the physician shall maintain a copy of the document in his own records.

Section 44-41-860. (A) Medical treatment provided to the pregnant woman by a physician which results in the accidental or unintentional injury to or the death of her unborn human being is not a violation of Section 44-41-820.

(B) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or administration of a contraceptive measure, drug, chemical, or device if the contraceptive measure, drug, chemical, or device is used, sold, prescribed, or administered in accordance with manufacturer instructions and is not used, sold, prescribed, or administered to cause or induce an abortion of an unborn human being.

(C) It is not a violation of Section 44-41-820, and nothing in this article shall be construed to provide assisted reproductive technology procedures including, but not limited to, in vitro fertilization, accepted as standard of care by the reproductive medical community. No part of the assisted reproductive procedures considered the normal standard constitute an abortion procedure. However, the practice of selective reduction, shall constitute an abortion in violation of Section 44-41-820 except, when necessary, in reasonable medical judgment, to prevent a substantial risk of death for another fetus, or the substantial and irreversible physical impairment of a major bodily function of another fetus.

(D)(1) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or insertion of an intrauterine device if the intrauterine device is used, sold, inserted, or prescribed within the reasonable medical judgment of a physician and is not used, sold, prescribed, or administered to cause or induce an abortion of an unborn human being.

(2) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or administration of an emergency contraceptive drug designed to be taken within five days of unprotected sex and used according to the manufacturer’s instructions. For purposes of this item, an emergency contraceptive drug does not include mifepristone or misoprostol.

Section 44-41-870. (A) In addition to whatever remedies are available under the common or statutory law of this State, failure to

comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(B) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(C) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article may be maintained by:

(1) the woman upon whom an abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

(3) a solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

The injunction prevents the person or persons who violated the article from further violation of this article in this State.

(D) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff against the defendant.

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) In no case may civil damages be awarded to any plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action under this section must be brought within three years from the date of the abortion and is not subject to the limitations and requirements of Chapter 79, Title 15.

Section 44-41-880. A pregnant woman on whom an abortion is performed or induced in violation of this article may not be criminally prosecuted for violating any of the provisions of this article or for attempting to commit, conspiring to commit, or acting complicitly in committing a violation of any of the provisions of the article and is not subject to a civil or criminal penalty based on the abortion being performed or induced in violation of any of the provisions of this article.

Section 44-41-890. In addition to any other penalties imposed by law, a physician or any other professionally licensed person who

intentionally, knowingly, or recklessly violates the prohibition in Section 44-41-820 commits an act of unprofessional conduct and the person's license to practice in the State of South Carolina immediately shall be revoked by the State Board of Medical Examiners for South Carolina, after due process according to the rules and procedures of the State Board of Medical Examiners. A complaint may be originated by any person or sua sponte. In addition, the State Board of Medical Examiners may assess costs of the investigation, fines, and other disciplinary actions it may deem appropriate.

Section 44-41-900. In every civil or criminal proceeding or action brought under this article, the court shall rule whether the anonymity of any woman upon whom an abortion has been performed or induced shall be preserved from public disclosure if the woman does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel, and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest, and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman upon whom an abortion has been performed or induced, anyone, other than a public official, who brings an action pursuant to Section 44-41-820 shall do so under a pseudonym. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 44-41-910. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

Section 44-41-920. The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of their respective bodies in a state court action and may provide

evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act. In a federal court action that challenges the constitutionality of this act the Legislature may seek to intervene, to file an amicus brief, or to present arguments in accordance with federal rules of procedure. Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute legal actions or defend state agencies, officers or employees as otherwise provided. In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function independently from each other in the representation of their respective clients."

SECTION 3. Article 3, Chapter 17, Title 63 of the 1976 Code is amended by adding:

"Section 63-17-325. A biological father of a child has a duty to pay the mother of the child the following financial obligations beginning with the date of conception:

(1) child support payment obligations in an amount determined pursuant to Section 63-17-470;

(2) fifty percent of the mother's pregnancy expenses.

(a) Any portion of a mother's pregnancy expenses paid by the mother or the biological father reduces that parent's fifty percent obligation regardless of when the mother or biological father pays the pregnancy expenses.

(b) Pregnancy expenses must include fifty percent of the mother's insurance premiums that are not paid by her employer or governmental program beginning from the date of conception and before the pregnancy ends, unless otherwise ordered by the court.

(c) Item (2) does not apply if a court apportions pregnancy expenses as part of an award of child support in item (1).

(B) In the case of a mother who becomes pregnant as a result of rape or incest, the biological father, in addition to the duties imposed by subsection (A), also is responsible for the full cost of any expenses incurred by the mother for mental health counseling arising out of the rape or incest.

(C) The duties imposed by this section accrue at the time of conception and must be applied retroactively when paternity is contested and medical evidence establishes the paternity of the child. Interest accrues on any retroactive obligations beginning with conception until either the obligations are brought current or paid in full whichever happens first. The rate of interest must be calculated based on the

applicable interest rate for money decrees and judgments in this State established annually by the South Carolina Supreme Court."

SECTION 4. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

"Section 12-6-3810. There is allowed as a deduction in computing South Carolina taxable income of an individual, a South Carolina unborn human being dependent exemption equal to three thousand dollars for each eligible unborn dependent of the taxpayer, who is unborn at some point during the income tax year and has reached a probable gestational age of at least six weeks."

SECTION 5. A.The Public Employee Benefit Authority and the State Health Plan shall cover prescribed contraceptives for dependents under the same terms and conditions that the plan provides contraceptive coverage for employees and spouses. The State Health Plan shall not apply patient cost sharing provisions to covered contraceptives.

B. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

"Section 38-71-146. All individual and group health insurance and health maintenance organization policies in this State shall include coverage for contraceptives. For purposes of this section, 'contraceptive' means any drug, device, or medication to prevent pregnancy. A contraceptive may prevent ovulation, fertilization, or implantation in the uterus. A contraceptive does not include any drug, device, or medication used with the intent of terminating a pregnancy of a woman known to be pregnant. This section does not apply if an individual or entity asserts a sincerely held religious belief regarding the use of contraception."

SECTION 6. Article 1, Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Section 44-41-90. (A) No funds appropriated by the State for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except as provided in Sections 44-41-830, 44-41-840, and 44-41-850.

(B) No funds appropriated or authorized by the State may be used by any political subdivision of the State to purchase fetal tissue obtained from an abortion or fetal remains, nor may any political subdivision of the State accept donated fetal remains.

(C) No state funds may, directly or indirectly, be utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions."

SECTION 7.A. Section 44-41-710 of the 1976 Code is amended to read:

Section 44-41-710. ~~This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

B. Section 44-41-480 of the 1976 Code is amended to read:

Section 44-41-480. ~~This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

C. Section 44-41-20 of the 1976 Code is repealed.

SECTION 8. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question being the adoption of the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 20; Nays 24

AYES

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Williams	

Total—20

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Grooms
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--24

The Senate refused to table the amendment.

Senator DAVIS spoke on the amendment.

Motion Under Rule 15A Failed

At 5:18 P.M., Pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, that the Clerk be prohibited from receiving any further amendments 10 minutes after the adoption of this motion, and debate on the pending amendments be limited to 5 minutes for proponents and 5 minutes for opponents and

then debate on the main question be limited to 10 minutes for proponents and 10 minutes for opponents.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Grooms
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Williams	

Total--20

Having failed to receive the necessary vote, the motion under Rule 15A failed.

RECESS

At 5:20 P.M., on motion of Senator MASSEY, with Senator DAVIS retaining the floor, the Senate receded from business not to exceed 10 minutes.

At 6:11 P.M., the Senate resumed.

On motion of Senator DAVIS, with unanimous consent, the amendment was carried over.

Senators MALLOY and JACKSON proposed the following amendment (5399R013.KMM.GM), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. A. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

"Section 44-6-120. A pregnant woman whose income is at or below one hundred thirty-eight percent the federal poverty level is eligible for Medicaid as provided for in the 'Patient Protection and Affordable Care Act' (P.L. No. 111-148), and amendments to that act. A pregnant woman who is eligible for Medicaid pursuant to this act shall remain eligible for Medicaid after the birth of her child until that child reaches the age of majority as long as the woman's income level does not exceed one hundred thirty-eight percent of the federal poverty level during that time."

B. This SECTION is effective January 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Senn	Talley	Turner
Verdin	Young	

Total--29

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Setzler	Stephens	Williams

Total--15

The amendment was laid on the table.

Senator KIMPSON proposed the following amendment (5399R037.SP.MEK), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 5, Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Section 44-41-415. It is unlawful to impose any undue burden on a woman's right to obtain a lawful abortion."

SECTION 2. Section 44-41-20 and Article 5, Chapter 41, Title 44 of the 1976 Code are repealed.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The amendment was laid on the table.

Senators MASSEY and HEMBREE proposed the following amendment (5399R038.SP.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting language and inserting:

/SECTION 1. Section 44-41-710 of the 1976 Code is amended to read:

"Section 44-41-710. ~~This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An~~

~~abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect."

B. Section 44-41-480 of the 1976 Code is amended to read:

"Section 44-41-480. ~~This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect."

C. Section 44-41-20 of the 1976 Code is repealed.

D. Section 44-41-70(b) of the 1976 Code is amended to read:

"(b) The department shall promulgate and enforce regulations for the licensing and certification of facilities other than hospitals as defined in Section 44-41-10(d) wherein abortions are to be performed ~~as provided for in Section 44-41-20(a) and (b)~~."

SECTION 2. Section 44-41-680 of the 1976 Code is amended to read:

"Section 44-41-680. (A) Except as provided in subsection (B), no person shall perform, induce, or attempt to perform or induce an abortion on a pregnant woman with the specific intent of causing or abetting the termination of the life of the human fetus the pregnant woman is carrying and whose fetal heartbeat has been detected in accordance with Section 44-41-630.

(B) A physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman after a fetal heartbeat has been detected in accordance with Section 44-41-630 only if:

(1) the pregnancy is the result of rape defined in Section 44-41-610, and is in the first trimester of pregnancy ~~the probable post-fertilization age of the fetus is fewer than twenty weeks~~;

(2) the pregnancy is the result of incest, and is in the first trimester of pregnancy ~~the probable post-fertilization age of the fetus is fewer than twenty weeks~~;

(3) the physician is acting in accordance with Section 44-41-690; or

(4) there exists a fetal anomaly, as defined in Section 44-41-610 ~~44-41-430~~, provided that the fetal anomaly has been confirmed by two physicians specializing in obstetrics or the area of medicine in which the anomaly is diagnosed.

(C)(1) A physician who performs or induces an abortion on a pregnant woman based on the exception in either subsection (B)(1) or (2) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

(2) The physician shall preserve a DNA sample from the fetal remains and notify the sheriff in the county in which the abortion was performed. The sheriff shall transmit the sample into evidence within ninety days of the notification. The sample shall be held as evidence as

provided by the Preservation of Evidence Act beginning with Section 17-28-300.

(D) A person who violates subsection (A) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both."

SECTION 3. Section 44-41-610 of the 1976 Code is amended by adding appropriately numbered new items to read:

"( ) 'Fetal anomaly' means that, in reasonable medical judgment, the unborn child has a profound and irremediable congenital or chromosomal anomaly that, with or without the provision of life-preserving treatment, would be incompatible with sustaining life after birth.

( ) 'Rape' has the same meaning as criminal sexual conduct, regardless of the degree of criminal sexual conduct."

SECTION 4. Article 1, Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Section 44-41-90. (A) No funds appropriated by the State for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except as provided in Sections 44-41-830, 44-41-840, and 44-41-850.

(B) No funds appropriated or authorized by the State may be used by any political subdivision of the State to purchase fetal tissue obtained from an abortion or fetal remains, nor may any political subdivision of the State accept donated fetal remains.

(C) No state funds may, directly or indirectly, be utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions."

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke against the Point of Order.

Senator SENN spoke in favor of the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MASSEY continued speaking on the amendment.

The amendment was adopted.

Statement by Senator MALLOY

One of the most egregious flaws of H. 5399 is its treatment of those who have endured sexual violence. Today, the Body has approved of a requirement that law enforcement must be notified about a survivor's private healthcare decision made in the aftermath of a life-shattering violation of her person. Further, the Senate added a requirement that a DNA sample be taken after the fact and maintained under the guise of potential prosecution. I write to express my specific disagreement and disgust at those mandates.

