~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

 Our thought for today is from Psalm 100: “Enter his gates with thanksgiving and his courts with praise. Give thanks to him, bless his name.”

 Let us pray. Reconciling God, we thank You for reuniting us with You and with all the people of the World. Grand us Your grace as these men and women continue the work of this House. Bless and keep safe our World, Nation, President, State, Governor, Speaker, Staff, and these, Your servants, who strive to do their work. Bless our defenders of freedom and first responders as they care for us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. G. M. SMITH moved that when the House adjourns, it adjourn in memory of Suzanna Carter Foley, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of Travis Wicker.

**SILENT PRAYER**

The House stood in silent prayer for former Representative Lloyd Hendricks.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of former Representative E. Crosby Lewis.

**SILENT PRAYER**

The House stood in silent prayer for Representative Gilliard's daughter.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Davis |
| Dillard | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hart | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Herbkersman | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Moss | Murphy | Neese |
| B. Newton | W. Newton | Nutt |
| O'Neal | Oremus | Ott |
| Pace | Pedalino | Pendarvis |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| White | Whitmire | Williams |
| Willis | Wooten | Yow |

**Total Present--120**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. B. J. COX a leave of absence for the day due to military duty.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BEACH a leave of absence for the day due to family medical leave.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CRAWFORD a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GILLIARD a leave of absence for the day due to family medical reasons.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Larry Rabon of Florence was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

**“**5.2Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3116 |
| Date: | ADD: |
| 05/10/23 | WILLIAMS and BLACKWELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3121 |
| Date: | ADD: |
| 05/10/23 | CASKEY |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3425 |
| Date: | ADD: |
| 05/10/23 | LANDING, LIGON and O'NEAL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3824 |
| Date: | ADD: |
| 05/10/23 | CASKEY |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3989 |
| Date: | ADD: |
| 05/10/23 | BAUER and FORREST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4135 |
| Date: | ADD: |
| 05/10/23 | HERBKERSMAN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4364 |
| Date: | ADD: |
| 05/10/23 | GATCH and B. NEWTON |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3824 |
| Date: | REMOVE: |
| 05/10/23 | HADDON |

**S. 764--POINT OF ORDER, RULE 5.10 WAIVED PURSUANT TO RULE 5.15, INTERRUPTED DEBATE**

The following Bill was taken up:

S. 764 -- Senators Climer, M. Johnson and Peeler: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

**POINT OF ORDER**

Rep. KING made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER *PRO TEMPORE*sustained the Point of Order.

**RULE 5.10 WAIVED PURSUANT TO RULE 5.15**

Rep. Sessions moved to waive Rule 5.10, pursuant to Rule 5.15.

The yeas and nays were taken resulting as follows:

 Yeas 85; Nays 27

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Ballentine | Bannister |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Connell |
| B. L. Cox | Cromer | Davis |
| Dillard | Elliott | Erickson |
| Felder | Gagnon | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Herbkersman | Hewitt | Hiott |
| Hixon | Hosey | Hyde |
| J. E. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | Landing |
| Lawson | Leber | Ligon |
| Long | Lowe | Magnuson |
| May | McCabe | McCravy |
| McGinnis | Mitchell | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Pace | Pedalino |
| Pope | Robbins | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Taylor | Thayer |
| Trantham | Vaughan | West |
| Whitmire | Willis | Wooten |
| Yow |  |  |

**Total--85**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bauer | Bernstein | Clyburn |
| Cobb-Hunter | Garvin | Hayes |
| Henderson-Myers | Henegan | Howard |
| Jefferson | King | Kirby |
| McDaniel | J. Moore | Ott |
| Rivers | Rose | Rutherford |
| Tedder | Thigpen | Weeks |
| Wetmore | Wheeler | Williams |

**Total--27**

So, Rule 5.10 was waived, pursuant to Rule 5.15.

Rep. KING proposed the following Amendment No. 1 to S. 764 (LC-764.DG0003H):

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

SECTION 1.  Section 2(A) of Act 470 of 2000, as last amended by Act 310 of 2014, is further amended to read:

(A)(1) Notwithstanding another provision of law, beginning with the elections conducted in ~~2014~~2024, the ~~election~~seven single-member districts ~~for~~from which each of the members of the Board of Trustees of Rock Hill School District No. 3 of York County must be elected are established and delineated on map number ~~S 91 03 14~~S-91-03-23 created and maintained by the Office of ~~Research and Statistics of the State Budget and Control Board, or its successor agency~~Revenue and Fiscal Affairs.

 (2) The demographic information for each of the seven single-member districts shown on this map is as follows:

~~District~~ ~~Pop~~ ~~Dev.~~ ~~%Dev.~~ ~~NH\_WHT~~ ~~%NH\_WHT~~ ~~NH\_BLK~~ ~~%NH\_BLK~~

~~1~~ ~~20,887~~ ~~-1,258~~ ~~-5.68%~~ ~~7,141~~ ~~34.19%~~ ~~12,638~~ ~~60.51%~~

~~2~~ ~~22,873~~ ~~728~~ ~~3.29%~~ ~~18,522~~ ~~80.98%~~ ~~2,913~~ ~~12.74%~~

~~3~~ ~~21,154~~ ~~-991~~ ~~-4.48%~~ ~~12,595~~ ~~59.54%~~ ~~7,646~~ ~~36.14%~~

~~4~~ ~~22,850~~ ~~705~~ ~~3.18%~~ ~~16,490~~ ~~72.17%~~ ~~3,509~~ ~~15.36%~~

~~5~~ ~~22,964~~ ~~819~~ ~~3.70%~~ ~~15,256~~ ~~66.43%~~ ~~4,434~~ ~~19.31%~~

~~Total~~ ~~110,728~~ ~~70,004~~ ~~31,140~~

~~District~~ ~~VAP~~ ~~NHWVAP~~ ~~%NHWVAP~~ ~~NHBVAP~~ ~~%NHBVAP~~ ~~AllOth~~ ~~AllOthVAP~~

~~1~~ ~~15,901~~ ~~5,999~~ ~~37.73%~~ ~~9,125~~ ~~57.39%~~ ~~1,101~~ ~~777~~

~~2~~ ~~17,296~~ ~~14,370~~ ~~83.08%~~ ~~2,000~~ ~~11.56%~~ ~~1,438~~ ~~926~~

~~3~~ ~~16,090~~ ~~9,934~~ ~~61.74%~~ ~~5,562~~ ~~34.57%~~ ~~913~~ ~~594~~

~~4~~ ~~17,424~~ ~~13,225~~ ~~75.90%~~ ~~2,356~~ ~~13.52%~~ ~~2,851~~ ~~1,843~~

~~5~~ ~~17,398~~ ~~12,171~~ ~~69.96%~~ ~~3,050~~ ~~17.53%~~ ~~3,274~~ ~~2,177~~

~~Total~~ ~~84,109~~ ~~55,699~~ ~~22,093~~ ~~9,584~~ ~~6,317~~

District Pop. Dev. %Dev. Hisp. %Hisp. NH White %NH White

1 16,462 -856 -0.05 1,075 0.07 6,150 0.37

2 16,970 -348 -0.02 1,441 0.08 10,891 0.64

3 16,864 -454 -0.03 885 0.05 5,863 0.35

4 18,074 756 0.04 2,185 0.12 11,453 0.63

5 18,005 687 0.04 1,390 0.08 9,995 0.56

6 17,426 108 0.01 673 0.04 12,934 0.74

7 17,426 108 0.01 770 0.04 12,502 0.72

Total 121,227 8,419 69,788

District NH Blk %NH Blk VAP %VAP HVAP %HVAP

1 8,548 0.52 12,780 0.78 724 0.06

2 3,528 0.21 13,176 0.78 937 0.07

3 9,538 0.57 13,223 0.78 643 0.05

4 3,315 0.18 14,168 0.78 1,496 0.11

5 4,634 0.26 13,961 0.78 964 0.07

6 2,886 0.17 13,684 0.79 414 0.03

7 3,236 0.19 13,662 0.78 527 0.04

Total 35,685 94,654 5,705

District NH WVAP %NH WVAP NH BVAP %NH BVAP

1 5,129 0.40 6,434 0.50

2 8,851 0.67 2,570 0.20

3 5,022 0.38 7,130 0.54

4 9,449 0.67 2,368 0.17

5 8,318 0.60 3,295 0.24

6 10,493 0.77 2,145 0.16

7 10,105 0.74 2,368 0.17

Total 57,367 26,310

SECTION 2.  Section 2(B) of Act 213 of 2005 is amended to read:

 (B)(1) The Board of Trustees of Rock Hill School District No. 3 of York County is composed of seven members elected in a nonpartisan election by the qualified electors of the district ~~with five members required to reside in the five districts delineated in subsection (A) of this section and two elected at large from the district without regard to residency~~from one of the seven defined single-member districts. A board member representing a numbered district must be a resident of the school district and the numbered single-member district from which he is elected, and only those electors residing in the particular district are eligible to vote for the trustee who will represent the district.

 (2) The trustees representing districts 1, 3, and 5 and ~~one at-large seat~~7 must be elected at the time of the general election of ~~2008~~2026, and the trustees representing districts 2 ~~and~~, 4, and ~~one at large seat~~6 must be elected at the time of the general election of ~~2006~~2024. The trustees serving on the effective date of this act elected from residency districts 2 ~~and~~, 4, and ~~the at large seat~~6 shall continue to serve until the expiration of their terms in ~~2006~~2024. Thereafter, all terms of office are for four years, until their successors are elected and qualify.

 (3) Notwithstanding another provision of law, beginning with elections conducted in ~~1996~~2024, each candidate for election ~~as a trustee~~ to the ~~school boards in York County School Districts 1, 2, 3, and 4~~Board of Trustees of Rock Hill School District 3 of York County shall file his statement of candidacy with the ~~Registration and Elections Commission for~~ York County Board of Voter Registration and Elections for the period beginning no earlier than 12:00 noon on August first and ending no later than 12:00 noon on August thirty-first. However, if ~~either of these dates~~August thirty-first falls on a Saturday, Sunday, or legal holiday, the date is extended until 12:00 noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday.