Taking away a survivor's decision whether or not to report criminal sexual conduct takes away agency and presumes that law enforcement contact will be a positive step toward healing. Recounting a violent assault results in further traumatization and without support can lead to diminishing prospects for a full emotional, mental, and physical recovery. This Bill contains no such dedicated supports for survivors -- only a passing reference to requiring the perpetrator to pay for counseling, a toothless threat to be sure. Survivors who choose not to report have significant reasons for doing so, including fear of retaliation and prosecutors in numerous states have used laws designed to reach attackers of pregnant women as a basis for proceeding against the woman herself. All of these complex considerations must now be compressed into just a few short weeks because the Senate reduced the timely opportunity for survivors to heal and reflect, to talk with their doctors, families, and faith leaders, and to access healthcare. Today we have demonstrated disregard and disrespect for the gravity of these tragic events and related decision-making.

Further, the requirement in the legislation for the collection of DNA samples is nonsensical at best and blatantly illegal at worst. Our code and federal law contain directive protocols for the maintenance of victims' privacy, for the handling of evidence, for the appropriate medical response to criminal sexual conduct and sexual abuse of a child, and for keeping health information private. Clearly, none of those statutory schemes were consulted in advance of inserting this ill-considered amendment.

In summary today, the Senate subordinated survivors of sexual assault to the coercive powers of the State. I most vehemently disagree and

commit to continuing to work to restore full bodily autonomy to all women of South Carolina.

Senator DAVIS proposed the following amendment (5399R034.SP.TD), which was tabled:

Amend the bill, as and if amended, by adding an appropriately lettered new subsection to Section 44-41-830 to read:

/( ) A physician who performs or induces an abortion in a hospital pursuant to the circumstances relevant to preserving the life of the mother as prescribed in this section shall be immune from civil action or criminal prosecution regarding medical procedures and treatments administered to the pregnant woman if those medical procedures or treatments are provided for under this section and are consistent with current standard of care for the physician's specialty under the circumstances provided for in this section. Immunity from civil or criminal liability provided in this subsection also extends to any nurse, technician or other person who participates in such medical procedure or treatment with the physician. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

On motion of Senator DAVIS, the amendment was laid on the table.

Senator GUSTAFSON proposed the following amendment (5399R041.SP.PG), which was tabled:

Amend the bill, as and if amended, by striking Section 44-41-680(B) and inserting:

/(B) A physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman after a fetal heartbeat has been detected in accordance with Section 44-41-630 only if:

(1) the pregnancy is the result of rape defined in Section 44-41-610, and is in the first trimester of pregnancy ~~the probable post-fertilization age of the fetus is fewer than twenty weeks~~;

(2) the pregnancy is the result of incest, and is in the first trimester of pregnancy ~~the probable post-fertilization age of the fetus is fewer than twenty weeks~~;

(3) the physician is acting in accordance with Section 44-41-690; or

(4) there exists a fetal anomaly, as defined in Section 44-41-610 ~~44-41-430~~. /

Renumber sections to conform.

Amend title to conform.

Senator GUSTAFSON explained the amendment.

The question being the adoption of the amendment.

Senator CASH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Turner	Verdin
Williams	Young	

Total--26

NAYS

Allen	Fanning	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	Kimpson	Malloy
Matthews	McElveen	Sabb
Scott	Senn	Setzler
Shealy	Stephens	

Total--17

The amendment was laid on the table.

Senator HUTTO spoke on the Bill.

Remarks by Senator HUTTO

Members this has been a long process, and I will try not to prolong it, as others may also want to speak. However, I cannot let this pass without speaking to the women of South Carolina.

When you wake up a few days from now, and you do not have the rights that you used to have, I want you to remember those who spoke up on your behalf. You saw Republican women and Democratic women come to this podium. They spoke for you, they poured their hearts out for you, and they tried for you. You saw Democratic men do the same thing.

When your rights get taken away, it was Republican men in South Carolina who took your rights away.

Senator SENN spoke on the Bill.

Remarks by Senator SENN

I agree with the minority leader, Senator HUTTO. I think we ladies have suffered a setback or we are about to suffer a setback at the hands of a lot of white males in here. We are going to live to fight another day. In reality, the white males feel like they have lost too because what did they get? We have been here for two days and two nights, and we are back basically to the same Bill that was passed a year ago and that the Supreme Court has already taken off the table, at least temporarily. But, because the Supreme Court has already indicated that they are going to look at it, I do believe we are going to live to fight another day and here's to hoping, ladies. Thank you.

Senator KIMPSON spoke on the Bill.

Remarks by Senator KIMPSON

I rise to echo the comments that many of my Democratic colleagues made tonight. This is a bad Bill. It's a bad Bill and what we saw for much of this debate was Republicans fighting for the soul of their party. During the debate that is what we saw from the Republicans while the Democrats for the most part remained silent. It was not our choice to be here nor at the Medical Affairs Subcommittee meeting, but we have an obligation to the citizens of South Carolina to engage in vigorous debate. As I said in the subcommittee meeting and as I said at the well this morning -- there is no exception in this Bill. Despite the efforts of my good friend Senator DAVIS, there is no exception that could have ever made this Bill better.

This is a sad day for the women in South Carolina. This is a day when my little daughter -- who you saw with me this morning -- will arguably have less rights than her grandmother. We are turning the clock backwards. This morning, someone characterized this issue as being before us in the November elections. People in this State will decide who they vote for on the ballot -- do women or should women have the right to decide what to do with their own bodies? I think Senator HEMBREE will remember when in 2014 I proposed that athletes -- student athletes -- should have the right to sign their own name on merchandise that is based on their athletic pursuits. That's a property right. Why should any college or university not allow the athlete to sign his or her own name on merchandise or pictures and not receive compensation for it? In my view, that is a property right. I can think of no fundamental right more important than a woman to choose to do with her own body what she wishes to do.

This is 2022, and I am so disappointed at where we are on this issue. There are many amendments to be taken up on this Bill. I thought we had an opportunity to send a strong message post Dobbs that we were going to be different -- that we were going to actually be truly pro-life. Pro-life is not a phrase that the extreme right can co-op. I am pro-life and for me, pro-life means recognizing the right of a woman to make her own personal healthcare decisions. We have got a lot of work to do. I hope that next year will be different or this year in November will be different. I know this was painful for a number of my colleagues on this side of the aisle but we're going to find out if the other side of the aisle is right on this one. I can tell you right now there are a lot of mothers and their supporters in the lobby, and they are going to hold us accountable.

As I offer this amendment, I believe I am pro-life, and I also go to church. I grew up in a church -- about five miles down the road from here, Saint John Baptist Church. My pastor was Reverend Roscoe C. Wilson. Reverend Wilson taught us that Jesus loves all the little children, all the children in the world. He also taught us about the golden rule -- treat others as you would want to be treated. I have a scripture, Matthew 7:12, "In everything you do, do to others as you would have them do to you" -- this is the law from the prophets. I think all of us will agree that we would like to make the decisions on our own bodies. We go to church, and we are pro-life -- that is the context in which I offer this amendment. United States Senator Cory Booker artfully said, "Before you speak to me about your religion, first show it to me in how you treat other people. Before you tell me how much you love your God, you

have to show me how much you love all of his little children. Before you preach to me about your faith and passion, teach me through your compassion of your neighbors. In the end I am not as interested in what you have to tell or sell but rather how you choose to give and live." We just had a vote. I didn't read the entire amendment but what I heard Senator MALLOY say is that we have poverty in the State of South Carolina. Let's fix it. We want to expand Medicaid. We are pro-life, and you can't get any more pro-life than the amendment offered by Senator MALLOY. Time and time again, we reject pro-life amendments like expanding Medicaid. To my amendment, my friends -- and I am under no illusion that it will pass -- but it makes me feel good to talk about it. I want to take the law in South Carolina to where it was before the Dobbs decision. I read Dobbs, and I know it overrules Roe. I think this Body has an opportunity to send a message to the world. Why can't we be first in doing something right?

I would like to gut this entire Bill from the House. I don't know why we spend so much time debating things from the House. We have been here two days. Let me back up a minute before I read my amendment. I am on the Senate Medical Affairs Committee. I was called away from my job for a Medical Affairs Subcommittee hearing. We are the Committee on Medical Affairs. The name in and of itself would lead you to believe that you are going to hear medical testimony. The doctors were very clear. The doctors did testify -- and I appreciate Senator VERDIN for allowing the doctors to testify -- unlike what I heard happened in the House committee. I think that my fellow committee members would agree that most of the doctors who testified were against this Bill. We had preacher after preacher quote scripture and tell us how to live our lives in support of this Bill. There were a few preachers who were against this Bill but for the most part we had preachers lecturing us about medical testimony. Let me just take a moment to let you know that there are a lot of mainstream religious organizations against this Bill -- United Methodist Women, Presbyterian Church USA, Episcopal Church, Evangelical Lutheran Church, Cooperative Baptist Fellowship, United Church of Christ -- and there are more. These groups are saying to listen to the medical professionals, but the Medical Affairs Committee voted the Bill out of committee, and we disregarded the medical experts. I am no doctor -- I've gotten pretty humble -- I was going to say I was a great lawyer, but I've been listening to this debate, and I'm a good lawyer -- but we've got some great lawyers in this Body. I have watched the vigorous banter -- back and forth between able advocates. I was touched, and it was hard for me to sit there silently -- Senator HUTTO said not to

unite the Republicans -- keep your mouth shut. I listened to the debate the whole day. I hate to get in the way of a good Republican fight but in good conscious I could not keep my seat -- women deserve the right to choose in the State of South Carolina, and we are sending the wrong message if we pass this Bill. I get that there are exceptions, and there were exceptions offered but if you notice not many of the exceptions were offered by the female members of this body. In fact, I don't believe any of the amendments were offered by our female colleagues. As I understand the medical testimony, this is a very difficult and sensitive issue. In my view, the exceptions while well intentioned -- they are only things that would make us feel good about being here. And I don't mean anything against those offering these amendments because I believe the members offering these amendments did so in good will. That's why I abstained from voting on the exceptions because if you total all the exceptions, you are really talking about a small percentage of women who would fall in those categories. In my view, this is a bad Bill and there is no way of excepting out of this problem. As I said in the committee, "You can put lipstick on a pig but it is still a pig."

Let's move quickly to the amendment -- it would send a strong message, and I'm going to ask for a vote. I don't think this amendment has been offered. I want to offer it to make the record clear that I took to the podium, and I fought for women's right to choose. That is what I said I was going to do and that is what I was elected to do. I don't know if you recall but in 2018, I stood at this podium for about eight hours, and we talked about this issue. A number of us talked about this issue -- we stayed here until around 2 A.M. This was my message then, and this is my message today -- this amendment says it is unlawful to impose any undue burden on a woman's right to obtain a lawful abortion. That is a good amendment.

In closing, I just want to read a quote from the Casey decision that was really the law of the land for a long time. Casey was after Roe. I'm going to read these two good quotes. The first from the Casey decision, "A proper focus of constitutional inquiry is the group for whom the law is a restriction." That means we should ask the women. They are the ones who will live with this decision. Many of us live with it too when we counsel our spouses or children. Justice Blackman said, "At the same time the viability standard takes account of the undeniable fact that as the fetus evolves into post-natal form, and it loses its dependence on the uterine environment the state's interest in the fetus' potential human life and in fostering a regard for human life in general becomes compelling." That's really what this amendment is about. Before you speak to me

about your religion, show it to me in how you treat other people. Before you tell me how much you love your God, show me how much you love all of God's children -- Medicaid expansion, health care, poverty. Before you preach to me about your passion for your faith, teach me about it through your compassion for your neighbors. Mr. PRESIDENT, I move for adoption.

Senator K. JOHNSON spoke on the Bill.

Remarks by Senator KEVIN JOHNSON

Thank you, Mr. PRESIDENT and members of the Senate. As we have been debating this Bill in full Session, I have been relatively quiet. I've been quiet mainly because I agree with Senator HUTTO as he has emphasized very emphatically, even in our committee meetings, that this is just a bad Bill.

I don't think my vote on any of these amendments is going to change how I feel. I have said time and time again that I don't consider myself to be for abortion or against abortion. I consider myself pro-choice. I consider abortion as a very serious issue that puts a lot of stress on mothers, regardless of which side of the category they fall on and I just don't know if I feel comfortable telling a woman under that circumstance what she should or should not do.