 (4) If a seat becomes vacant before the expiration of the incumbent’s term of office due to death, resignation, removal, or any other cause, the resulting vacancy must be filled by the board of trustees for the unexpired portion of the term until the next election for trustees is held.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Further proceedings were interrupted by expiration of time on the local uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. KING moved that the House recur to the morning hour, which was agreed to.

**S. 764--INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

S. 764 -- Senators Climer, M. Johnson and Peeler: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

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~~Total~~ ~~84,109~~ ~~55,699~~ ~~22,093~~ ~~9,584~~ ~~6,317~~

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SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. KING spoke in favor of the amendment.

Further proceedings were interrupted by expiration of time on the local uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. SESSIONS moved that the House recur to the morning hour, which was agreed to.

**S. 764--INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

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~~5~~ ~~17,398~~ ~~12,171~~ ~~69.96%~~ ~~3,050~~ ~~17.53%~~ ~~3,274~~ ~~2,177~~

~~Total~~ ~~84,109~~ ~~55,699~~ ~~22,093~~ ~~9,584~~ ~~6,317~~

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2 16,970 -348 -0.02 1,441 0.08 10,891 0.64

3 16,864 -454 -0.03 885 0.05 5,863 0.35

4 18,074 756 0.04 2,185 0.12 11,453 0.63

5 18,005 687 0.04 1,390 0.08 9,995 0.56

6 17,426 108 0.01 673 0.04 12,934 0.74

7 17,426 108 0.01 770 0.04 12,502 0.72

Total 121,227 8,419 69,788

District NH Blk %NH Blk VAP %VAP HVAP %HVAP

1 8,548 0.52 12,780 0.78 724 0.06

2 3,528 0.21 13,176 0.78 937 0.07

3 9,538 0.57 13,223 0.78 643 0.05

4 3,315 0.18 14,168 0.78 1,496 0.11

5 4,634 0.26 13,961 0.78 964 0.07

6 2,886 0.17 13,684 0.79 414 0.03

7 3,236 0.19 13,662 0.78 527 0.04

Total 35,685 94,654 5,705

District NH WVAP %NH WVAP NH BVAP %NH BVAP

1 5,129 0.40 6,434 0.50

2 8,851 0.67 2,570 0.20

3 5,022 0.38 7,130 0.54

4 9,449 0.67 2,368 0.17

5 8,318 0.60 3,295 0.24

6 10,493 0.77 2,145 0.16

7 10,105 0.74 2,368 0.17

Total 57,367 26,310

SECTION 2. Section 2(B) of Act 213 of 2005 is amended to read:

 (B)(1) The Board of Trustees of Rock Hill School District No. 3 of York County is composed of seven members elected in a nonpartisan election by the qualified electors of the district ~~with five members required to reside in the five districts delineated in subsection (A) of this section and two elected at large from the district without regard to residency~~from one of the seven defined single-member districts. A board member representing a numbered district must be a resident of the school district and the numbered single-member district from which he is elected, and only those electors residing in the particular district are eligible to vote for the trustee who will represent the district.

 (2) The trustees representing districts 1, 3, and 5 and ~~one at-large seat~~7 must be elected at the time of the general election of ~~2008~~2026, and the trustees representing districts 2 ~~and~~, 4, and ~~one at large seat~~6 must be elected at the time of the general election of ~~2006~~2024. The trustees serving on the effective date of this act elected from residency districts 2 ~~and~~, 4, and ~~the at large seat~~6 shall continue to serve until the expiration of their terms in ~~2006~~2024. Thereafter, all terms of office are for four years, until their successors are elected and qualify.

 (3) Notwithstanding another provision of law, beginning with elections conducted in ~~1996~~2024, each candidate for election ~~as a trustee~~ to the ~~school boards in York County School Districts 1, 2, 3, and 4~~Board of Trustees of Rock Hill School District 3 of York County shall file his statement of candidacy with the ~~Registration and Elections Commission for~~ York County Board of Voter Registration and Elections for the period beginning no earlier than 12:00 noon on August first and ending no later than 12:00 noon on August thirty-first. However, if ~~either of these dates~~August thirty-first falls on a Saturday, Sunday, or legal holiday, the date is extended until 12:00 noon of the next succeeding day which is not a Saturday, Sunday, or legal holiday.

 (4) If a seat becomes vacant before the expiration of the incumbent’s term of office due to death, resignation, removal, or any other cause, the resulting vacancy must be filled by the board of trustees for the unexpired portion of the term until the next election for trustees is held.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. SESSIONS spoke against the amendment and moved to table the amendment.

Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 78; Nays 28

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Bannister | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Connell | Cromer |
| Davis | Elliott | Erickson |
| Felder | Gagnon | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hewitt | Hiott | Hixon |
| Hyde | J. E. Johnson | S. Jones |
| Jordan | Kilmartin | Landing |
| Lawson | Leber | Ligon |
| Long | Lowe | Magnuson |
| May | McCravy | McGinnis |
| Mitchell | T. Moore | A. M. Morgan |
| T. A. Morgan | Moss | Murphy |
| Neese | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Pace | Pedalino | Pope |
| Robbins | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Taylor | Thayer | Vaughan |
| West | White | Whitmire |
| Willis | Wooten | Yow |

**Total—78**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bauer | Bernstein | Clyburn |
| Cobb-Hunter | Dillard | Garvin |
| Hayes | Henderson-Myers | Henegan |
| Hosey | Jefferson | J. L. Johnson |
| W. Jones | King | Kirby |
| McCabe | McDaniel | J. Moore |
| Rivers | Rose | Rutherford |
| Tedder | Trantham | Weeks |
| Wetmore |  |  |

**Total--28**

So, the amendment was tabled.

Rep. MCDANIEL spoke against the Bill.

Further proceedings were interrupted by expiration of time on the local uncontested Calendar.

**SPEAKER IN CHAIR**

**H. 3989--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3989 -- Reps. Ott, G. M. Smith, Cobb-Hunter, Ligon, Kirby, Haddon, Oremus, Brewer, Gagnon, Sandifer, Weeks, Williams, Henegan, Bauer and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 33, TITLE 58 SO AS TO ESTABLISH THE "SOLAR, AGRICULTURAL, FARMLAND, AND ENVIRONMENTAL ACT"; TO PROVIDE FOR DEFINITIONS; TO ESTABLISH CERTIFICATE REQUIREMENTS FOR CONSTRUCTION OF PHOTOVOLTAIC ENERGY FACILITIES; TO ESTABLISH THE CERTIFICATE APPLICATION PROCESS; TO PROVIDE REQUIREMENTS FOR HEARINGS REGARDING THE CERTIFICATE APPLICATION; TO ESTABLISH THE PARTIES TO A CERTIFICATION PROCEEDING; TO REQUIRE A RECORD OF THE PROCEEDINGS AND TO PERMIT THE PUBLIC SERVICE COMMISSION TO CONSOLIDATE THE REPRESENTATION OF PARTIES WITH SIMILAR INTERESTS; TO ESTABLISH REQUIREMENTS FOR THE PUBLIC SERVICE COMMISSION'S DECISION REGARDING AN APPLICATION; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO ISSUE AN ORDER WITHIN ONE HUNDRED EIGHTY DAYS FROM THE DATE THE APPLICATION IS FILED; TO PROVIDE FOR PAYMENT OF COSTS FOR THE OFFICE OF REGULATORY STAFF AND THE PUBLIC SERVICE COMMISSION FOR A FILED APPLICATION; AND TO CREATE THE AGRICULTURAL AND FARMLAND VIABILITY PROTECTION FUND.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, May 11, which was agreed to.

**S. 343--DEBATE ADJOURNED**

The following Bill was taken up:

S. 343 -- Senators Shealy, Jackson, Hutto and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO DEFINITIONS IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO INCLUDE ALL SHORT-TERM RESIDENTIAL STABILIZATION AND INTENSIVE CRISIS SERVICES IN THE DEFINITION OF CRISIS STABILIZATION UNIT FACILITIES AND TO CHANGE THE AGE OF THE INDIVIDUALS SERVED IN SAME.

Rep. M. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

**S. 397--AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

S. 397 -- Senators Shealy, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND BY ADDING ARTICLE 11, CHAPTER 47, TITLE 40, SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS.

Reps. HIOTT and HAYES proposed the following Amendment No. 1 to S. 397 (LC-397.WAB0003H), which was adopted:

Amend the bill, as and if amended, SECTION 2, by adding:

 Section 40-47-1810. (A)(1) For purposes of this section, "athletic skills trainer" means a person who, through guided drills, practice, or exercise, is employed by either a sports team or an individual athlete to develop or hone skills in a specific sport or sports. An athletic skills trainer may also teach and help develop the fundamentals of a specific sport or sports.

 (2) An athletic skills trainer may not act individually or on the behalf of anyone or any entity to recruit, unduly influence, entice, pressure, or use direct or indirect communications that would cause a student athlete to transfer to the sports team of another school. This prohibited conduct includes, but is not limited to, the following:

 (a) asking the student to transfer to the school or enroll in the school of the athletic skills trainer;

 (b) offering financial aid for transportation, room, board, or clothing to the student;

 (c) promising a job for the student or the parent or guardian of the student;

 (d) giving special privileges or conferring anything of value, such as employment or housing, to the parent or guardian of the student;

 (e) promising help in securing a college scholarship for the student;

 (f) offering any other privilege or consideration to induce or influence the student to transfer from one school to the school of the athletic skills trainer or enroll in the school of the athletic skills trainer because of the athletic ability of the student; or

 (g) giving the student any consideration not afforded other students.

 (B)(1) An athletic skills trainer who violates the provisions of this section is subject to discipline by the South Carolina High School League.

 (2) A student who transfers to a school or enrolls in a school because of recruiting, undue influence, or special inducement in violation of the provisions of this subsection is ineligible for participating in any interscholastic activities for a period of one calendar year from the date of the determination of the violation. A school adjudged guilty of being an active or passive participant in, or beneficiary of, such recruiting, undue influence, or special inducement must be subjected to disciplinary action by the entity that supervises interscholastic activities of the school, including fines, reprimands, forfeiture of contests in which the ineligible participant dressed for participation, and forfeiture of related honors.