I believe in choice, and we have choice, but we only offer choice to one side of the equation. What I believe in is choice for both sides. If you are in that position and want to have the baby, that's your choice and if you don't want to, that's also your choice. A woman can decide and make that choice with consultation from people that will help her. I just know that I am not going to tell a woman what she can and cannot do in those situations.

I keep hearing pro-life, and I go back to my friend Senator McLEOD, and she says, "You know a lot of people who say they are pro-life, are not pro-life, they are pro-birth" and I tend to believe that because if I am pro-life, I would have a problem with so many assault weapons being in the hands of bad people. Now, I do believe in the right for citizens to bear arms but if I am pro-life, I have a problem with all these assault rifles -- it's a known fact that people have them because they are weapons intended to kill a lot of people, very quickly. If I am pro-life, I am in favor of the change in the minimum wage, because we just can't live off $7.25 an hour. If I am "pro-life", I am in favor of Medicaid expansion, which I have filed a Bill about every year for the past several years and it can't even get a hearing. Pro-life is funding head start and early

childhood education and all these things that are going to allow these children and their families to have life -- which I think the Bible says something about "having it more abundantly."

I keep hearing people ask what gives government officials or legislators the right to take even one innocent life. That's a good point. Sometimes I wonder what gives us the right as government officials and as a legislature to tell a woman what to do with her body. What gives us that right? The thing that gets me -- I heard a while ago while being in the business of legislating, "Which innocent life can be killed?" So, I'll end with this, if I am pro-life, I'm against the death penalty. As I sit here being very quiet, I remember back in 2021 a Bill came before us to add a firing squad as another method of capital punishment, and I looked at the list of people who voted for it, and all of the people who are pro-life voted for that. I know some might say, "Well you know these people committed heinous crimes, and they deserve the death penalty," and I would agree with that to the extent that research and statistics show without a doubt there have been people that have been put to death under the death penalty who were later found to be innocent. There have also been people who were on death row, about to be put to death, but because of new technology with DNA and other things, they were found to be innocent.

So, when I go back to the question from my friend, Senator CASH, I appreciate his resolve on this issue of "What gives the government the right to legislate the killing of innocent people?" I look back and see that he and others voted to kill people as capital punishment, although we know that there are other options to punish people. We also know from brief research that innocent people, and that's what we're talking about here --- innocent people -- have been killed under the death penalty. So, if you go back and look at the vote on that Bill, the vote failed, with one exception -- as far as adding the firing squad which tells me you believe in the death penalty. It failed with one exception along party lines and then a few months later, when it went to the House and they made some changes, it came back over here and the changes that were made in the House were concurred with along party lines. So, I have a problem reconciling being pro-life when you vote to kill people who may be innocent in one instance and then you talk about being pro-life as it relates to abortion.

Senator JACKSON spoke on the Bill.

Remarks by Senator JACKSON

Thank you, Mr. PRESIDENT. I will be brief, in fact, this is my first time speaking in the past two days and I had some amendments that I decided to pull it down, but I just want to share with you very briefly before we go what my concern is.

Over the last year, I have been studying rather intently about religious fanaticism. I have really been concerned as a pastor about religious fanaticism and I've been studying about when religious fanaticism meets power hungry people who put the pursuit of power above everything else. One of the books that many of us have read is *How the Mighty Have Fallen* but I had the privilege of being in Rome over the last month or so and visited the Vatican and other places. In my study of this passionate personal issue, just for me, because I have always been concerned about where we are going as a society. I'm a pastor. I'm a minister. I withdrew from law school to go to seminary school. No one in here I suspect reads the Bible more than I do. You may read it as much but seven days a week I'm working throughout Holy Scripture. What I found out is that when you get to a point where the laws of your State and your government are based on your religious belief, and not on what is best for the entire Nation -- the entire country of all of the people -- you are treading on very dangerous territory.

And I rise at the last hour, last minute, the last day of this debate to say to my colleagues, who are as passionate as I am about their faith, you should be very, very careful. There is no society in the history of the world that has ever survived -- a mentor scholar of mine said this. Think about this Senator CAMPSEN, "There is no society in the history of this world who has ever survived the convergence of religious fanaticism with the absolute pursuit of power without any moral integrity. It has always been the downfall to our society."

Lastly, I will leave you with this, and you've heard me say this from this well before. If you have not ever watched *The Handmaid's Tale*, I encourage you to do that. New episodes will come out in the next couple of weeks because here's what it is. *The Handmaid's Tale* is about a bunch of men who decide they know what's best for all people and they pass laws, and they change society without any regard to the people whose lives they are impacting. I will say to us that we need to be very, very careful because over the last couple days as I've sat here silently doing my own study, I really became saddened because it reminds me how closely we are becoming to the fictional area called Gilead in "*The Handmaid's Tale*." We can do better; I hope one day we will. Thank you.

Senator MATTHEWS spoke on the Bill.

Remarks by Senator MATTHEWS

I'm glad that my colleague brought up *The Handmaid's Tale*. I brought that up in earlier in the committee meeting. It's about a dystopian society and some of what I've heard in the arguments from this Chamber seems to be a little eerily close to what happens in *The Handmaid's Tale*. If you can just follow a little bit, because I hear a lot of griping about people wanting to go home -- even though we are talking about something that is so critical to our way of life.

In *The Handmaid's Tale* there is one scene where you have these two women who are journalists. They are at work, about to have their coffee, and all of a sudden, their boss, the Editor of the newspaper, is shaking and they do not know why. They do not know what's going on because he looks like he's afraid to talk to them. He lines all of the staff up and said, "In 10 minutes, all of you women need to get your belongings. We have boxes ready for you. Get your belongings." What?… Why? He can't explain to them why they no longer have a job. They are upset. They do not know what has happened. Why? There are police officers at the door to escort them out. They leave out of their jobs -- this is also happening at schools -- but the scene concentrates on the two journalists who were very good at their jobs. They are escorted out of the building where the women have to go on one side of the street and men go another way. These women then go to try to get a cup of coffee -- to get a bus ticket using their debit card. They immediately find out that they no longer have property rights.

Because of this decision that they no longer have property rights, guess what happens? Their debit cards -- their assets are suspended in any woman's name. If you are a woman and you own something, it can go to your husband or some other male, but you have nothing. Then the scene changes where these educated women and women with means -- it's all women who could give birth, all fertile women -- they are trying to get out of the country.

There is another scene where there are three men in a vehicle. I believe they are called commanders. They are elected officials and they're talking about the Bible. Coincidentally, there are different versions of the Bible, King James commissioned one which tends to be in some theologians' opinion a different, more conservative interpretation. In that vehicle, were these people who ruled Gilead, they are explaining how they can use women as chattel. By the end of this series that I looked at -- guess what -- they figured it out. They used the Bible to have

ceremonies to use these women to continue to increase their own wealth, to make their new Gilead devoid of women with power, and devoid of women with assets. The women either become a wife to the commander or they become a baby carrier for the commander. They lose their rights. They cannot be taught to read. They can only serve in the way that the commanders want them to. So, I suggest that you look at that.

And I want to say this -- I got a little backlash from my own people on my side of the aisle yesterday and last night. Because you know what? We, each of us, all 46 of us had to run hard to become Senators and we said we were going to represent the people of South Carolina, our constituents. This issue is one of the most critical issues we have faced and when they wanted to just stop last night, I did not want to. Because I wanted -- if you wanted this, this bad -- you should have been willing to stay here to fight for the women of South Carolina. Even as I stand up here today, you have some who are jumping up saying, "Oh, we're still talking about it?" Well, we need to talk about it some more. We need to come here and have our daughters, granddaughters, and sisters in mind. This is important! And yes, I respect that we have differences of opinions, but we need to be willing to come here to work to seriously flesh out a lot of these issues.

I wanted to stand up to speak, when there was a comment about HIPAA read from a police blog or a police manual. I know that everyone in here who is a lawyer knows that there's *Schmerber* (*Schmerber v. California, 384 U.S. 757 (1966)*) and what was said was incorrect. But no, we have some throughout this Chamber who don't want to fully investigate and further these Bills. We have to, yes! When I kept asking about immunity for girls who have to give these reports, Senator MASSEY kept saying -- he just nebulously kept referring back to the other statute. Do you know why? Because the statute specifically says, generally, any woman who does anything to procure an abortion -- she can get up to two years. But no, did we hear that? You know why we didn't hear it? Because we didn't want to sit down and study for the benefit of all of South Carolina.

I don't know what else to say. I told you when I came here that I think people of South Carolina needed to decide this, the men and the women. You did an injustice to the women of South Carolina. You did an injustice to the legacy of this State and what we should stand for -- freedom -- freedom to do with what *we* want to protect *our* bodies.

On motion of Senator FANNING, with unanimous consent, the remarks of Senators HUTTO, SENN, KIMPSON, K. JOHNSON, JACKSON and MATTHEWS when reduced to writing and made available to the Desk, would be printed in the Journal.

The question then being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Williams	Young

Total—27

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Senn	Setzler	Shealy
Stephens		

Total--16

There being no further amendments, the Bill, as amended, was read the third time and ordered returned to the House.

Statement by Senator MALLOY

Today's continued debate on H. 5399 again engendered discussions of the most private and at times tragic circumstances in the lives of South Carolinians. When discussing situations of rape, incest, and fatal conditions arising during pregnancy, we must be judicious and

respectful. I write separately a second time to commit my position to the record.

During the debate, there were additional amendments offered that were meant to mitigate the wrongs in the Bill that would threaten the lives of girls, women, and anyone able to be pregnant. I voted 'present' or abstained from the votes on these amendments as is permitted under the Rules of the Senate. While some of these amendments were worthy of consideration and potential improvements to the public policy of our state, at the core of this debate was a Bill flawed in its premise. H. 5399 does nothing to enrich the lives of living, breathing South Carolinians -- citizens who need healthcare, housing, education, infrastructure and jobs. The Bill presumes to insert state government into intimate and personal conversations between women and their families and doctors.

To reflect the respect I have for those placed directly in harm's way as a result of the Bill, I did not vote on those certain amendments during this second and final day of debate.

Statement by Senator KIMPSON

You can't put lipstick on a pig. It's still a pig. Exceptions do not make abortion restrictions less harmful. We, as lawmakers, should not be in a position to decide who gets an abortion and who does not get an abortion.

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, Ethics Commission, with the term to commence March 31, 2022, and to expire April 1, 2027

Senate - Minority:

Bryant Caldwell, 1221 Main Street, Suite 1600, Columbia, SC 29201
VICE Donald Gist

On motion of Senator RANKIN, the question was confirmation of Bryant Caldwell.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Kimpson	Martin
Massey	Matthews	McElveen
Peeler	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams

Total--36

NAYS

Total—0

ABSTAIN

Rankin	Young

Total--2

The appointment of Bryant Caldwell was confirmed.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Oconee County Magistrate, with the term to commence April 30, 2020, and to expire April 30, 2024

Erin Moon McKinney, 15084 Beacon Ridge Drive, Seneca, SC 29678-1368 *VICE* Michael Todd Simmons

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Lowell William Ross of Seneca, S.C. Lowell was an active member of the Episcopal Church of the Ascension and served as a lay reader and a member of the vestry. He was a graduate of Walhalla High School and the University of South Carolina. Lowell then served in the U.S. Air Force before graduating from the University of South Carolina Law School. He retired after practicing law for 56 years. Lowell served in the South Carolina Legislature as a member of the House Judiciary Committee. He also served as chairman of the South Carolina Board of Commissioners on Grievances and Discipline, was a member of the S.C. Bar Board Foundation and the Seneca Sertoma Club. Lowell was passionate about helping others and loved his community and State. He was an avid reader and photographer who enjoyed hiking, traveling, cooking and spending time with his family. Lowell was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Willie B. Owens, Sr. of Orangeburg, S.C. Willie graduated from South Carolina State College and The Citadel. He had an extensive background in education including work at Voorhees College, Claflin University and was principal of Bamberg-Ehrhardt High School. He was a devoted public servant who served on County Council for Orangeburg County District 7. Willie was a member of McBranch Baptist Church where he faithfully served. Willie was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 8:24 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

* * *

Tuesday, October 18, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 7:12

In Matthew's Gospel the Lord Himself says: " 'So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets.' "

Join me friends as we bow in prayer: How powerful is Your unfailingly true lesson, O God, that we are to do to others as we would want them to do to us -- always. Of course, all of us know full well how difficult it really is to live with such a goal. So forgive us, Lord, for those many times when we have not been the women and men You call us to be. Yet surely here in the Senate of South Carolina, may each of these servants -- Senators and staff aides alike -- always care lovingly for every individual whom they serve, putting the interests of all of our citizens above their own, bringing rich blessings to all. In addition, dear Lord, know that we continue to hold in our thoughts and prayers Senator Grooms and his family in the recent death of the Senator's father. Now be with us all, O God, as we strive to honor You through everything that we say and do. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Leave of Absence

On motion of Senator CLIMER, at 1:13 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1386 -- Senators Shealy, Cromer and Young: A SENATE RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA FOR BEING RANKED THE NUMBER ONE UNIVERSITY ON THE "2022 MILITARY TIMES BEST FOR VETS: COLLEGES" MILITARY TIMES LIST.
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The Senate Resolution was adopted.