 (C) The provisions of this section apply notwithstanding any conflicting rule or regulation of a private entity that supervises interscholastic activities.

 (D) The South Carolina High School League is hereby authorized to develop a program for individuals to be designated by the league as a certified athletic skills trainer if the program, as part of its certification process, includes instruction on:

 (1) league rules;

 (2) rules related to the transfer of high school students to other schools;

 (3) complete First Aid instruction in CPR and AED use; and

 (4) complete record keeping standards.

 (E) The South Carolina High School League shall maintain records of all athletic skills trainers it certifies, to include the trainer's name, mailing address, email address, contact phone number, mobile phone number, and contact information valid during normal business hours.

Renumber sections to conform.

Amend title to conform.

Rep. M. M. SMITH explained the amendment.

Rep. HIOTT spoke in favor of the amendment.

The amendment was then adopted.

Rep. M. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

**S. 407--DEBATE ADJOURNED**

The following Bill was taken up:

S. 407 -- Senators Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-361(A), RELATING TO PRESCRIPTIONS FOR OPIOID ANTIDOTES, SO AS TO PROVIDE FOR IT TO BE OFFERED CONSISTENT WITH THE EXISTING STANDARD OF CARE AND THE FDA.

Rep. M. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

**S. 569--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 569 -- Senators Shealy, Alexander, Peeler, Garrett, Gambrell, Kimbrell, Young, M. Johnson, Turner, Sabb, Matthews, Campsen, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-36-320, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER SO AS TO ADD TO THE CENTER'S DUTIES CONCERNING THE STATEWIDE PLAN TO ADDRESS ALZHEIMER'S DISEASE AND RELATED DEMENTIAS; BY AMENDING SECTION 44-36-330, RELATING TO THE ADVISORY COUNCIL TO THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER SO AS TO PROVIDE THAT THE ADVISORY COUNCIL MUST DEVELOP A STATEWIDE PLAN TO ADDRESS ALZHEIMER'S DISEASE AND RELATED DEMENTIAS AND TO PROVIDE THAT THE STATEWIDE PLAN MUST BE UPDATED EVERY FIVE YEARS; AND TO PROVIDE THAT THE STATEWIDE PLAN MUST BE UPDATED IN 2028 AND EVERY FIVE YEARS THEREAFTER.

Rep. M. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 110; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atkinson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Harris | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Hosey | Howard | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| O'Neal | Oremus | Ott |
| Pace | Pedalino | Pope |
| Rivers | Robbins | Rose |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Trantham | Vaughan | Weeks |
| West | Wetmore | White |
| Whitmire | Williams | Willis |
| Wooten | Yow |  |

**Total--110**

 Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 317--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 317 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-20, RELATING TO ESTABLISHMENT OF BOARD OF TRUSTEES, MEMBERSHIP REQUIREMENTS, TERM AND COMPENSATION, AND ANNUAL REPORTS, SO AS TO REDUCE THE NUMBER OF BOARD MEMBERS FROM NINETEEN TO ELEVEN, TO PROVIDE FOR APPOINTMENT OF THOSE MEMBERS BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, TO PROVIDE REQUIREMENTS FOR THE APPOINTMENT OF THE MEMBERS, AND TO ESTABLISH A FOUR-YEAR TERM.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to S. 317 (LC-317.SA0003H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 25-21-20(A) and inserting:

 (A) There is created the Board of Trustees for the Veterans' Trust Fund of South Carolina composed of nineteeneleven voting members. The Governor, with the advice and consent of the Senate, shall appoint the board consisting of one member from each congressional district, two of which are currently serving as county veterans’ affairs officers, and four members at large, two of which must reside in a rural county. Of the eleven appointed members, at least six must be United States Armed Forces veterans. Any veteran who serves on the board, must have been honorably discharged from the armed services. The Secretary of the Department of Veterans’ Affairs shall serve as the Executive Director of the Trust Fund and an ex officio non‑voting member of the board. The board shall utilize the staff of the Veterans' Affairs Department in order to carry out its duties, as provided in Section 25‑21‑30. One member of the board of trustees must be the Director of the Department of Veterans' Affairs. The Governor, with the advice and consent of the Senate, shall appoint individuals to fill the remaining positions on the board of trustees. Of the eighteen remaining positions filled by gubernatorial appointment, four must be county veterans' affairs officers and five must represent veterans' service organizations. At least eleven of the members of the board of trustees must be United States Armed Forces veterans who were honorably discharged; the remaining members are not required to be veterans; however, if any are veterans, they also must have been honorably discharged from the armed services. The members of the board shall elect officers from among themselves as necessary and shall utilize the staff of the Veterans' Affairs Department in order to carry out its duties, as provided in Section 25‑21‑30.

Renumber sections to conform.

Amend title to conform.

Rep. DAVIS explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 114; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Carter |
| Caskey | Chapman | Chumley |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. L. Cox | Cromer |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Hewitt | Hiott | Hixon |
| Hosey | Howard | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pendarvis | Pope | Rivers |
| Robbins | Rose | Rutherford |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Thigpen | Trantham | Vaughan |
| Weeks | West | Wetmore |
| White | Whitmire | Williams |
| Willis | Wooten | Yow |

**Total—114**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 459--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 459 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 55-9-235, SO AS TO PROVIDE FOR THE SALE AND CONSUMPTION OF LIQUOR BY THE DRINK THROUGHOUT THE TRANSPORTATION SECURITY ADMINISTRATION SCREENED PORTION OF QUALIFYING SOUTH CAROLINA AIRPORTS.

Reps. MCCRAVY, MAGNUSON, HADDON, HARRIS, MOSS, CROMER, OREMUS, NUTT, HIOTT, ELLIOTT, CHUMLEY, LONG, BURNS, LEBER, WHITE and GILLIAM requested debate on the Bill.

**S. 406--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 406 -- Senators Campsen, Senn and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-15-420(D) AND (E), RELATING TO THE TABULATION OF ABSENTEE BALLOTS, SO AS TO PROVIDE THAT BALLOTS CAST DURING THE EARLY VOTING PERIOD MAY BEGIN TO BE TABULATED AT THE SAME TIME AS ABSENTEE BALLOTS.

The Committee on Judiciary proposed the following Amendment
No. 1 to S. 406 (LC-406.HDB0012H):

Amend the bill, as and if amended, SECTION 2, by striking Section 7-13-1160 and inserting:

 Section 7-13-1160. Within twenty-four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein.(A) After the closing of the polls on election day, each county board of voter registration and elections must report results continuously and without delay in the manner prescribed by the State Election Commission and in the following order:

 (1) the unofficial results of the early voting period ballot tabulation;

 (2) the unofficial results of the absentee ballot tabulation; and

 (3) the unofficial results returned by the managers of election.

 (B) If the reporting of unofficial election results of the early voting period ballot tabulation or absentee ballot tabulation would result in a delay in the reporting of the unofficial results returned by the managers of election, then a county board of voter registration and elections, upon approval by the Executive Director of the State Election Commission, may begin to report the unofficial results returned by the managers of election prior to reporting the early voting period ballot tabulation or absentee ballot tabulation, as applicable, but must report the early voting period ballot tabulation or absentee ballot tabulation, as applicable, as soon as is practicable.

Renumber sections to conform.

Amend title to conform.

Rep. JORDAN explained the amendment.

Reps. HARRIS, MAGNUSON, PACE, CROMER, WHITE, MAY, GATCH, BURNS, A. M. MORGAN, T. A. MORGAN, TRANTHAM, CONNELL, MITCHELL, WHITMIRE, T. MOORE, NUTT and HIXON requested debate on the Bill.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3121--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M. M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3121 (LC-3121.SA0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-6-3810(B) and (C) and inserting:

 (B) The easement and right of way must be held by a municipality, county, or special purpose district within the State or by a Land Trust Alliance accredited land trust and must be recorded with the appropriate Register of Deeds. The easement must include an agreement with the municipality, county, or land trust to grant access to the general public and address improvements to the trail, which could include pavement or soft‑surface trails and maintenance.

 (C) To qualify for this tax credit, the trail must provide a connection between a trail within a municipality’s, county’s, or special purpose district’s regional trail system plan in this State and a local or regional attraction or point of interest. User groups may include equestrians, pedestrians, bicyclists, and other non‑motorized users. Local or regional points of interest include other trails, parks, waterways, or other recreational and open space attractions, retail centers, arts and cultural facilities, transportation facilities, residential concentrations, or similar destinations.

Renumber sections to conform.

Amend title to conform.

Rep. B. NEWTON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 113; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hixon |
| Hosey | Howard | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Thigpen | Trantham |
| Vaughan | Weeks | West |
| Wetmore | Wheeler | White |
| Whitmire | Williams | Willis |
| Wooten | Yow |  |

**Total--113**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. YOW a temporary leave of absence.

**H. 3824--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3824 -- Reps. B. Newton, W. Newton, Ballentine, Wetmore, Tedder, Carter, Pope, Pendarvis, M. M. Smith, Bauer, Hyde, Guest, Stavrinakis and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3695, RELATING TO THE ALTERNATIVE FUEL PROPERTY INCOME TAX CREDIT, SO AS TO PROVIDE FOR CERTAIN LEASES, TO ADD ELECTRICAL EQUIPMENT TO THE DEFINITION OF "ELIGIBLE PROPERTY", AND TO ADD ELECTRICITY TO THE DEFINITION OF "ALTERNATIVE FUEL".