S. 1387 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE NOVEMBER 1, 2022, AS "FAMILY LITERACY DAY" AND NOVEMBER 2022 AS "FAMILY LITERACY MONTH" IN SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1388 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE IDA DIXON OF RICHLAND COUNTY, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN FOUR DECADES OF EXEMPLARY SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
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The Senate Resolution was adopted.

S. 1389 -- Senators Harpootlian, Young, Setzler and Massey: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MICHAEL L. LAUGHLIN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1390 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CASEY JORDAN HALLMAN FOR HER MANY CONTRIBUTIONS TO THE WEST COLUMBIA COMMUNITY.
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The Senate Resolution was adopted.

S. 1391 -- Senator Allen: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JANIE BELLE BLACK FIELDS OF GREENVILLE COUNTY AND TO EXTEND DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1392 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ENSIGN BARBARA CAROLINA MAY ALDERSON, UNITED STATES NAVY, RETIRED, TO CONGRATULATE HER FOR RECEIVING A QUILT OF VALOR ON VETERANS DAY, FRIDAY NOVEMBER 11, 2022, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
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The Senate Resolution was adopted.

S. 1393 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE FAIRFIELD MAGNET SCHOOL FOR MATH AND SCIENCE FOR ITS OUTSTANDING ACHIEVEMENTS IN EDUCATING STUDENTS AND TO PRAISE THE ADMINISTRATORS, FACULTY, STUDENTS, AND PARENTS FOR BEING NAMED A NATIONAL BLUE RIBBON SCHOOL.
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The Senate Resolution was adopted.

S. 1394 -- Senator Stephens: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SAINT PETER AFRICAN METHODIST EPISCOPAL CHURCH.
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The Senate Resolution was adopted.

S. 1395 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO

CONGRATULATE LITTLE ZION BAPTIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED AND NINETIETH ANNIVERSARY AND TO COMMEND LITTLE ZION BAPTIST CHURCH FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE BLYTHEWOOD COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
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The Senate Resolution was adopted.

S. 1396 -- Senators Garrett and Massey: A SENATE RESOLUTION TO CONGRATULATE THE FACULTY, STAFF, AND STUDENT BODY OF THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE AS THEY CELEBRATE THE TWO HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE LAST WILL AND TESTAMENT OF DR. JOHN DE LA HOWE, WHICH DEEDED PROPERTY TO HOUSE SUCH A SCHOOL.
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The Senate Resolution was adopted.

S. 1397 -- Senators Gustafson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE PASTOR, STAFF, AND CONGREGATION OF BETHESDA PRESBYTERIAN CHURCH IN CAMDEN, UPON THE OCCASION OF THE TWO HUNDREDTH ANNIVERSARY OF THE CONSTRUCTION OF THEIR HISTORIC SANCTUARY, AND TO WISH THEM MANY MORE YEARS OF SERVICE TO THEIR GOD AND THEIR COMMUNITY.
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The Senate Resolution was adopted.

Message from the House

Columbia, S.C., September 27, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Initial Appointment, State Ethics Commission, with term to commence March 31, 2022, and to expire April 1, 2027:

Bryant Caldwell, 1221 Main Street, Suite 1600, Columbia, SC 29201

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., September 27, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Very respectfully,
Speaker of the House

Received as information.

Senator MASSEY moved that the Senate recede from the Senate amendments on H. 5399.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 26

AYES

Adams	Alexander	Cash
Climer	Corbin	Gambrell
Garrett	Grooms	Kimbrell
Loftis	Martin	Peeler

Reichenbach	Rice	Talley
Turner	Verdin	

Total--17

NAYS

Allen	Bennett	Campsen
Cromer	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Malloy	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Williams	Young	

Total--26

The motion to recede from the Senate amendments failed.

Senator MASSEY moved that the Senate insist on its Senate amendments on H. 5399.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 6

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Senn

Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Allen	*Johnson, Kevin*	Malloy
McLeod	Sabb	Scott

Total--6

The motion passed.

SENATE INSISTS ON THEIR AMENDMENTS

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

CONFERENCE COMMITTEE APPOINTED

On motion of Senator MASSEY, the Senate insisted upon its amendments to H. 5399 and asked for a Committee of Conference.

Whereupon, Senators MASSEY, MATTHEWS and CASH were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., October 18, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. McCravy, Pope and Wetmore to the Committee of Conference on the part of the House on:

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Very respectfully,

Speaker of the House

Received as information.

Motion Adopted

On motion of Senator GROOMS, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Albert John Dooley, Sr. of Lexington, S.C. A.J. was a graduate of Lexington High School and the University of South Carolina Law School. He was a retired attorney and lifelong member of St. David Lutheran Church where he served in many capacities. A.J. was a member of the Lexington County District One School Board, Lexington County Council, Lexington Chamber of Commerce, Lexington Lions Club and was a member of the South Carolina House of Representatives and Senate. A.J. was inducted into the Lexington High School Hall of Fame where he was the announcer for the football games for over 30 years. A.J. was a loving father and devoted grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators VERDIN, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Lawrence Grooms of St. Stephen, S.C. Mr. Grooms was the father of our beloved Senator Larry Grooms. Lawrence was a star high school athlete at St. Stephen High School. He was the owner of Grooms Oil Company, a U.S. Army Veteran and a member of First Baptist Church of St. Stephen. He loved sports, the outdoors, Clemson Tigers and meeting new people. He lived a life full of adventure, love and laughter. Lawrence was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 1:35 P.M., on motion of Senator GROOMS, the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

* * *

Wednesday, November 9, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:05 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Deuteronomy 6:5

From Deuteronomy we turn to a part of the prayer called the Shema: "You shall love the Lord your God with all your heart, and with all your soul, and with all your might."

I urge you, good friends, to join me as together we pray: Truly, O Wondrous God, we know full well that You command us to be ever faithful to You as we strive to serve others. May that always be our goal every moment of our lives, Lord. And particularly today do we pray that these Senators themselves will never lose sight of Your intent that they unfailingly carry out Your will, governing in ways that are right and just and beneficial for all of our citizens. To that end embrace and guide not only all who strive to honor You here in this Senate Chamber, but also those women and men in uniform in the many world's hotspots and here at home, as well as all who serve in so many other leadership roles in our State and Nation. And ultimately, in every regard, may this Senate's actions always reflect love for You and for every South Carolinian. In Your wondrous name we humbly pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Leave of Absence

On motion of Senator GROOMS, at 11:08 A.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator WILLIAMS, at 1:32 P.M., Senator YOUNG was granted a leave of absence for today.

Leave of Absence

On motion of Senator CROMER, at 1:32 P.M., Senator GROOMS was granted a leave of absence for balance of the day.

WEDNESDAY, NOVEMBER 9, 2022

Leave of Absence

On motion of Senator GOLDFINCH, at 1:32 P.M., Senator RANKIN was granted a leave of absence for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1398 -- Senator Kimbrell: A SENATE RESOLUTION TO CONGRATULATE DR. GARY HOLLINGSWORTH UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA BAPTIST CONVENTION, TO COMMEND HIM FOR HIS SEVEN YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
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The Senate Resolution was adopted.

S. 1399 -- Senator Kimpson: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MR. PETER MILLER AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
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The Senate Resolution was adopted.

S. 1400 -- Senator Young: A SENATE RESOLUTION TO CONGRATULATE COUNCILMEMBER CAMILLE FURGIUELE UPON THE OCCASION OF HER RETIREMENT AS AIKEN COUNTY COUNCILMEMBER, TO COMMEND HER FOR HER EIGHT YEARS OF DEDICATED SERVICE TO AIKEN COUNTY, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
l:\s-res\try\044cami.kmm.try.docx

The Senate Resolution was adopted.

S. 1401 -- Senator Jackson: A SENATE RESOLUTION TO HONOR REVEREND SAMMY LEE WADE, PASTOR OF MT. NEBO BAPTIST CHURCH IN EASTOVER AND ST. JOHN BAPTIST CHURCH IN HOPKINS, AND TO CONGRATULATE HIM UPON TWENTY YEARS OF PASTORAL MINISTRY.
l:\council\bills\gm\24858wab22.docx

The Senate Resolution was adopted.

S. 1402 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEION M. JAMISON, A NINTH AND TENTH GRADE ENGLISH TEACHER AT LEGACY EARLY COLLEGE IN GREENVILLE, AND TO CONGRATULATE HIM UPON BEING NAMED THE 2023 SOUTH CAROLINA TEACHER OF THE YEAR.
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The Senate Resolution was adopted.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

H. 5399--REPORT OF THE COMMITTEE OF CONFERENCE

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

On motion of Senator MASSEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

H. 5399 -- Conference Report

The General Assembly, Columbia, S.C., November 9, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 5399 -- Reps. Lucas, G.M. Smith, McCravy, T. Moore, White, Ligon, Long, Gilliam, Chumley, Burns, Hardee, Bailey, J.E. Johnson, B. Newton, Hewitt, Bustos, Jordan, M.M. Smith, Davis, Hyde, Hixon, West, Hiott, Jones, Caskey, Fry, Thayer, Pope, Forrest, Oremus, Trantham, Bennett, McGarry, Felder, Allison, D.C. Moss, Brittain, Nutt, Haddon, Huggins, G.R. Smith, Magnuson, May, Wooten, B. Cox, Yow, Murphy, Crawford, Bryant and Robbins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

SECTION 44-41-05 SO AS TO PROHIBIT ABORTIONS IN THE STATE OF SOUTH CAROLINA.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act may be cited and shall be known as the "South Carolina Human Life Protection Act".

SECTION 2. The General Assembly hereby finds all of the following:

(1) All human beings are created equal, and endowed by their Creator with certain unalienable rights, the foremost of which is the right to life.

(2) Section 3, Article I of the Constitution of the State of South Carolina, 1895, guarantees that no person may be deprived of life, liberty, or property without due process of law or be denied the equal protection of the laws, and a preborn child is deserving of that protection.

SECTION 3. Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Article 7 South Carolina Human Life Protection Act

Section 44-41-810. For purposes of this article:

(1) 'Abortion' means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn human being. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the preborn human being, or to remove a dead unborn human being.

(2) 'Female' means a biological female as assigned at the time of birth or an intersexed person capable of producing an ovum at birth.

(3) 'Physician' means any person licensed to practice medicine and surgery, or osteopathic medicine and surgery, in this State.

(4) 'Pregnant woman' means the human biological female reproductive condition of having a living unborn child within her body, whether or not she has reached the age of majority.

(5) 'Reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(6) 'Unborn human being' or 'unborn child' or 'preborn child' or 'preborn human being' or 'fetus' each mean an individual organism of the species homo sapiens from conception until live birth.

Section 44-41-820. (A) No person may knowingly administer to, prescribe for, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) No person may knowingly use or employ any instrument, device, means, or procedure upon a pregnant woman with the specific intent of causing an abortion.

Section 44-41-825. (A) Notwithstanding another provision of law, a physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman if the pregnancy is the result of rape or incest, and the probable post-fertilization age of the fetus is fewer than twelve weeks.

(B) A physician who performs or induces an abortion on a pregnant woman based on the exceptions in subsection (A) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

Section 44-41-830. (A) It is not a violation of Section 44-41-820 for a licensed physician to perform a medical procedure necessary in reasonable medical judgment to prevent:

(1) the death of the pregnant woman;

(2) a substantial risk of death for the pregnant woman because of a physical condition; or

(3) the substantial physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions.