Rep. B. NEWTON explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 92; Nays 16

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bauer |
| Bernstein | Blackwell | Bradley |
| Brewer | Brittain | Bustos |
| Carter | Caskey | Chapman |
| Clyburn | Collins | Connell |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Hager | Hardee |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | W. Jones | Jordan |
| King | Kirby | Landing |
| Lawson | Leber | Ligon |
| Lowe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | Moss | Murphy |
| B. Newton | W. Newton | Nutt |
| O'Neal | Ott | Pendarvis |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thigpen | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | Whitmire | Williams |
| Willis | Wooten |  |

**Total--92**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Burns | Chumley | Cromer |
| Haddon | S. Jones | Kilmartin |
| Long | Magnuson | May |
| McCabe | A. M. Morgan | T. A. Morgan |
| Oremus | Pace | Trantham |
| White |  |  |

**Total--16**

So, the Bill was read the second time and ordered to third reading.

**H. 3948--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3948 -- Reps. Ballentine, Robbins, Brewer, Murphy, M. M. Smith, Williams, Gilliam, Chapman, Gagnon, Kirby, Cobb-Hunter, Erickson, Bradley, Ott, Caskey, Hyde, Bernstein, Bauer, Anderson, Wheeler, Connell and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR CERTAIN RENEWABLE ENERGY RESOURCE PROPERTIES.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3948 (LC-3948.SA0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-37-220(53) and inserting:

 (53) a renewable energy resource property having a nameplate capacity of and operating at no greater than twenty kilowatts, as measured in alternating current for a customer-generator. For purposes of this item, “renewable energy resource” and “customer-generator” means propertyas defined in Section 58‑40‑10 includes solar energy equipment, facilities, or devices that support, collect, generate, transfer, monitor, or store thermal or electric energy. This definition includes including, but is not limited to, all components that enhance the operational characteristics of the generating equipment, such as an advanced inverter or battery storage device, and equipment required to meet all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities.

Renumber sections to conform.

Amend title to conform.

Rep. HEWITT explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 97; Nays 11

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bauer |
| Bernstein | Blackwell | Bradley |
| Brewer | Brittain | Bustos |
| Carter | Caskey | Chapman |
| Clyburn | Cobb-Hunter | Collins |
| Connell | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Hager | Hardee |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Lowe | McCravy |
| McDaniel | McGinnis | Mitchell |
| J. Moore | T. Moore | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pedalino | Pendarvis |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| Whitmire | Williams | Willis |
| Wooten |  |  |

**Total--97**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Burns | Chumley | Cromer |
| Harris | Kilmartin | Long |
| May | McCabe | A. M. Morgan |
| T. A. Morgan | White |  |

**Total--11**

So, the Bill, as amended, was read the second time and ordered to third reading.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**H. 3681--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3681 -- Reps. West, Long, Rutherford, Bannister, Bradley, Chumley, Hiott, Hixon, Atkinson and Kilmartin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Rep. WEST explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 95; Nays 5

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bailey |
| Ballentine | Bauer | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Chapman | Chumley |
| Cobb-Hunter | Collins | Connell |
| Cromer | Davis | Dillard |
| Erickson | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Guest | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Magnuson |
| May | McCabe | McCravy |
| McDaniel | McGinnis | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pedalino | Pope |
| Rivers | Robbins | Rutherford |
| Sandifer | Schuessler | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Trantham |
| Vaughan | Wetmore | Wheeler |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--95**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bernstein | Guffey | Mitchell |
| J. Moore | Rose |  |

**Total--5**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

RECORD FOR VOTING

 I inadvertently voted in favor of H. 3681. I intended to vote against the Senate Amendments.

 Rep. Heather Bauer

RECORD FOR VOTING

 I missed the vote on H. 3681. I would have voted to concur with the Senate Amendments.

 Rep. Jason Elliott

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 3681. If I had been present, I would have voted against the Senate Amendments.

 Rep. Heath Sessions

**H. 3952--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3952 -- Reps. G. M. Smith, Bannister, Bradley, Crawford, Herbkersman, W. Newton, Felder, Alexander, Wetmore, Hyde, Sessions, Guffey, Connell, Hager, Atkinson, Moss, Stavrinakis, Yow, Mitchell, Ligon, B. Newton, Williams, T. Moore, Robbins, Brewer, Murphy, Wooten, Cromer, Magnuson, Pope, Hixon, Forrest, M. M. Smith, Davis, Ballentine, Erickson, Guest, Ott, Willis, Sandifer, White, Lawson, Hardee and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 37-1-102, RELATING TO THE PURPOSES OF THE CONSUMER PROTECTION CODE, SO AS TO INCLUDE THE PROMOTION OF EDUCATION FOR CONSUMERS, BEST PRACTICES FOR BUSINESSES, AND TO MEDIATE COMPLAINTS; BY AMENDING SECTION 37-6-106, RELATING TO INVESTIGATORY POWERS OF THE ADMINISTRATOR, SO AS TO REQUIRE THE PRESENTATION OF PROBABLE CAUSE BEFORE BEGINNING AN INVESTIGATION; BY AMENDING SECTION 37-6-108, RELATING TO ENFORCEMENT ORDERS OF THE ADMINISTRATOR, SO AS TO REQUIRE CERTAIN INFORMATION BE PROVIDED BEFORE A CEASE AND DESIST IS ISSUED TO A BUSINESS; AND BY AMENDING SECTION 37-2-307, RELATING TO MOTOR VEHICLE SALES CONTRACT CLOSING FEES, SO AS TO REQUIRE THE CLOSING FEE TO BE PROMINENTLY DISPLAYED WITH THE ADVERTISED PRICE.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 109; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bauer |
| Bernstein | Blackwell | Bradley |
| Brewer | Brittain | Bustos |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Moss | Murphy | B. Newton |
| W. Newton | Nutt | Oremus |
| Ott | Pace | Pedalino |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Trantham |
| Vaughan | Weeks | West |
| Wetmore | Wheeler | White |
| Whitmire | Williams | Willis |
| Wooten |  |  |

**Total--109**

 Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 761--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 761 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 45 AND US HIGHWAY 52 IN ST. STEPHEN IN BERKELEY COUNTY "DR. SAM SCHUMANN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 768--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 768 -- Senators Malloy and Martin: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES LITTLE LONG BRANCH RIVER ALONG DR. MARY MCLEOD BETHUNE ROAD IN LEE COUNTY "WATSON BRANCH" IN MEMORY OF W. BURKE WATSON AND JEANNE CARR WATSON AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS, AND REQUEST THAT THE COST OF THESE SIGNS OR MARKERS ARE NOT PAID FOR WITH PUBLIC FUNDS.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**H. 4444--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4444 -- Reps. Mitchell, Yow, Connell, Wheeler and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES LITTLE LYNCHES RIVER ALONG UNITED STATES HIGHWAY 1 IN KERSHAW COUNTY "AARON HOUGH MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. FORREST.

**RECURRENCE TO THE MORNING HOUR**

Rep. OREMUS moved that the House recur to the morning hour, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., Tuesday, May 9, 2023

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 520:

S. 520 -- Senators Setzler, Cromer, Hembree, Jackson, K. Johnson, Alexander, Senn, Adams, Gustafson, Kimbrell, M. Johnson, Williams, Shealy, Garrett, Gambrell, Campsen, Grooms, Young, Turner, Rice, Talley, Rankin, Verdin, Scott, Sabb, Allen, Davis, Fanning, McElveen, Stephens, Goldfinch and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 18 OF CHAPTER 71, TITLE 38, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO EXPAND THE RIGHTS AND DUTIES OF PHARMACIES DURING AUDITS; BY AMENDING ARTICLE 21 OF CHAPTER 71, TITLE 38, RELATING TO PHARMACY BENEFITS MANAGERS, SO AS TO DEFINE TERMS AND MAKE CONFORMING CHANGES; BY ADDING ARTICLE 23 TO CHAPTER 71, TITLE 38 SO AS TO DEFINE TERMS AND OUTLINE RESPONSIBILITIES AND DUTIES OF PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS; AND BY REPEALING SECTION 38-71-147 RELATING TO FREEDOM OF SELECTION AND PARTICIPATION IN HEALTH INSURANCE POLICIES OR HEALTH MAINTENANCE ORGANIZATION PLANS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**H. 3908--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3908 -- Reps. Collins, G. M. Smith, Bannister, Erickson, Whitmire, Felder, Bernstein, Ott, Haddon, W. Newton, Carter, Elliott, Crawford, Ballentine, Caskey, Wetmore, Stavrinakis, Mitchell, Yow, M. M. Smith, Willis, Vaughan, Cobb-Hunter, Oremus, McGinnis, Trantham, Calhoon, Gatch, Weeks, Rose, Alexander, Tedder, Garvin, Murphy, Sandifer, Hartnett, Robbins, Brewer, Pope, Pace, Henegan, Williams, Wheeler, Wooten, T. Moore, Hyde and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 8-11-151 SO AS TO DEFINE TERMS AND TO PROVIDE PAID PARENTAL LEAVE UPON THE BIRTH OF A CHILD OR INITIAL LEGAL PLACEMENT OF A FOSTER CHILD FOR ELIGIBLE SCHOOL DISTRICT EMPLOYEES; AND BY ADDING SECTION 8-11-156 SO AS TO DEFINE TERMS AND TO PROVIDE PAID PARENTAL LEAVE UPON THE INITIAL LEGAL PLACEMENT OF A CHILD BY ADOPTION FOR ELIGIBLE SCHOOL DISTRICT EMPLOYEES.