However, the physician shall make reasonable medical efforts under the circumstances to preserve the life of the pregnant woman's unborn

child, to the extent it does not substantially risk the death or physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions and in a manner consistent with reasonable medical practice. A medical procedure shall not be considered necessary if based on a claim or diagnosis that a woman will engage in conduct that she intends to result in her death or in a substantial physical impairment of a major bodily function.

(B) A physician who performs a medical procedure as described in subsection (A) shall declare, in a written document, that the medical procedure was necessary, by reasonable medical judgment, to prevent the death of the pregnant woman, to prevent a substantial risk of death for the pregnant woman because of a physical condition, or to prevent the substantial risk of a substantial physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions. In the document, the physician shall specify the pregnant woman's medical condition that the medical procedure was asserted to address and the medical rationale for the physician's conclusion that the medical procedure was necessary to prevent the death of the pregnant woman, to prevent a substantial risk of death for the pregnant woman because of a physical condition, or to prevent the serious risk of a substantial impairment of a major bodily function of the pregnant woman and that all reasonable efforts were made to save the fetus in the event it was living and in utero. Such documentation must be included in the woman's medical records within thirty days from the date of the procedure. The physician's exercise of reasonable medical judgement for a permitted medical procedure is presumed within the applicable standard of care.

(C) It is presumed that the following medical conditions constitute a substantial risk of death or substantial risk of a substantial physical impairment of a major bodily function of a pregnant woman: molar pregnancy, partial molar pregnancy, blighted ovum, ectopic pregnancy, severe preeclampsia, HELLP syndrome, abruptio placentae, severe physical maternal trauma, uterine rupture, intrauterine fetal demise, and miscarriage. However, when an unborn child is alive in utero, the physician must make all reasonable efforts to deliver and save the life of an unborn child during the process of separating the unborn child from the pregnant woman, to the extent it does not adversely affect the life or physical health of the pregnant woman, and in a manner consistent with reasonable medical practice. The enumeration of the medical conditions in this subsection is not intended to exclude or abrogate other conditions

that satisfy the exclusions of subsection (A) or prevent other procedures that are not included in the definition of abortion in Section 44-41-810.

(D) Medical treatment provided to the pregnant woman by a licensed physician which results in the accidental or unintentional injury to or the death of her unborn child is not a violation of Section 44-41-820.

(E) It is not a violation of Section 44-41-820, and nothing in this article may be construed to prohibit the use, sale, prescription, or administration of a contraceptive measure, drug, chemical, or device if the contraceptive measure, drug, chemical, or device is used, sold, prescribed, or administered in accordance with manufacturer instructions and is not used, sold, prescribed, or administered to cause or induce an abortion of a clinically diagnosable pregnancy.

(F) Nothing in this article shall be construed to prohibit in vitro fertilization or assisted reproductive technology procedures accepted as standard of care by the reproductive medical community. No part of the in vitro fertilization procedures or assisted reproductive procedures considered normal standard of care will be considered an abortion procedure. Notwithstanding the above, the practice of 'selective reduction,' (defined as a procedure to stop the development of one or more fetuses in utero*)* shall constitute an abortion in violation of Section 44-41-820, above, except, when necessary, in reasonable medical judgment, to prevent a substantial risk of death for another fetus, or the substantial and irreversible physical impairment of a major bodily function of another fetus.

Section 44-41-840. (A) A person who violates Section 44-41-820 is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(B) Any person who uses force or the threat of force to intentionally injure or intimidate any person, for the purpose of coercing an abortion in violation of Section 44-41-820 is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

(C) Notwithstanding the provisions of Section 44-41-830, any person who is not a physician licensed in this State, who prescribes any means of abortion as defined in this article, for the purpose of facilitating an abortion inside the borders of this State, violates Section 44-41-820, is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both.

Section 44-41-850. (A) In addition to whatever remedies are available under the common or statutory law of this State, failure to

comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(B) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(C) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article may be maintained by:

(1) the woman upon whom an abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

(3) a solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

The injunction prevents the person or persons who violated the article from further violation of this article in this State.

(D) If judgment is rendered in favor of the plaintiff(s) in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff(s) against the defendant(s).

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) In no case may civil damages be awarded to any plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action under this section must be brought within three years from the date of the abortion and is not subject to the limitations and requirements of Chapter 79, Title 15.

Section 44-41-860. A pregnant woman on whom an abortion is performed or induced in violation of this article may not be criminally prosecuted for violating any of the provisions of this article or for attempting to commit, conspiring to commit, or acting complicitly in committing a violation of any of the provisions of the article and is not subject to a civil or criminal penalty based on the abortion being performed or induced in violation of any of the provisions of this article.

Section 44-41-870. In addition to any other penalties imposed by law, a physician or any other professionally licensed person who

intentionally, knowingly, or recklessly violates the prohibition in Section 44-41-820 commits an act of unprofessional conduct and the person's license to practice in the State of South Carolina immediately shall be revoked by the State Board of Medical Examiners for South Carolina, after due process according to the rules and procedures of the State Board of Medical Examiners. A complaint may be originated by any person or sua sponte. In addition, the State Board of Medical Examiners may assess costs of the investigation, fines, and other disciplinary actions it may deem appropriate.

Section 44-41-880. In every civil or criminal proceeding or action brought under this article, the court shall rule whether the anonymity of any woman upon whom an abortion has been performed or induced shall be preserved from public disclosure if the woman does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest, and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman upon whom an abortion has been performed or induced, anyone, other than a public official, who brings an action pursuant to Section 44-41-820 shall do so under a pseudonym. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 44-41-890. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

Section 44-41-900. (A) Notwithstanding any other provision of law, a biological father of a child has a duty to pay the mother of the child the following financial obligations beginning with the date of conception:

(1) child support payment obligations in an amount determined pursuant to Section 63-17-470;

(2) fifty percent of the mother's pregnancy expenses.

(a) Any portion of a mother's pregnancy expenses paid by the mother or the biological father reduces that parent's fifty percent obligation regardless of when the mother or biological father pays the pregnancy expenses.

(b) Pregnancy expenses must include fifty percent of the mother's insurance premiums that are not paid by her employer or governmental program beginning from the date of conception and before the pregnancy ends, unless otherwise ordered by the court.

(c) Item (2) does not apply if a court apportions pregnancy expenses as part of an award of child support in item (1).

(B) In the case of a mother who becomes pregnant as a result of rape or incest, the biological father, in addition to the duties imposed by subsection (A), also is responsible for the full cost of any expenses incurred by the mother for mental health counseling arising out of the rape or incest.

(C) The duties imposed by this section accrue at the time of conception and must be applied retroactively when paternity is contested and medical evidence establishes the paternity of the child. Interest accrues on any retroactive obligations beginning with conception until either the obligations are brought current or paid in full whichever happens first. The rate of interest must be calculated based on the applicable interest rate for money decrees and judgments in this State established annually by the South Carolina Supreme Court."

SECTION 4. Article 1, Chapter 41, Title 44 of the 1976 Code is amended by adding:

"Section 44-41-90. (A) No funds appropriated by the State for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except as provided in Section 44-41-680.

(B) No funds appropriated or authorized by the State may be used by any political subdivision of the State to purchase fetal tissue obtained from an abortion or fetal remains, nor may any political subdivision of the State accept donated fetal remains.

(C) No state funds may, directly or indirectly, be utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions."

SECTION 5. Section 44-41-20 of the 1976 Code is repealed.

SECTION 6. Section 44-41-70(b) of the 1976 Code is amended to read:

"(b) The department shall promulgate and enforce regulations for the licensing and certification of facilities other than hospitals as defined in Section 44-41-10(d) wherein abortions are to be performed ~~as provided for in Section 44-41-20(a) and (b)~~."

SECTION 7. The South Carolina House of Representatives, the South Carolina Senate, the South Carolina Governor and/or the South Carolina Attorney General may intervene as a matter of right in any case in which the constitutionality or enforceability of any SECTION of this act is challenged. The General Assembly may appoint one or more of its members to intervene as a matter of right in any case in which the constitutionality or enforceability of any SECTION of this act is challenged.

SECTION 8. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 9. This act takes effect upon approval of the Governor. /

Amend title to conform.

/s/Sen. Richard J. Cash	/s/Rep. John R. McCravy III
/s/Sen. A. Shane Massey	/s/Rep. Thomas E. "Tommy" Pope
Sen. Margie Bright Matthews	Rep. Elizabeth "Spencer" Wetmore
On Part of the Senate.	On Part of the House.

Senator MASSEY explained the report.

Senator CASH spoke on the report.

The question then was adoption of the Report of Committee of Conference.

Senator DAVIS moved to lay the conference report on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 21

AYES

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Williams	Young	

Total--23

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Grooms	*Johnson, Michael*
Kimbrell	Loftis	Martin
Peeler	Reichenbach	Rice
Talley	Turner	Verdin

Total--21

The report was laid on the table.

Remarks by Senator CASH

On June the 24th of this year, Roe v. Wade was overturned. The Supreme Court made it clear at that time it was giving back to the states the right and responsibility for any law regarding human abortion. It's been 138 days since the Dobbs decision was announced and according to DHEC, statistics, at a minimum, at a minimum -- 2128 unborn babies, probably half or more -- with a beating heart -- have been killed in South Carolina. That is an average of 15 unborn babies a day over the last past 138 days -- that the responsibility and the right regarding the law to abortion has rested with the General Assembly. What do you think we would do in this General Assembly if 17 school age children were gunned down one day? If 15 school age children were gunned down one day and then the next day 15 more were gunned down and the day after that 15 more school age children were gunned down? What would be the

response of this General Assembly? Would we say well, we ought to do something about that, maybe, some day -- eventually. Let's not rush into it. We might write a law that's not perfect. Let's have some committees, and think about it, and we'll get back to this next year, and in the meantime, just hope that when your child goes to school today they come home. You know, you could wish that the Supreme Court had not overturned Roe v. Wade. and that every abortion in this State was not our responsibility because the law permits it, which it currently does. But that's just wishful thinking. Because it rests with us, unless they change their mind in a future ruling. Whatever the abortion law is in this State is what we want it to be.

So where does this stark comparison lead us? Well, I'll tell where you it leads me, very simply. We can talk about being pro-life. We can talk about unborn babies being human and having a right to life. There's one party that talks about that a whole lot more than the other party. But when we can't actually bring ourselves to do that which we profess to believe, that which our party platform clearly articulates -- when 15 unborn babies a day are being killed in this State, after 138 days, and into the foreseeable future the way things are looking this morning -- then I would challenge you -- you don't really believe what you say you believe. If you claim to be pro-life, if you claim to believe that a human life begins at conception -- You don't value that unborn life in the womb the way you value the school-aged child. It's that simple because if 15 children a day were being gunned down in our schools we would shut everything down in this State until we figured it out. So it's that simple. We can profess whatever we want. But we don't believe those unborn babies have the same value as a school aged child. We just don't. I'm going to ask you today to do what we often do. Which is vote for a Bill that has been worked out through the compromise of conference committee. It's not a perfect pro life Bill. and I am assured that there's not even a single member of this Body that is perfectly happy with that Bill the way it stands right now. I'm not. I don't believe a single person in here would say I'm perfectly happy with this compromise report from the conference committee. But we vote for Bills all the time that we're not in complete agreement with because that is the way the elastic process -- legislative process works. And when we say there's parts of this I don't like -- we make up our minds to come back and try to fix it when we can. And that's what we do on a regular basis.

So I'm going to knock down those excuses about not voting for this conference report before I'm done. And then we're going to have a tabling motion and we're going to find out who wants to try and protect 98% of

the unborn babies and who doesn't. Before we vote I'm going to state why I believe all pro-life Senators should vote for this conference report and furthermore why all pro-life Senators should vote to end any filibuster that should result if this conference report is not tabled. And let me just say this based on what Senator MASSEY has already mentioned -- it fares to me this is the final vote -- it appears to me this is a final vote. I don't know where the House members are but if they've gone home and they are not here, then a vote to table this Bill is the last vote that we're going to take. A vote to table is a vote to kill the Bill. Over the past 50 years, the pro-life movement has been built on two foundational principles.