Rep. COBB-HUNTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 114; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Herbkersman | Hewitt |
| Hiott | Hixon | Hosey |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Moss | Murphy | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Ott | Pace |
| Pedalino | Pope | Rivers |
| Robbins | Rose | Rutherford |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Thigpen | Trantham | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | White | Whitmire |
| Williams | Willis | Wooten |

**Total--114**

 Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 96--NONCONCURRENCE IN SENATE AMENDMENTS**

The Senate Amendments to the following Bill were taken up for consideration:

S. 96 -- Senators Campsen, Davis, McElveen, Cromer, Kimpson and Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-10, RELATING TO DEFINITIONS FOR THE EQUIPMENT AND OPERATION OF WATERCRAFT, SO AS TO PROVIDE THE DEFINITION OF PERSONAL WATERCRAFT; BY AMENDING SECTION 50-21-90, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS; TO REPEAL SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO REPEAL SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

Rep. ELLIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 2; Nays 104

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| J. L. Johnson | Landing |  |

**Total--2**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Ballentine | Bamberg | Bauer |
| Bernstein | Blackwell | Bradley |
| Brewer | Brittain | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Herbkersman | Hewitt |
| Hiott | Hixon | Hosey |
| Hyde | Jefferson | J. E. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Lawson | Leber | Ligon |
| Long | Lowe | Magnuson |
| May | McGinnis | Mitchell |
| J. Moore | T. Moore | T. A. Morgan |
| Moss | Murphy | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Ott | Pace |
| Pedalino | Pope | Rivers |
| Robbins | Rose | Rutherford |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--104**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**REPORTS OF STANDING COMMITTEES**

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report with amendments on:

S. 474 -- Senators Grooms, Massey, Kimbrell and Adams: A BILL TO AMEND ARTICLE 6, CHAPTER 41, TITLE 44 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT, SO AS TO PROVIDE THAT ABORTIONS MAY NOT BE PERFORMED IN THIS STATE AFTER A FETAL HEARTBEAT HAS BEEN DETECTED EXCEPT IN CASES OF RAPE OR INCEST DURING THE FIRST TWELVE WEEKS OF PREGNANCY, IN MEDICAL EMERGENCIES, OR IN LIGHT OF A FATAL FETAL ANOMALY; TO DEFINE NECESSARY TERMS; TO REPEAL SECTION 2 OF ACT 1 OF 2021; TO REPEAL SECTIONS 44-41-10 AND 44-41-20 OF THE S.C. CODE; AND TO REPEAL ARTICLE 5, CHAPTER 41, TITLE 44 OF THE S.C. CODE SUBJECT TO CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 775 -- Senator Kimpson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME S-1022 (WASHINGTON STREET) FROM L-4349 (LAURENS STREET) NORTH TO THE END OF STATE MAINTENANCE IN CHARLESTON COUNTY "CHRISTINE JACKSON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4469 -- Reps. Hayes, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HEATHER LEVINE OF GREEN SEA FLOYDS HIGH SCHOOL IN HORRY COUNTY AND TO CONGRATULATE HER UPON BEING CHOSEN AS AN EXTRAORDINARY EDUCATOR BY CURRICULUM ASSOCIATES.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4470 -- Reps. J. Moore and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 32 TO TITLE 14 SO AS TO ESTABLISH THE "JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE"; BY ADDING ARTICLE 9 TO CHAPTER 23, TITLE 16 ENTITLED "BACKGROUND CHECKS FOR FIREARM SALES AND TRANSFERS" SO AS TO ESTABLISH REQUIREMENTS FOR BACKGROUND CHECKS FOR FIREARM SALES AND TRANSFERS; BY ADDING CHAPTER 32 TO TITLE 17 ENTITLED "ASSET FORFEITURE AND PRIVATE PROPERTY PROTECTION ACT" SO AS TO PROVIDE FOR PROCEDURES AND REQUIREMENTS REGARDING ASSET FORFEITURE AND PROTECTION OF PRIVATE PROPERTY IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 17-15-270 SO AS TO REQUIRE THAT A PERSON WHO IS ARRESTED AT A MENTAL HEALTH INSTITUTION OR FACILITY FROM WHICH THE PERSON RECEIVES TREATMENT MUST UNDERGO A MENTAL HEALTH EVALUATION BEFORE A BOND HEARING; BY AMENDING SECTION 17-15-55, RELATING TO THE RECONSIDERATION BY THE CIRCUIT COURT OF BOND SET BY THE SUMMARY COURT, SO AS TO PROVIDE THAT IF A PERSON RECEIVES A SUBSEQUENT BOND AFTER BEING RELEASED ON BOND FOR A PREVIOUS VIOLENT OFFENSE OR FELONY OFFENSE INVOLVING A FIREARM, THE BONDSMAN MUST CERTIFY THAT ALL FEES ASSOCIATED WITH THE BOND WERE PAID IN FULL AT THE TIME OF THE BONDING, AND TO PROVIDE THAT IF A PERSON RECEIVES A BOND AFTER TWO PRIOR BONDS SET FOR SEPARATE VIOLENT OR FELONY OFFENSES INVOLVING A FIREARM, THAT BOND MAY NOT BE POSTED BY A BOND SURETY; BY AMENDING SECTION 17-15-30, RELATING TO MATTERS TO BE CONSIDERED IN DETERMINING CONDITIONS OF RELEASE, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER WHETHER A PERSON IS CURRENTLY OUT ON BOND FOR A PRIOR OFFENSE WHEN SETTING BOND; BY AMENDING SECTION 22-5-510, RELATING TO BAIL AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE MAGISTRATE, SO AS TO PROVIDE THAT A MAGISTRATE MUST CONSIDER WHETHER A PERSON IS OUT ON BOND FOR ANOTHER PRIOR OFFENSE WHEN SETTING A BOND; BY ADDING SECTION 23-1-255 SO AS TO PROVIDE IT IS UNLAWFUL FOR LAW ENFORCEMENT OFFICERS TO USE EXCESSIVE FORCE WHEN DETAINING OR ARRESTING PERSONS, TO PROVIDE A PENALTY, TO PROVIDE THE PROCEDURE FOR INVESTIGATING THE DEATH OF PERSONS BY THE USE OF EXCESSIVE FORCE, AND TO DEFINE CERTAIN TERMS; BY ADDING SECTION 23-1-260 SO AS TO PROVIDE LAW ENFORCEMENT AGENCIES MAY NOT ACQUIRE OR PURCHASE CERTAIN MILITARY ITEMS; BY ADDING SECTION 23-1-270 SO AS TO REQUIRE STATE AND LOCAL LAW ENFORCEMENT AGENCIES TO ADOPT AND MAINTAIN A WRITTEN POLICY REGARDING THE USE OF TASER DEVICES OR STUN GUNS THAT MEETS OR EXCEEDS THE MODEL POLICY TO BE DEVELOPED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, TO REQUIRE LAW ENFORCEMENT OFFICERS TO DOCUMENT EACH USE OF A TASER DEVICE OR STUN GUN, TO REQUIRE EACH STATE AND LOCAL LAW ENFORCEMENT AGENCY TO SUBMIT AN ANNUAL REPORT TO THE DIRECTOR OF THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO POST THE ANNUAL REPORTS REGARDING TASER DEVICE OR STUN GUN USAGE ON ITS INTERNET WEBSITE, AND TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY PROVIDING GUIDELINES ON THE USE OF TASER DEVICES OR STUN GUNS BY LAW ENFORCEMENT OFFICERS; AND BY AMENDING SECTION 23-23-20, RELATING TO THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, SO AS TO AUTHORIZE ITS DIRECTOR TO DETERMINE THE LOCATION OF A TRAINING FACILITY.

Referred to Committee on Judiciary

H. 4471 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE AN EXEMPTION FOR CHEMICALS AND OILS USED IN CERTAIN EXEMPT FARM MACHINES.

Referred to Committee on Ways and Means

H. 4472 -- Reps. Williams, Henegan, Gilliard, Rivers, McDaniel, Howard and Cobb-Hunter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-210, RELATING TO DEFINITIONS, SO AS TO DEFINE THE TERM "ASSAULT WEAPON"; AND BY ADDING SECTION 16-23-290 SO AS TO PROVIDE THE CIRCUMSTANCES UPON WHICH AN ASSAULT WEAPON MAY BE MANUFACTURED, IMPORTED, DISTRIBUTED, SOLD OR OFFERED FOR SALE IN THIS STATE, AND TO PROVIDE A PENALTY.

Referred to Committee on Judiciary

H. 4473 -- Reps. Chumley, Kirby, B. Newton, Burns, Long, Nutt, Magnuson, Hiott, Haddon, Williams, Carter, Hixon, Henderson-Myers, Forrest, T. Moore, S. Jones, Willis, Elliott, Thayer, Anderson, Taylor, Cobb-Hunter, Hyde, White, Cromer, Oremus, Trantham, A. M. Morgan, Wetmore, Ott, Pace, Bustos, Gagnon and Lowe: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 17 TO CHAPTER 13, TITLE 24 SO AS TO ESTABLISH A STATE WORK PROGRAM WITHIN THE DEPARTMENT OF CORRECTIONS.

Referred to Committee on Judiciary

**S. 764--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 764 -- Senators Climer, M. Johnson and Peeler: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

Reps. KING, COBB-HUNTER, MCDANIEL, RIVERS, KIRBY, CLYBURN, HOSEY, ANDERSON, HENEGAN, WILLIAMS, J. MOORE, J. L. JOHNSON, TEDDER, GARVIN, ROSE, BAUER, BERNSTEIN, GATCH, MAY, WHITE, WHEELER, FELDER, O'NEAL, LIGON, WEEKS and ALEXANDER requested debate on the Bill.

**S. 360--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 360 -- Senator Sabb: A BILL TO AMEND ACT 471 OF 2002, AS AMENDED, RELATING TO THE WILLIAMSBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS.

Rep. KIRBY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 109; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Bamberg | Bauer |
| Bernstein | Blackwell | Bradley |
| Brewer | Brittain | Burns |
| Bustos | Calhoon | Carter |
| Caskey | Chapman | Chumley |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. L. Cox | Cromer |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hartnett | Hayes |
| Henderson-Myers | Henegan | Hewitt |
| Hiott | Hixon | Hosey |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Pace | Pedalino | Pope |
| Rivers | Robbins | Rose |
| Rutherford | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Thigpen | Trantham |
| Vaughan | Weeks | West |
| Wetmore | Wheeler | White |
| Whitmire | Williams | Willis |
| Wooten |  |  |

**Total--109**

 Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 343--DEBATE ADJOURNED**

The following Bill was taken up:

S. 343 -- Senators Shealy, Jackson, Hutto and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO DEFINITIONS IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO INCLUDE ALL SHORT-TERM RESIDENTIAL STABILIZATION AND INTENSIVE CRISIS SERVICES IN THE DEFINITION OF CRISIS STABILIZATION UNIT FACILITIES AND TO CHANGE THE AGE OF THE INDIVIDUALS SERVED IN SAME.