The first principle is this. A human life begins at conception. When the human sperm and egg form together form a zygote and all the dna that determines to a large degree what you're going to look like and be like as an adult, all that DNA is present at that point in time. Now, this is not my religious belief. This is what we call science. the science of human embryology -- Embryology. I doubt if you could find an embryologist who wouldn't say human life begins at conception. This is Biology 101. To put it in simplest terms, this is why people who don't want to have a baby practice contraception. Why does someone practice conception -- contraception? So the first principle of the pro-life movement is the scientific fact that a human life begins at conception.

The second principle of the pro-life movement that has been well established for over 50 years is that from its earliest stages of development every human being has an inalienable right to life and is deserving of equal protection under the law in regard to life. You can argue that until the baby is born it has no rights independent of his or her mother. Can you argue that a right to -- you can argue that a right to life does not begin until viability. You can argue for a line of protection after the first trimester or perhaps when a heartbeat has been detected. But we all know those are simply arbitrary lines. There are lines that we create by voting. We're going to vote and determine when a human life gets equal protection of the law. Is that it? So on a good day maybe that human being gets equal protection at a heartbeat. On a bad day maybe the human being gets equal protection at the end of the first trimester or maybe not until viability or some other point in time. I don't know. Does that make any rational sense to anybody? That if you believe a human life begins at conception -- now by majority vote the will of the majority, which changes with time, and whoever is in the Body -- we're going to say it's okay to kill that baby at six weeks, not at 13 weeks. Can you kill the baby at 13 weeks, but not 20 weeks, 20 weeks but not -- because

we've decided. Because we've taken upon ourselves the authority to give another person the authority to kill an innocent human being. So we have the authority as a legislative Body to give anyone the authority to kill an innocent human being. Do we have the authority to say that human trafficking is okay by a majority vote? If we just voted, that makes it okay? No. Yet we sit here and say we have the authority to say you can kill the unborn human being by our vote. I think it's blasphemous -- presuming to ourselves the place of God. You may say, I'm not killing anybody. No, you're just voting to let other people kill innocent people. You can say well as long as you don't do it I'm not guilty. No. We are guilty. If we're voting to let other people kill innocent people, we are making the law. There is no supreme court to hide behind.

You know for decades the republican party, going back to the time of Ronald Reagan, has embraced these two pro-life principles that I've tried to articulate. The platform of the South Carolina Republican Party lists life as a fundamental principle and when I printed it off from the Republican Party website, I hope they haven't changed it, the right to life was the first principle listed. The Republican Party says we believe the right to life is the first inalienable right before which there can be no other rights. If you are dead, you don't have any other rights. We believe that all human life has intrinsic worth and therefore support vigorous legal protection at all stages of life from the unborn child to the derelict to the disabled. If you can affirm life at one end of the spectrum you can devalue life at the other end of the spectrum in its final stages and don't you know that's happening in other places around the world. Furthermore, the South Carolina Republican Party platform says this: We believe the 14th Amendment's protection applies to unborn children. Unborn children should be classified as legal persons not as legal property. So who knew? The Republican Party of South Carolina believes in personhood. That the unborn child should be classified as a person. You know if you look up the definition of person in the dictionary, unless they've changed it, it says a person is a human being. A person is a human being. A human being you might say is a person. Except when is a person not a person? Well, when we vote in such a way that a person is not a person -- when a government takes into itself to say certain groups of people don't have the same rights as other groups of people that we are going to call persons -- we had a little conflict about that in this country. And which of course is why we have the 14th Amendment. You can look all through human history, if you want to get rid of a group of people, you've got to dehumanize them. This has been the Republican Party platform. I'm old enough, as are many of you here,

to have lived through this history. I'm not telling you anything you don't know. When I say this has been a fundamental tenet of the Republican Party going back to the time of Ronald Reagan -- since the 1980s we've been trying to elect, since the 1980s we've been trying to elect justices to the Supreme Court that would follow the constitution and not legislate from the bench. All the way back to the time of Ronald Reagan. I lived through it. Well, God, in my humble opinion, did a miracle and allowed that to happen. Didn't think that I would ever live to see it, honestly. Well, we got a Supreme Court that decided abortion actually was not in the constitution. And that abortion since it was not in the constitution should be returned to the states. After 40 years of trying, we got such a Supreme Court and they returned it to the states. Of course we're waiting to see what our Supreme Court is going to have to say about this. We're waiting to see whether our court is going to see something in the constitution that maybe is not apparent simply by reading it. But in the meantime, we are the branch of government that writes the law. Not my job to try to figure out what the Supreme Court would say about H. 5399. They haven't even told us what they think about the Heartbeat Law yet. I'm not going to be guided in my actions today by something they may do or may not do about the right to privacy. It is our job to legislate. It should surprise no one, not a single member of this Chamber should be surprised first of all, that the Senate deferred to the House to write the Bill. The Senate could have taken up the challenge and written our own Bill, but we deferred to the House, okay? So let's just put that on the table. We said, y'all do the heavy lifting and send something over to us and we'll take a look at it. That's the way this happened. It should come as no surprise that the House drafted H. 5399 in such a way as to reflect fundamental principles of the pro-life movement which also happen to be the Republican Party platform. Why wouldn't they draft such a Bill? We've been working for three or four decades to have the opportunity to try to protect an innocent human life. Of course they are going to draft a bill that tries to protect life from its earliest stages. That was their job. That's no surprise that they did that. I will tell you what is a surprise, honestly, to me, to many people in the pro-life movement. What is a surprise is the inability and the unwillingness of this Body, dominated by a 30 to 16 republican majority -- the unwillingness of this Body to pass H. 5399. That's what's a surprise. That Bill's no surprise. Our inability to pass it was the surprise. We took a vote in September, took a vote on the House Bill with Senate amendments added to it. Right? Now when I say we took a vote, what we actually did was, we took a vote on a tabling measure, okay? And the tabling measure of H. 5399 as amended

by the Senate failed, 24-20. Or another way of saying it is that Bill with Senate amendments on it got 24 votes which is a majority of the Chamber. At that time, a filibuster began that was led by a Republican. And after about 15 minutes, we had a cloture vote and we could only get 24 of 30 Republicans to vote cloture, and everybody in here knows that you got to have 26 votes. And I don't know if we took another cloture vote. Maybe we took two. I really don't know. But we didn't stay here long -- Republican party members. It didn't take us long to carry that amendment over and move on to fixing the Heartbeat Bill. We didn't put up any kind of struggle or titanic fight. 15-minute filibuster might become the thing of the day. I mean if you can -- filibusters might become the thing of the day. If you can stop the fundamental pro-life movement platform issue in 15 minutes then heck maybe you can stop anything in 15 minutes if you just signal that you're willing to filibuster -- 15 minutes. We said well, can't do H.5399, we're not that committed. We might have to stay here a while. So this was happening on September 7th and 8th. The Supreme Court back in August had issued a temporary injunction against the Heartbeat Bill. So the idea arose that we will take that temporary injunction and we will try to address it with some language to hopefully fix the Heartbeat Bill in the way that the Supreme Court will like. We'll make that our mission here. We can't pass this; it's not going to happen. We'll just do this instead. So that's what we did. We sent it over to the House. and lo and behold, they nonconcurred. I don't know why that would surprise people -- that they would nonconcur -- that we threw their work away. I tell you, the Senate and the House versions of this Bill are so different, that when we got into the conference committee, I'm told I can't even really merge the House and Senate language together because they're so different. What we passed had nothing to do with the House Bill. We threw it away and said we'll do something with the Heartbeat Bill so we can claim we did something. We need a victory out of this. We're not going to pass the House Bill but boy we need to pass something and that's what we're talking about today -- passing something. Passing something so we can say, well, we think we're doing good. And we couldn't do that, that was too hard. Let's just do this. You know, there are people who spend decades of their life dedicated to getting to the point where we could actually have a Bill like H. 5399 that would be the law of the land. They form this little group called Citizens for Life. And they've been working in this State House for decades. Trying to come up with creative ways to lower a number of babies that are being killed -- to protect the unborn baby this any way they could think of that the Supreme Court would allow. They worked

for decades to get to the point where we could actually just write the law. And we got to the point and we said well, we don't want to write the law and now we wonder why those same pro-life people are scratching their heads and wondering, what is wrong with the South Carolina Senate? What is wrong with the Republicans who all claim to an -- every last one to be pro-life. Well I'll tell you what's wrong. Some people are trying to redefine what it means to be pro-life. I'm not going to let that happen -- not on my watch. A human life begins at conception and deserves equal protection of the law. I am never going to accept pro-life as meaning it's okay to kill the unborn baby this the first trimester or it's okay to kill the unborn baby in the first six weeks. That's not what the pro-life movement believes by any stretch of the imagination. You say well I may get re-elected that way. Well, you may but you're not going to change the meaning and understanding of what the pro-life movement has been about for the past 50 years. You're not going to convince South Carolina Citizens for Life or Family Research Council or anyone who has been in this battle that all of a sudden, six weeks or 13 weeks or 20 weeks is good enough for the pro-life movement. Those of us have to be satisfied because it's too hard to pass that other Bill they want. They're not satisfied. So the House nonconcurred. I don't blame the House. I don't know why anybody should be surprised that the House would nonconcur when we wrote a Bill that is completely different from what they sent over here and asked them to swallow it because of our failure. They sent it back to us without amending it because they knew by sending it back to us without amending it, we could have an up and down vote without a filibuster and pass that Bill. October 18th we came in here and we failed a second time. By a simple motion to recede we could have sent the House Bill to the Governor's desk. But boy, all the problems in that House Bill -- problems by the way that people complain about -- some of which were fixed in the original version in September -- that was then filibustered to death. I'm glad they sent it back to us and made us take a vote on whether to recede from their amendment and let the House Bill pass, or to insist on our amendment and send it to conference. I'm glad that they nonconcurred. South Carolina Citizens for Life called that vote to recede the most important pro-life vote in the history of this State. South Carolina Citizens for Life told the legislators we're going to score this vote for life. But hey, maybe they are not as smart as we are. They've spent decades studying this. They've got their own attorneys, but maybe they don't know what we all know. So the vote to recede really wasn't even that close -- 17 Republicans voted to recede -- total of 26 didn't. So we sent it to conference. As we came together in conference, Mr.

McCravy presented a proposal that was a merger of the two Bills. It merged the House and the Senate Bills together. It was the understanding of the House Chamber and the House attorneys that could be done in the way that it was proposed to us without free conference. So there's a difference in understanding between the two Chambers on what you can do in a conference committee. So I asked our attorneys about that. And some research was done and lo and behold, look folks, I understand there may be a difference of understanding -- but there was one example pointed out to me. In the past 32 years there's been one example that was somewhat similar to this in terms of precedent. The rules about conference committee are really just limited to how they're appointed. The rest of is oral tradition. Oral tradition and precedent about what a conference committee can do. I thought that the proposal by Mr. McCravy was a very good proposal. It brought over and merged together all of the Senate language into the House Bill. And the House lawyers said that's fine and the Senate lawyers said you can't do that without free conference powers. I will try to briefly explain this because it's important. The Senate language, when it was talking about fetal anomaly, was talking about fetal anomaly within the context of the Heartbeat Bill. So to bring over fetal anomaly to the House Bill, and try to merge it in, you would be bringing it out of the context of the Heartbeat Bill -- the Heartbeat law and you would be bringing it into the context of protecting life from the time that pregnancy can be clinically diagnosed and they said you just can't do that. So I accepted that, although I am making the point, and I do think it bears consideration, the fact that when the research was done, they found for me one example in the past 32 years that could have been a reference to this oral tradition that we are abiding by that prevented a complete merger of the Senate and House Bills and I find that troubling. But be that as it may I didn't want to put this Body through the test of bringing that proposal over here and having a point of order raised, and then going through all of that. So I asked for a draft based on the House Bill, that would bring over from the Senate version as much as possible -- as much as our attorneys felt like was legitimately possible from a conference committee that does not have free conference powers and that's the report that you have before you today. So yeah, it doesn't solve all the issues that some people have raised even here today on the floor. Some weeks ago, I brought forward a proposal, I sent it out to my republican colleagues -- at least most of them, can't quite remember the exact distribution but my proposal was this. If we've got some Senate amendments that we voted on back in September, in that amendment that got 24 votes -- if we got some