Rep. DAVIS moved to adjourn debate on the Bill, which was agreed to.

**S. 397--DEBATE ADJOURNED**

The following Bill was taken up:

S. 397 -- Senators Shealy, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND BY ADDING ARTICLE 11, CHAPTER 47, TITLE 40, SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS.

Rep. DAVIS moved to adjourn debate on the Bill, which was agreed to.

**S. 407--DEBATE ADJOURNED**

The following Bill was taken up:

S. 407 -- Senators Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-361(A), RELATING TO PRESCRIPTIONS FOR OPIOID ANTIDOTES, SO AS TO PROVIDE FOR IT TO BE OFFERED CONSISTENT WITH THE EXISTING STANDARD OF CARE AND THE FDA.

Rep. DAVIS moved to adjourn debate on the Bill, which was agreed to.

**H. 3116--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Gilliam, Hart, Caskey, Williams and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

Rep. HEWITT explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 111; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Pace | Pedalino | Pope |
| Rivers | Robbins | Rose |
| Rutherford | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Trantham | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | White | Whitmire |
| Williams | Willis | Wooten |

**Total--111**

 Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3072--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3072 -- Reps. Hewitt, McCravy, Burns, Pace, Pope, J. Moore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO ASSESSMENT RATIOS, SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES, PROPERTY RECEIVING THE FOUR PERCENT ASSESSMENT RATIO SHALL CONTINUE AT FOUR PERCENT WHEN THE OWNER DIES.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3072 (LC-3072.DG0002H), which was adopted:

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

SECTION X. Article 3, Chapter 37, Title 12 of the S.C. Code is amended by adding:

 Section 12-37-460. Notwithstanding any other provision of law, when an owner of real property dies, the property shall continue to receive any property tax exemption it was receiving at the time of death until the decedent’s estate is closed, upon the recording of a deed or deed of distribution out of the estate, or after December thirty‑first of the year following the date of death, whichever occurs first. This section does not apply if the property becomes ineligible for the exemption for a reason other than the death.

Renumber sections to conform.

Amend title to conform.

Rep. HEWITT explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 108; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Davis |
| Dillard | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hayes | Henderson-Myers |
| Henegan | Hewitt | Hiott |
| Hixon | Hosey | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Landing |
| Lawson | Leber | Ligon |
| Long | Lowe | Magnuson |
| May | McCabe | McCravy |
| McDaniel | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Tedder |
| Thayer | Trantham | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | White | Whitmire |
| Williams | Willis | Wooten |

**Total--108**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**SPEAKER IN CHAIR**

**S. 557--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

Rep. STAVRINAKIS proposed the following Amendment No. 1 to
S. 557 (LC-557.DG0003H), which was adopted:

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

SECTION X. Section 12‑6‑3410 of the S.C. Code is amended to read:

 Section 12‑6‑3410. (A) A ~~corporation~~ taxpayer or a business unit of a taxpayer establishing a ~~corporate~~ headquarters facility in this State, or expanding or adding to an existing ~~corporate~~ headquarters facility, is allowed a credit against any tax due pursuant to Section 12‑6‑510, Section 12‑6‑530, Section 12‑11‑20, or Section 12‑20‑50 ~~as set forth in this section~~ or any combination thereof.

 (B) In order to qualify for this credit, each of the following criteria must be satisfied:

 (1) The qualifying real property costs of the ~~corporate~~ headquarters facility ~~establishment~~, or expansion~~, or addition~~ must be at least fifty thousand dollars. Qualifying real property costs are:

 (a) costs incurred in the design, preparation, and development of establishing, or expanding~~, or adding to~~ a ~~corporate~~ headquarters facility; and

 (b)(i) direct construction costs; or

 (ii) with respect to leased facilities, direct lease costs during the first five years of operations for the ~~corporate~~ headquarters facility.

 (2) The headquarters establishment or~~,~~ expansion~~, or addition~~ must result in the creation of~~:~~

~~(a)~~ at least forty new full‑time jobs that are:

 (a) performing headquarters-related functions and services; ~~or research and development related functions and services. These jobs must be permanent, full‑time positions located in this State; and~~

 (b) ~~at least twenty of the above‑referenced new jobs must be classified as headquarters staff employees~~ have gross wages equal to or greater than twice the per capita income of this State based on the most recent per capita income data available as of the end of the taxpayer's taxable year in which the jobs are filled and are subject to withholding pursuant to Chapter 8 of this title; and

 (c) are provided a benefits package, including health care.

 (C) The amount of the credit is equal to the sum of:

 (1) twenty percent of the qualifying real property costs listed in subsection (B)(1)~~.~~; and

 (2)~~(D) A headquarters establishment, expansion, or addition which meets the criteria of subsection (B) of this section is entitled to an additional credit equal to~~ twenty percent of cost for tangible personal property if ~~the following conditions are met~~:

 ~~(1)~~(a) the personal property is:

 ~~(a)~~(i) capitalized as personal property for income tax purposes under the Internal Revenue Code; and

 ~~(b)~~(ii) purchased for the establishment~~,~~  or expansion~~, or addition~~ of ~~a corporate~~ the taxpayer’s or business unit’s headquarters facility~~, or for the establishment, expansion, or addition of a research and development facility which is part of the same corporate project as the headquarters establishment, addition, or expansion~~; and

 ~~(c)~~(iii) used for ~~corporate~~ headquarters-related functions and services ~~or research and development related functions and services~~ in South Carolina.

 ~~(2)~~ ~~The establishment, expansion, or addition of a corporate headquarters or research and development facility must result in the creation of at least seventy‑five new full‑time jobs performing either:~~

~~(a) headquarters related functions and services; or~~

~~(b) research and development related functions and services.~~

~~The seventy‑five required jobs must have an average cash compensation level of more than twice the per capita income of this State based on the most recent per capita income data available as of the end of the taxpayer's taxable year in which the jobs are filled.~~

 (D) Reserved.

 (E)(1)(a) For headquarters facilities which are constructed, the credit can only be claimed for the taxable year when the ~~headquarters establishment, expansion, or addition, and the research and development facility establishment, expansion, or addition, in the case of corporations qualifying under subsection (D),~~ facility is placed in service for federal income tax purposes. For ~~construction projects~~ facilities completed in phases and placed in service for federal income tax purposes in more than one taxable year, the ~~corporation~~ credit can be ~~claim~~ claimed ~~the credit on the South Carolina income tax return~~ for the taxable year in which ~~property, which qualifies for the credit,~~that phase of the headquarters facility is placed in service for federal income tax purposes. Credits cannot be obtained for costs incurred more than three taxable years after the taxable year in which the first property for which the credit is claimed is placed in service. Notwithstanding any other provisions of this subsection, if the entire project is not completed by the end of the three taxable years, the ~~corporation may claim the~~ credit may be claimed for all property placed in service within the time limitation set forth in the preceding sentence. The credit may not be claimed for personal property which is replacing personal property for which the credit can be claimed. The department may for good cause extend the time for incurring additional costs and for claiming the credit if the project is not completed within the time period allowed by this subsection. For purposes of this subsection the term “property” includes qualifying real property and~~, where the conditions of subsection (D) are met,~~ qualifying personal property.

 (b) for leased real property the credit must be claimed in the taxable year in which the first direct lease costs are incurred.

 (2) The ~~corporation~~ taxpayer must meet the staffing requirements of ~~subsections~~ subsection (B)(2) ~~and, if applicable, (D)(2),~~ by the end of the second taxable year following the last taxable year for which the credit is claimed. The ~~corporation~~ taxpayer must have documented plans to meet the initial staffing requirements at the time the credit is claimed. If the ~~corporation~~ taxpayer fails to meet the staffing requirements within the time required by this subsection, the ~~corporation~~ taxpayer must increase its tax liability for the current taxable year by an amount equal to the amount of credit, or any portion of the credit for which the ~~corporation~~ taxpayer would not qualify, which was used to reduce tax in the earlier years.

 (F) The credit provided in this section is nonrefundable, but an unused credit may be carried forward for ten years. ~~An unused credit may be carried forward fifteen years if the criteria set forth in subsection (D)(2) are met.~~ In addition, a taxpayer may assign its rights to the unused credit to a succeeding taxpayer if the taxpayer transfers all or substantially all of the assets of the taxpayer or all or substantially all of the assets of a trade, business, or operating division of a taxpayer to the succeeding taxpayer, and the succeeding taxpayer maintains the ~~corporate~~ headquarters facility ~~of the taxpayer~~. No credit may be claimed for a taxable year during which the taxpayer or succeeding taxpayer fails to meet the qualifying employment requirements provided in this section and the carry forward period is not extended for any year in which the credit may not be claimed for failure to meet the employment requirements. The credit may be claimed for a taxable year in the unextended carry forward period if the taxpayer or succeeding taxpayer requalifies for the credit by meeting the employment requirements during that taxable year.

 (G) If a fee‑in‑lieu arrangement under Section 4‑29‑67 is entered into with respect to all or part of property involving a ~~corporate~~ headquarters, and the ~~corporation~~ taxpayer claiming the credit provided under this section is treated as the owner of the property for federal income tax purposes, then the ~~corporation~~ taxpayer must be treated as the owner of the property for purposes of the credit provided by this section.

 (H) To the extent that this credit applies to the cost of certain property, the basis of the property for South Carolina income tax purposes must be reduced by the amount of the credit claimed with respect to the property. This basis reduction does not reduce the basis or limit or disallow any depreciation allowable under the law of this State for other than income tax purposes, even if the depreciation is based upon or otherwise relates to income tax depreciation including, without limitation, basis or depreciation which is allowable under this title for property tax purposes. If the ~~corporation~~ taxpayer fails to meet the staffing requirements of subsection ~~(E)~~(B)(2), the ~~corporation~~ taxpayer may increase the basis of the property by the amount of the original basis reduction with regard to that property in the year in which the credit is recaptured.

 (I) The amount of a credit allowed under this section must be reduced by the amount of any past‑due debt owed this State by the taxpayer.