amendments and hey I voted for it, I was one of those 24. I voted for some thinks I don't like -- things I don't like. If we've got some Senate amendments that can't be brought into this Bill at this point in time, we can pass those in a separate Bill in January. As much as I don't even like some of those amendments, I made it clear I would not filibuster such a Bill. The things that some of y'all are going to use for excuses today could be fixed in a separate Bill in January, if you wanted to take that path -- fetal anomaly, definition of rape -- I said I'd be willing to allow a Bill that had anything that was in those Senate amendments that we voted on 24-20. I'd be willing to let that go for a vote without filibustering it, so we can fix these humongous problems that everybody is so worried about. I couldn't get any interest in the Senate. We don't trust the House. We send that Bill over there, they may not do anything. Well, why don't you ask them? So I called the Speaker of the House. He was very gracious to talk to because I've never had a conversation with him. I requested Mr. McCravy to speak to the Speaker of the House about this idea of passing a separate Bill in January -- on some Senate amendments that were not making it through this process at this point in time, and the idea was favorably received. So I just tell you that the idea was favorably received. Now, that could be done in January. But let me tell what you can't be done in January. In January, we cannot pass H. 5399 to protect 98% of unborn babies. I know that and you know that. That's not going to happen in January. If it doesn't happen this week, then there's a good chance it won't happen in the next two years because of the makeup of this Chamber. And even after the 2024 Elections -- we all know an abortion Bill takes two years to get through so if we don't pass H. 5399 this week, there's a good chance that we won't be voting on such a Bill again until 2026. If we table this Bill when we take this vote in a few minutes, if you vote to table that Bill -- I think that's the scenario you're voting for -- we can fix H. 5399 where it needs to be fixed, we can do that in January but we can't pass H. 5399 unless we do it this week. The conference report before us today -- the conference report before us today does employ the main two goals of both the House and Senate versions of H. 5399. The main thrust of the Senate version that we passed was this: there is a potential conflict in the language where we certified Roe v. Wade in Section 44-41-20 -- potential conflict in language that the Supreme Court mentioned in their temporary injunction. So we were trying to address that concern in that Heartbeat fix about Section 44-41-20, that was the main thrust of that -- of the Senate version. The main thrust of the House Bill is to protect 98% of unborn babies. This conference report is the only way I know to put those two Bills together

to accomplish and incorporate the work of both Chambers. This conference report is based on the House Bill, but it does bring over from the Senate version the deletion from the code of Section 44-41-20. If that section is deleted, then the conflict -- potential conflict of language -- I will say goes away because Section 44-41-20 at that point doesn't exist anymore. So it brings over the fix of the Heartbeat law that the Senate attempted. If the conference committee had brought -- if the conference committee had brought forth a proposal that started with the Senate language then the only two sections of the House Bill that we could have brought over would have been the child tax credit, and the child support provision from the House Bill. That's it. If we started with the Senate version, the only two sections that we could have brought from the House Bill would have been the child tax credit and the child support section. The part about saving 98% of the babies couldn't be brought over -- babies couldn't be brought over. We did it the only way possible to incorporate the work of both Chambers. I talked to Citizens for Life about fatal fetal anomaly. You know when I ran for office I filled out a survey from that group and I think probably a lot of y'all did as well. Do you know that on that survey there is no question about fatal fetal anomaly at all. There is no mention; there is no box to check to say well, I can't vote for a Bill unless it has this in it. There never has been. Many of y'all signed a pledge, and I don't know who. I don't have the records. But many of y'all signed a pledge that said you would support legislation if it had a rape and incest exception. Many of y'all signed the pledge and that's what this Bill has. I don't like it. Again, it's not a Bill that everyone's perfectly happy with but it has rape and incest exceptions. But you can't say that you signed their pledge that you wouldn't support it without fatal fetal anomaly because that's not on their pledge. So we're at a departure point here in the Republican Party in the South Carolina Senate. We're at a moment of truth where what it means to be pro-life is going to be voted on and duly noted and recorded by the pro-life movement. And let me tell you, you're not going to fool the people who actually are the backbone of the pro-life movement. Folks, I know these people. I know these crisis pregnancy center directors. I know the people who go and pray and protest outside the abortion clinics. You're not going to fool them. You can make all kinds of noise about how this Bill had defects. How you want something better in the future. You're not going to fool them. You're not going to fool them. I have one vote, you have one vote and we're going to be accountable for that vote. And you know, this will surprise you but not everybody even likes my position. That's right, some people think I've compromised and they're not happy

with me. You know what? I will have to answer to God for my vote one day. And that's what it's going to come down to. I am going to have to answer to God for my vote on how I tried to protect unborn human life. Now, the voters can do whatever they want in 2024. I'm not overly concerned about that. As long as I'm here, I'm going to speak up for those who cannot speak for themselves. I am going to defend what I believe to be justice and righteousness -- in creating equal protection of the law for the unborn child. And you will have to answer the question as you will concerning your vote. Since the Dobbs decision has come down, there have been two states that have passed very tough abortion laws -- West Virginia is one, Indiana is the other. So there's a number of states that have very restrictive abortion laws. States like Alabama -- but we're going to have to do some soul searching in South Carolina. The Republican Party's going to have to do some soul searching about what they believe, concerning the origin of the human life, and the protection that life deserves. I don't know that there's any issue that has been more important to the base of the Republican Party in the past 30 to 40 years than the right to life. I know gun rights are important to people. But I don't know that there's any issue that moved people at such a deep level as this issue. And I think it's because we are dealing with life. We are dealing with life. We're not dealing with taxes. We're not even dealing with gun regulations. We are dealing with God's greatest gift life itself.

So we have this vote before us today. As Senator MASSEY has mentioned, I don't know if the House members are around or not. I wouldn't count on having any more votes today. I wouldn't count on another vote to save the day and if this doesn't pass -- I don't know where they are but I do know this. This Bill incorporates the Senate language to protect the Heartbeat Bill and this Bill would protect the 98% of life and I believe that all pro-life Senators should vote for it. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

The Senate stood at ease at 12:31 P.M.

The Senate resumed at 1:10 P.M.

Senator MASSEY spoke on the work of the Conference Committee.

Remarks by Senator MASSEY

Thank you, Mr. PRESIDENT. Senators, we went upstairs to reconvene the conference committee. None of the House members showed up. It has been a little over thirty minutes, I guess, since we had our vote and we stood at ease -- hoping the conference committee could reconvene. Look, I want to tell whoever is here -- because I'm very cognizant of not wanting to waste people's time, which is why we tried to have the conference committee meeting this morning with the understanding something was probably going to come out and the Senate could deal with that. I announced while I didn't think the Senate had the votes for the conference report, we would be willing to reconvene to try to come up with something else. Let's keep talking -- come up with an idea. Maybe we can get there. I made that announcement this morning. The fact we are convened thirty minutes is no surprise to anybody that House members just decided to go home. What has been proposed as a compromise was -- wasn't a compromise on the issue that everybody knew was the issue. What I've gotten from the House is it is our way or no way. If you don't give us what we want, we're going home -- not going to work anymore. They left. They won't even talk to us anymore. I'm extremely disappointed by that. I know there are people disappointed on both sides.

I will tell you when we came up in September personally, I thought we had a shot, as long as there were exceptions in there. I knew it was real close. It was real close. I know there was a vote that had 24 Senators votes, as Senator CASH has reminded me a number of times. Also think most everybody who was watching understood that vote was soft. It was never going to get 24 votes if that is what people thought was going to be the final product, but I support that. For me this was never an academic issue. Didn't matter what the courts were going to do. I've not been playing the political gains, which I'm getting from the House. They are not interested in solving a problem but more interested in playing to the cameras. That makes it more frustrating for me because I do think there is room to move. I do think there are some things we could do to save more lives. But nope, if it is not what we want, we are not going to do it. We are just going to go home. It's put us in a difficult position. The House nonconcurring, and I heard Senator CASH saying he was glad they did that. That was a very not smart move -- put us in a position we couldn't negotiate, take it or leave it -- One or the other. We couldn't do very much. You've got amateurs playing legislative strategy and don't know what they are doing. Anybody paying attention in the past year and a half knows where the votes are -- know what exceptions have to

be. I understand there are people that don't like that. I don't like it. It is what it is. So put us in a posture. Not a political posture but legislative posture where we can't do anything to fix the problems. When Senator CASH proposes something to fix the problems, it requires free conference. I understand he doesn't understand the rules. As he told me earlier, I don't think he would mind me saying this, this is the first conference committee he's served on. Never had to deal with free conference before. I'm a Republican. We used to stand for law and order -- follow the rules. I'm not going to blow them up on this one but not that one. Senator MARTIN tell me what happens when you don't have free conference rules for conference committees? They do whatever they want to do. There are no limitations anymore. The conference committee, not on this, can write whatever they want to write. I understand the House doesn't care what the rules are. You've got to come to work -- Show up -- Negotiate an issue. That is not what we've had on this. Mr. McCravy told me he hoped I would get 24 -- even there was no way. Hope you get 24 for a good faith effort. It wasn't rational -- Never good faith. This was always a show. What I regret is we weren't able to do something but I regret I have wasted all y'all's time. I apologize for that. I was hopeful we would pass lives. It wasn't a touchdown but first down. The House guys will tell you privately they knew -- Senator CASH said this was back in legislature now, not in front of courts. The House guys will tell you privately they know if we passed their version that it gets enjoined within ten minutes of the Governor signing it. They knew anybody who listened to the arguments in our Supreme Court knows there is no way that will happen. But that is okay. I'm happy to vote. We have come back and voted now three times. I wasn't bluffing. When the PRESIDENT sent out after nonconcurring and put us in a position where it is unlikely we will pass anything, Mr. PRESIDENT, I don't think you were bluffing. I think you were telling them exactly how it was. That is even more case if the House won't come to work. So I'm frustrated by that. Others are frustrated on both sides of this. But it is clear to me now the House won't even talk. If they put us in that position, I don't know what else to do. I do think this is the best time, Senator CASH. I think this is the best time to pass something. I agree with you on that. Doesn't mean it can't happen because it did happen in past years. You said earlier it takes two years. We got heartbeat done in about two weeks when folks come together, we can get it done. They've got to be willing to talk. It is tough in October and November. You weren't told you needed to be here in October and November. Some of you cancelled some vacation plans to be here today for the House not to show up to

work. I appreciate you doing that. I'm sorry you had to do that. Sorry you had to do that. Some cancelled some international plans -- all sorts of plans. But I'm glad Senators showed up to work today. Glad the Senate showed up. There are enough that disagree -- don't want us to pass anything. The conferees have helped your position if you didn't want to pass anything, right. Those on the left, those Democrats hoping we weren't going to pass anything, the planned parenthood and others, the House conferees have helped you because the reason we are not going to pass anything is because the House conferees left. That frustrates me. I was hopeful we could do something. Not just because I wanted to pass something for a win. I'm going to appreciate that. I'm not interested in that. I wanted to pass something that was going to advance the ball -- save some more lives. Didn't go as far as what I wanted but it was going to be something, right. I think saving any lives isn't minuscule. You can't do it when the House won't even talk to you. Chairman of Finance, Senator PEELER, that is frustrating. I have tried to be straight forward with people the whole time about this is where I see folks are. Think I said in first conference committee about 14, 15 times, we will take it out but you will not have the votes to pass it. But it is frustrating to do nothing. It is frustrating to be here in October and November, then them just not show up to work anymore. So I apologize to you. I apologize to you for having you having to come back for this exercise in futility. I apologize for those of you who cancelled plans to be out of state because you came back to do your job. But our commitment is to the Senate. Our constituents elected us to do a job. We didn't really want that to mean he had to show up November 9th but did. We showed up November 9th. The fact that the House conferees won't even come back to work is a disgrace. I don't know what else to do y'all. I have tried -- I talked with people privately, publicly. We came back to work today in hopes that -- telling you this isn't going to pass, but I will take it out even though I'm not going to vote because I think the rape exception is fake. I think the rape exception is fake. That is a deal killer for me. That is what I said in conference committee. I'll take it out and give you your vote because the Senators showed up to work and they are going to vote on it, again. What if we can't pass that? Can we pass something not just to get a win? Can we pass something that will actually save some lives? Can we pass something that will not have us be a destination state? Can we pass something that will send a message to the Supreme Court that yes, we really, really want Fetal Heartbeat to stay in place so we are not at 20 weeks, which puts us as the most lenient in the southeast. That is the problem. The injunction has made us the most lenient in the southeast,

which is why people are seeing these come to abortion clinics. If we did what the Senate passed in September, that would not happen. Would it go as far as some wanted? No, it wouldn't. Last year what we passed was triumphed as the most significant pro-life win in history, because it was. It would still be a big win. Heartbeat would still be one of the most aggressive abortion laws in the country. I would go further than that. Got to have the votes otherwise to do that. You got to have people who are willing to talk to you. My concern was that by passing nothing we are actually going to regress because you are completely ignoring what the State Supreme Court has told you, so you are more likely to lose Heartbeat by not passing anything.

This is baffling to me. How -- granted I agree, I have been accused of not being pro-life. I have been told by the pro-life community in the last few days that I was going to hell -- no way I could be a Christian. It is amazing how many disregard the entire ministry of apostle Paul. Like Paul never existed. I will tell you if we want to advance that cause, fire and brimstone isn't going to work. If the church's word is to spread gospel, fire and brimstone ain't going to work y'all. If the idea is to persuade enough people to support stricter abortion laws, one -- you've got to talk to me. The other is fire and brimstone is not going to persuade people. You might scare a few people into a vote here or there but you are not going to win the issue with fire and brimstone. So no matter how many times you say the people who voted to ban abortion at six weeks are pro-abortion -- good grief. Come on. How would anybody pro-abortion vote to ban abortion after a fetal heartbeat is detected? That is ridiculous.

I will tell you if we want to move the ball forward the whole effort has to change. Because I don't care how it's been done for 50 years, there's been a lot of progress. But if the effort now is it is fire and brimstone. If you are not with us on every single issue, we are going to take you out. So be it. There are people out there that think I like this job a lot more than I actually do. Because I'll tell y'all, after June I didn't want to see y'all again this year. Now most of you shouldn't take that personally. That is what voters -- that is what they do. Everybody knows it will be an issue in the election in 2024. So be it. If you can't defend how you vote, then you shouldn't be here.

There is no way to do legislation if the two bodies won't talk. We are in a position right now where the House won't even talk to us. So for those who wanted to advance the cause of life, I don't know what else to do. I'm frustrated by that. Senator CASH criticized -- I think he was really talking to me -- criticized us for giving up too early in September

because for those people who have been here more than four or five years those that have seen a filibuster, you know the longer the filibuster goes votes change in your favor, right? That is what happens. But I'm -- of course I was being sarcastic and I apologize for that -- the only thing that will happen is you are going to lose votes. We did the strongest thing we could. I understand there are people that don't agree or understand that, but that is the reality, though that was frustrating to me at the time. But you know, Senator CASH accused me of giving up too early or not doing things that are hard. Let's not avoid it because it is hard. Come on back. Let's do it. You are going to pick up votes with that. If you put in -- you fix the rate, put in fetal anomalies, you are going get more votes on that. I guess it is too hard. I'm not taking questions. I'm in a position where I don't know what else to do. I have tried everything I could try. I don't know how a conference committee does anything if the House won't talk to them. So Mr. PRESIDENT I think the only thing we can do is adjourn. I don't want to adjourn because I wanted to pass something. What do I do if they won't talk to me. Mr. PRESIDENT, I move we adjourn pursuant to the *Sine Die* Resolution.

On motion of Senator TURNER, with unanimous consent, the remarks of Senator MASSEY were ordered printed in the Journal.

At 1:29 P.M., Senator MASSEY moved that the Senate adjourn under the provisions of S. 1325, the *Sine Die* Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 22; Nays 20

AYES

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Kimpson	Malloy	Matthews
McElveen	McLeod	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Williams		

Total--22

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Goldfinch	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Turner	Verdin	

Total--20

The motion was adopted.

Statement by Senator YOUNG

Unfortunately, I had to leave the Senate Chamber today due to a family emergency. Had I been present, I would have voted against the motion to adjourn.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator McLEOD, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jim Dewitt and Mrs. Gloria Dewitt of Columbia, S.C. Jim and Gloria were high school sweethearts. They owned Legends Security and Sound and Jim was a member of the Atlantic Beach City Council. Jim and Gloria were the parents of two boys and will be dearly missed.

And

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lieutenant Colonel James William Ross of Sumter, S.C. Jim was a graduate of Hillcrest High School, Newberry College and the Armed Forces Staff College. Jim owned and operated Ross Construction. He retired from the U.S. Marine Corps after more than 24 years of service and was a veteran of the Vietnam War. Jim was a member of Trinity United Methodist Church and the American Legion Post 15.

and

MOTION ADOPTED

On motion of Senators McELVEEN and K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Frank E. Williams, Jr. of Sumter, S.C. Frank was a graduate of Benedict College and began his career in the funeral service industry. He later founded and faithfully pastored Faith Missionary Baptist Church. Frank served on Sumter County Council and was a worship master at Catchall Masonic Lodge 425. He enjoyed fishing and serving his community. Frank was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:35 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

* * *

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Senator MASSEY moved under the provisions of Rule 15A that no further amendments be allowed on the desk other than one amendment each by the Majority Leader and the Minority Leader, as provided for in Rule 15A; that no Senator be the primary sponsor of more than one amendment for consideration, if the amendment was on the desk prior to the adoption of this motion; that the primary sponsor be allowed up to three minutes to explain each amendment; and upon consideration of all the amendments, the proponents and opponents be allowed up to three minutes for and three minutes against the Bill. 3587

At 12:25 P.M., pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, that the Clerk be prohibited from receiving further amendments after one hour from the adoption of this motion, and debate on the pending amendments be limited to 10 minutes for proponents and 10 minutes for opponents, then debate on the main question be limited to 20 minutes for proponents and 20 minutes for opponents. 4091

At 12:33 P.M., pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, and debate on the pending amendments be limited to 10 minutes for proponents and 10 minutes for opponents. 4093

At 5:18 P.M., pursuant to Rule 15A, Senator MASSEY moved that the debate on the entire matter of H. 5399 be brought to a close, that the Clerk be prohibited from receiving any further amendments 10 minutes after the adoption of this motion, and debate on the pending amendments be limited to 5 minutes for proponents and 5 minutes for opponents and then debate on the main question be limited to 10 minutes for proponents and 10 minutes for opponents. 4106

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(A258, R127, S862) -- Senators Hutto and Matthews: AN ACT TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.
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JACKSON, DARRELL - Senator from District No. 21, Richland County:

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JOHNSON, KEVIN L. - Senator from District No. 36, Clarendon, Darlington, Florence and Sumter Counties:

S. 939, 978, 986, 993, 1000, 1007, 1058, 1064, 1065, 1074, 1077, 1078, 1085, 1110, 1112, 1142, 1143, 1145, 1170, 1174, 1194, 1233, 1238, 1239, 1240, 1252, 1268, 1293, 1305, 1308, 1313, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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JOHNSON, MICHAEL - Senator from District No. 16, Lancaster and York Counties:

S. 864, 888, 900, 902, 924, 925, 939, 969, 970, 986, 1007, 1039, 1045, 1058, 1064, 1065, 1074, 1077, 1085, 1087, 1095, 1103, 1108, 1110, 1112, 1145, 1150, 1238, 1239, 1240, 1242, 1252, 1268, 1270, 1282, 1300, 1301, 1305, 1308, 1313, 1315, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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KIMBRELL, JOSH - Senator from District No. 11, Spartanburg County:

S. 887, 888, 889, 891, 899, 900, 911, 922, 923, 924, 929, 933, 935, 939, 949, 961, 968, 969, 970, 974, 986, 992, 1005, 1007, 1009, 1032, 1033, 1037, 1039, 1058, 1064, 1065, 1074, 1077, 1085, 1087, 1095, 1100, 1103, 1110, 1111, 1112, 1130, 1145, 1150, 1200, 1202, 1226, 1238, 1239, 1240, 1242, 1252, 1259, 1282, 1294, 1301, 1305, 1308, 1313, 1327, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1367, 1370, 1371, 1374

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KIMPSON, MARLON E.- Senator from District No. 42, Charleston and Dorchester Counties:

S. 886, 939, 1007, 1016, 1039, 1058, 1064, 1065, 1074, 1077, 1085, 1094, 1110, 1112, 1118, 1145, 1238, 1239, 1240, 1252, 1268, 1272, 1305, 1308, 1313, 1344, 1348, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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LOFTIS, DWIGHT A. - Senator from District No. 6, Greenville County:

S. 889, 890, 899, 900, 922, 923, 924, 925, 933, 935, 939, 945, 961, 969, 970, 1007, 1031, 1037, 1050, 1058, 1064, 1065, 1074, 1077, 1085, 1087, 1100, 1110, 1112, 1136, 1145, 1150, 1238, 1239, 1240, 1242, 1247, 1252, 1268, 1282, 1305, 1308, 1313, 1327, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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MALLOY, GERALD - Senator from District No. 29, Darlington, Lee, Marlboro and Chesterfield Counties:

S. 866, 902, 925, 938, 939, 972, 1007, 1058, 1064, 1065, 1074, 1085, 1087, 1103, 1110, 1112, 1145, 1170, 1237, 1238, 1239, 1240, 1251, 1252, 1258, 1268, 1269, 1305, 1308, 1313, 1325, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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MARTIN, SHANE R. - Senator from District No. 13, Spartanburg, Union and Greenville Counties:

S. 902, 922, 923, 925, 939, 942, 1000, 1007, 1032, 1037, 1058, 1061, 1064, 1065, 1074, 1085, 1087, 1091, 1092, 1098, 1100, 1110, 1112, 1114, 1145, 1238, 1239, 1240, 1252, 1280, 1282, 1299, 1305, 1308, 1313, 1317, 1344, 1346, 1351, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1367, 1370, 1371, 1374

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MASSEY, A. SHANE - Senator from District No. 25, Edgefield, McCormick, Aiken, Saluda and Lexington Counties:

S. 887, 925, 932, 933, 935, 939, 962, 975, 983, 984, 1007, 1018, 1037, 1048, 1058, 1060, 1064, 1065, 1074, 1077, 1085, 1087, 1090, 1095, 1098, 1109, 1110, 1112, 1122, 1145, 1188, 1197, 1238, 1239, 1240, 1252, 1268, 1282, 1305, 1308, 1313, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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MATTHEWS, MARGIE BRIGHT - Senator from District No. 45, Jasper, Hampton, Colleton, Beaufort, Charleston and Allendale Counties:

S. 865, 869, 939, 966, 986, 1007, 1016, 1058, 1064, 1065, 1074, 1085, 1110, 1112, 1145, 1218, 1235, 1237, 1238, 1239, 1240, 1241, 1252, 1268, 1305, 1308, 1313, 1344, 1348, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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MCELVEEN, J. THOMAS, III - Senator from District No. 35, Sumter, Lee, Kershaw and Richland Counties:

S. 901, 925, 939, 978, 986, 992, 1001, 1007, 1039, 1046, 1057, 1058, 1064, 1065, 1074, 1077, 1085, 1087, 1095, 1103, 1110, 1112, 1128, 1145, 1171, 1177, 1181, 1206, 1238, 1239, 1240, 1242, 1252, 1257, 1268, 1305, 1308, 1313, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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MCLEOD, MIA S. - Senator from District No. 22, Richland and Kershaw Counties:

S. 871, 896, 897, 915, 916, 939, 995, 996, 997, 1001, 1007, 1046, 1057, 1058, 1063, 1064, 1065, 1074, 1077, 1085, 1110, 1111, 1112, 1145, 1149, 1191, 1192, 1205, 1236, 1237, 1238, 1239, 1240, 1252, 1268, 1305, 1308, 1313, 1320, 1322, 1340, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1370, 1371, 1374

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PEELER, HARVEY S., JR. - Senator from District No. 14, Cherokee, York, Union and Spartanburg Counties:

S. 901, 921, 922, 923, 933, 935, 939, 952, 956, 969, 970, 986, 1007, 1058, 1064, 1065, 1074, 1085, 1087, 1098, 1099, 1100, 1106, 1108, 1110, 1112, 1120, 1126, 1145, 1150, 1167, 1203, 1238, 1239, 1240, 1252, 1268, 1270, 1271, 1282, 1299, 1300, 1305, 1308, 1313, 1344, 1353, 1354, 1355, 1356, 1357, 1364, 1365, 1367, 1370, 1371, 1374

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