 (J) As used in this section:

 (1) “~~Corporate~~ Headquarters” means the facility or portion of a facility where ~~corporate~~ headquarters staff employees are ~~physically~~ employed, and where the ~~majority of the company's or company~~ taxpayer’s or the taxpayer’s business unit's financial, personnel, legal, planning, information technology, or other headquarters‑related functions are handled either on a regional, national, or global basis. A ~~corporate~~ headquarters must be a regional ~~corporate~~ headquarters~~,~~ or a national corporate headquarters~~, or global corporate headquarters~~ as defined below~~; provided, however, for taxpayers which are subject to tax under Chapter 11 of Title 12, a corporate headquarters must be a regional corporate headquarters:~~. A taxpayer or taxpayer’s business unit doing business solely within South Carolina does not meet the definition of a headquarters.

 (a) National ~~corporate~~ headquarters must be the sole ~~corporate headquarters in the nation~~ office or location in the nation or the world for the taxpayer or a business unit of the taxpayer with multistate operations and must handle headquarters‑related functions ~~at least~~ on a national or global basis.  ~~A national headquarters is considered to handle headquarters‑related functions on a national basis from this State if the corporation has a facility in this State from which the corporation engages in interstate commerce by providing goods or services for customers outside of this State in return for compensation.~~ The function and purpose of the national headquarters is to plan, direct, and control all aspects of the taxpayer or taxpayer’s business unit’s operations, and it has final authority over regional offices, operating facilities, or any other office of the taxpayer or business unit.

 (b) Regional ~~corporate~~ headquarters must be the sole ~~corporate headquarters~~ office or location in the region for the taxpayer or a business unit of the taxpayer with multistate operations within the region and must handle headquarters‑related functions on a regional basis. A regional headquarters performs a function that is separate from the management of operational facilities within the region. A regional headquarters performs functions similar to the national headquarters, but within a more limited area. For purposes of this section, “ region” or “regional” means a geographic area comprised of either:

 (i) at least five states, including this State; or

 (ii) two or more states, including this State, if the entire business operations of the ~~corporation~~ taxpayer or business unit of the taxpayer are performed within fewer than five states~~; provided, however, that with respect to taxpayers which are subject to tax under Chapter 11 of Title 12, the requirement that “the entire business operations of the corporation are performed within fewer than five states”, is replaced with “if all branches of the taxpayer, as defined below, are physically located in fewer than five states”. For taxpayers which are subject to tax under Chapter 11 of Title 12, such taxpayer must have two or more branches, as that term is defined in Section 34‑25‑10(8), in each state within its region~~.

 (c) A “~~company~~ business unit” is an organizational unit of a ~~corporation or bank and~~ taxpayer that is defined by the particular product or category of products it sells.

 (2) “New job” means a job created by an employer in this State at the time a new facility, or expansion~~, or addition~~ is initially staffed, but does not include a job created when an employee is shifted from an existing location in this State to work in a new or expanded facility. An employee may be employed at a temporary location in this State pending completion of the new facility~~,~~ or expansion~~, or addition~~.

 (3) “~~Full‑time~~ Full time” means a job requiring a minimum of thirty‑five hours of an employee's time a week for the entire normal year of ~~corporate~~ operations or a job requiring a minimum of thirty‑five hours of an employee's time for a week for a year in which the employee was initially hired for or transferred to the ~~corporate~~ headquarters ~~or research and development facility~~ in this State.

 (4) “Headquarters‑related functions and services” are those functions involving financial, personnel, administrative, legal, planning, information technology, or similar business functions.

 (5) “Headquarters staff employees” means executive, administrative, or professional workers performing headquarters-related functions and services.

 (a) An executive employee is a full‑time employee in which at least eighty percent of his business functions involve the management of the enterprise and directing the work of at least two employees. An executive employee has the authority to hire and fire or has the authority to make recommendations related to hiring, firing, advancement, and promotion decisions, and an executive employee must customarily exercise discretionary powers.

 (b) An administrative employee is a full‑time employee who is not involved in manual work and whose work is directly related to management policies or general headquarters operations. An administrative employee must customarily exercise discretion and independent judgment.

 (c) A professional employee is an employee whose primary duty is work requiring knowledge of an advanced type in a field of science or learning. This knowledge is characterized by a prolonged course of specialized study. The work must be original and creative in nature, and the work cannot be standardized over a specific period of time. The work must require consistent exercise of discretion and the employee must spend at least eighty percent of the time performing headquarters related functions and services.

 (6) ~~“Research and development” means laboratory, scientific, or experimental testing and development related to new products, new uses for existing products, or improving existing products, but “research and development” does not include efficiency surveys, management studies, consumer surveys, economic surveys, advertising, promotion, banking, or research in connection with literary, historical, or similar projects~~ Reserved.

 (7) ~~“Research and development facility” means the building or buildings or portion of a building where research and development functions and services are physically located~~ Reserved.

 (8) “Direct lease costs” are cash lease payments. The term does not include any accrued, but unpaid, costs.

 (9) “Remote employee” is a full‑time employee of the taxpayer, including an employee who works for a business unit of the taxpayer, who works for the taxpayer performing headquarters‑related functions or services either completely or partially from a home office or other residence within the State.

SECTION X. Section 12‑6‑3460(A) (3) and (4) of the S.C. Code is amended to read:

 (3) “Qualified recycling facility” means a facility certified as a qualified recycling facility by a duly authorized representative of the department which includes all real and personal property incorporated into or associated with the facility located or to be located within this State that will be used by the taxpayer to manufacture or fabricate products for sale composed of at least fifty percent postconsumer waste material by weight or by volume. The minimum level of investment for a qualified recycling facility must be at least ~~three~~ one hundred million dollars incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

 (4) “Postconsumer waste material” means any product generated by a business or consumer which has served its intended end use and which has been separated from the solid waste stream for the purpose of recycling and includes, but is not limited to, scrap metal and iron, and used plastics, paper, glass, batteries, solar panels, turbines and related structures, and rubber.

SECTION X. Sections 12‑10‑20 through 12‑10‑80 of the S.C. Code are amended to read:

 Section 12‑10‑20. The General Assembly finds:

 (1) that the economic well‑being of the citizens of the State is enhanced by the increased development and growth of industry within the State, and that it is in the best interests of the State to induce the location or expansion of manufacturing, processing, services, distribution, warehousing, research and development, corporate offices, technology intensive, and certain tourism projects within the State to promote the public purpose of creating new jobs within the State;

 (2) that the inducement provided in this chapter will encourage the creation of jobs which would not otherwise exist and will create sources of tax revenues for the State and its political subdivisions;

 (3) the powers to be granted to the ~~Advisory~~ Coordinating Council for Economic Development by this chapter and the purposes to be accomplished are proper governmental and public purposes and that the inducement of the location or expansion of manufacturing, processing, services, distribution, warehousing, research and development, corporate offices, and certain tourism facilities within the State is of paramount importance.

 (4) The state's per capita income has not reached the United States average and certain rural, less developed counties have not experienced capital investment, per capita income, and job growth at a level equal to the state's average. The economic well‑being of these areas will not be sustained without significant incentive to induce capital investment and job creation.

 Section 12‑10‑30. As used in this chapter:

 (1) “Council” means the Coordinating Council for Economic Development.

 (2) “Department” means the South Carolina Department of Revenue.

 (3) “Employee” means an employee of the qualifying business who works full time ~~at~~ in this State for the benefit of the project, including a remote employee as defined in item (20).

 (4) “Gross wages” means wages subject to withholding.

 (5) “Job development credit” means the amount a qualifying business may claim as a credit against employee withholding pursuant to Sections 12‑10‑80 and 12‑10‑81 and a revitalization agreement.

 (6) “New job” means a job created or reinstated as defined in Section 12‑6‑3360(M)(3).

 (7) “Qualifying business” means a business that meets the requirements of Section 12‑10‑50 and other applicable requirements of this chapter.

 (8) “Project” means an investment for one or more purposes pursuant to this chapter needed for a qualifying business to locate, remain, or expand in this State and otherwise fulfill the requirements of this chapter.

 (9) “Preliminary revitalization agreement” means the application by the qualifying business for benefits pursuant to Section 12‑10‑80 or 12‑10‑81 if the council approves the application and agrees in writing at the time of approval to allow the approved application to serve as the preliminary revitalization agreement. The date of the preliminary revitalization agreement is the date of the council approval.

 (10) “Revitalization agreement” means an executed agreement entered into between the council and a qualifying business that describes the project and the negotiated terms and conditions for a business to qualify for a job development credit pursuant to Section 12‑10‑80 or 12‑10‑81.

 (11) “Qualifying expenditures” means those expenditures that meet the requirements of Section 12‑10‑80(C) or 12‑10‑81(D).

 (12) “Withholding” means employee withholding pursuant to Chapter 8 of this title.

 (13) “Technology employee” means an employee at a technology intensive facility as defined in Section 12‑6‑3360(M)(14) who is directly engaged in technology intensive activities at that facility.

 (14) “Production employee” means an employee directly engaged in manufacturing or processing at a manufacturing or processing facility as defined in Section 12‑6‑3360(M).

 (15) “Retraining agreement” means an agreement entered into between a business and the council in which a qualifying business is entitled to retraining credit pursuant to Section 12‑10‑95.

 (16) “Retraining credit” means the amount that a business may claim as a credit against withholding pursuant to Section 12‑10‑95 and the retraining agreement.

 (17) “Technology intensive activities” means the design, development, and introduction of new products or innovative manufacturing processes, or both, through the systematic application of scientific and technical knowledge at a technology intensive facility as defined in Section 12‑6‑3360(M).

 (18) “Significant business” means a qualifying business making a significant capital investment as defined in Section 12‑44‑30(7).

 (19) “Related person” includes any entity or person that bears a relationship to a business as provided in Internal Revenue Code Section 267 or 707(b). The related person must be a “qualifying business” as defined in item 7, except that the related person does not have to meet the requirements of Section 12‑10‑50(A)(1) or, in case the qualifying business qualifies for the credit against withholding for retraining pursuant to Section 12‑10‑95 of this chapter, the related person does not have to meet the requirements of Section 12‑10‑50(B)(1).

 (20) “Remote employee” is a full‑time employee who is hired to fill a job for the project and who works either completely or partially from a home office or other residence within this State.

 Section 12‑10‑40. The amount of benefits available to qualified businesses is determined by the county designation as defined in Section 12‑6‑3360(B), in which the ~~business~~ project is located. For purposes of determining the amount of job development credit that may be claimed for a job filled by a remote employee, the physical location of the project must be used and not the physical location where the remote employee provides services.

 Section 12‑10‑45. A tire manufacturer that has over one billion dollars in capital investment in this State, and employs over five thousand workers in this State may, after certification by the council, designate up to two census tracts, but not to exceed four hundred acres per site, in any area of the State as an enterprise zone provided that a capital investment of at least one hundred million dollars be made over a five‑year period at each site. The tire manufacturer's capital investment must be based upon the gross cost of assets in South Carolina as shown on the manufacturer's property tax and fee‑in‑lieu of property tax filings. The council will certify the manufacturer if it determines that the available incentives are appropriate for the new project, the total benefits of the new project exceed the costs to the public, and the qualifying business otherwise fulfills the requirements of this chapter.

 Section 12‑10‑50. (A) To qualify for the benefits provided in this chapter, a business must be located within this State and must:

 (1) be engaged primarily in a business of the type identified in Section 12‑6‑3360;

 (2) provide a benefits package, including health care, to full‑time employees ~~at~~ hired for the project;

 (3) enter into a revitalization agreement that is approved by the council and that describes a minimum job requirement and minimum capital investment requirement for the project as provided in Section 12‑10‑90; and

 (4) have negotiated incentives that council has determined are appropriate for the project, and the council shall certify that:

 (a) the total benefits of the project exceed the costs to the public; and

 (b) the business otherwise fulfills the requirements of this chapter.

 (B) To qualify for benefits pursuant to Section 12‑10‑95, a business must:

 (1) be engaged in manufacturing or processing operations or technology intensive activities at a manufacturing, processing, or technology intensive facility as defined in Section 12‑6‑3360(M);

 (2) provide a benefits package, including health care, to employees being retrained; and

 (3) enter into a retraining agreement with the council.

 Section 12‑10‑60. ~~(A)~~ The council may enter into a revitalization agreement with each qualifying business with respect to the project. The terms and provisions of each revitalization agreement must be determined by negotiations between the council and the qualifying business. The decision to enter into a revitalization agreement with a qualifying business is solely within the discretion of the council based on the appropriateness of the negotiated incentives to the project and the determination that approval of the project is in the best interests of the State. The revitalization agreement must set a date by which the qualifying business shall have ~~completed the project~~ met the required investment and employment levels. ~~Within three months of the completion date~~After meeting the thresholds, the qualifying business shall document the actual costs of the project in a manner acceptable to the council. Subject to the discretion of the council, a business may be allowed to count jobs filled by remote employees towards the minimum employment levels.

~~(B) If a qualifying business that entered into a revitalization agreement before January 1, 1997, receives council approval to amend its revitalization agreement to increase its minimum job requirement, the law in effect on the date of the amendment determines the amount of job development credit a qualifying business may claim pursuant to Section 12‑10‑80 for additional jobs created after the date of the amendment. This subsection does not apply to a business whose application for job development fees or credits pursuant to Section 12‑10‑81 has been approved by council before the effective date of this act.~~

 Section 12‑10‑80. (A) A business that qualifies pursuant to Section 12‑10‑50(A) and has certified to the council that the business has met the minimum job requirement and minimum capital investment provided for in the revitalization agreement may claim job development credits as determined by this section.

 (1) A business may claim job development credits against its withholding on its quarterly state withholding tax return for the amount of job development credits allowable pursuant to this section.

 (2) A business that is current with respect to its withholding tax and other tax due and owing the State and that has maintained its minimum employment and investment levels identified in the revitalization agreement may claim the credit on a quarterly basis beginning with the first quarter after the council's certification to the department that the minimum employment and capital investment levels were met for the entire quarter. If a qualifying business is not current as to all taxes due and owing to the State as of the date of the return on which the credit would be claimed, without regard to extensions, the business may claim the credit only in an amount reduced by the amount of taxes due and owing to the State as of the date of the return on which the credit is claimed.

 (3) A qualifying business may claim its initial job development credit only after the council has certified to the department that the qualifying business has met the required minimum employment and capital investment levels.

 (4) To be eligible to apply to the council to claim a job development credit, a qualifying business shall create at least ten new, full‑time jobs, as defined in Section 12‑6‑3360(M), at the project described in the revitalization agreement within five years of the effective date of the agreement.

 (5) A qualifying business is eligible to claim a job development credit pursuant to the revitalization agreement for not more than fifteen years.

 (6) A ~~company's~~ qualifying business’s job development credits shall be suspended during any quarter in which the ~~company~~ qualifying business fails to maintain one hundred percent of the minimum job requirement set forth in the ~~company's~~ qualifying business’s revitalization agreement. A company only may claim credits on jobs, including a range of jobs approved by the council, as set forth in the company's final revitalization agreement.

 (7) Credits may be claimed beginning the quarter subsequent to the council's approval of the ~~company's~~ qualifying business’s documentation that the minimum jobs and capital investment requirements have been met.

 (8) To the extent any return of an overpayment of withholding that results from claiming job development credits is not used as permitted by subsection (C) or by Section 12‑10‑95, it must be treated as misappropriated employee withholding.

 (9) Job development credits may not be claimed for purposes of this section with regard to an employee whose job was created in this State before the taxable year of the qualifying business in which it enters into a preliminary revitalization agreement.

 (10) If a qualifying business claims job development credits pursuant to this section, it shall make its payroll books and records available for inspection by the council and the department at the times the council and the department request. Each qualifying business claiming job development credits pursuant to this section shall file with the council and the department the information and documentation requested by the council or department respecting employee withholding, the job development credit, and the use of any overpayment of withholding resulting from the claiming of a job development credit according to the revitalization agreement.

 (11) Each qualifying business claiming in excess of ten thousand dollars in a calendar year must furnish to the council and to the department a report that itemizes the sources and uses of the funds. The report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12‑54‑210 for all reports filed after June thirtieth or the approved extension date, whichever is later. The department shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds.

 (12) Each qualifying business claiming ten thousand dollars or less in any calendar year must furnish a report prepared by the company that itemizes the sources and uses of the funds. This report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12‑54‑210 for all reports filed after June thirtieth or the approved extension date, whichever is later.

 (13) An employer may not claim an amount that results in an employee's receiving a smaller amount of wages on either a weekly or on an annual basis than the employee would receive otherwise in the absence of this chapter.

 (14)(a) For purposes of this chapter, a qualifying business may designate up to two related persons whose jobs and investments located at the project may be included to determine whether the qualifying business has met and maintained the minimum job requirement and minimum capital investment requirement. Qualified expenditures described in subsection (C) incurred by a related person may be treated as though such qualifying expenditures were incurred by the qualifying business for purposes of claiming the job development credit and each related person may claim the job development credit for the jobs created by such related person and include any qualifying expenditures of the qualifying business or another related person for purposes of claiming the job development credit as if created and made by the related person.

 (b) A single‑member limited‑liability company that is not regarded as an entity separate from its owner and a qualified subchapter “S” subsidiary as defined in Section 1361(b)(3)(B) of the Internal Revenue Code that is not regarded as a separate entity from the “S” corporation that owns its stock, is treated as the qualifying business for all purposes under this chapter, including for purposes of claiming the job development credit against withholding but it counts as a related person for purposes of the limit described in subitem (a).

 (B)(1) The maximum job development credit a qualifying business may claim for new employees is limited to the lesser of withholding tax paid to the State on a quarterly basis or the sum of the following amounts:

 (a) two percent of the gross wages of each new employee who earns $8.74 or more an hour but less than $11.64 an hour;

 (b) three percent of the gross wages of each new employee who earns $11.65 or more an hour but less than $14.55 an hour;

 (c) four percent of the gross wages of each new employee who earns $14.56 or more an hour but less than $21.84 an hour; and

 (d) five percent of the gross wages of each new employee who earns $21.85 or more an hour.

 (2) The hourly gross wage figures in item (1) must be adjusted annually by an inflation factor determined by the Revenue and Fiscal Affairs Office.

 (C) To claim a job development credit, the qualifying business must incur qualified expenditures at the project or for utility or transportation improvements that serve the project. To be qualified, the expenditures must be:

 (1) incurred during the term of the revitalization agreement, including a preliminary revitalization agreement, or within sixty days before council's receipt of an application for benefits pursuant to this section;

 (2) authorized by the revitalization agreement; and

 (3) used for any of the following purposes:

 (a) training costs and facilities;

 (b) acquiring and improving real property whether constructed or acquired by purchase, or in cases approved by the council, acquired by capital or operating lease with at least a five‑year term or otherwise;

 (c) improvements to both public and private utility systems including water, sewer, electricity, natural gas, and telecommunications;

 (d) fixed transportation facilities including highway, rail, water, and air;

 (e) construction or improvements of real property and fixtures constructed or improved primarily for the purpose of complying with local, state, or federal environmental laws or regulations;

 (f) employee relocation expenses, but only for those employees to whom the company is paying gross wages at least two times the lower of the per capita income for either the state or the county in which the project is located;

 (g) financing the costs of a purpose described in items (a) through (f);

 (h) training for all relevant employees that enable a company to export or increase a company's ability to export its products, including training for logistics, regulatory, and administrative areas connected to the company's export process and other export process training that allows a qualified company to maintain or expand its business in this State;

 (i) apprenticeship programs;

 (j) quality improvement programs of the South Carolina Quality Forum.

 (D)(1) The amount of job development credits a qualifying business may claim for its use for qualifying expenditures is limited according to the designation of the county as defined in Section 12‑6‑3360(B), as follows:

 (a) one hundred percent of the maximum job development credits may be claimed by businesses located in counties designated as “Tier IV”;

 (b) eighty‑five percent of the maximum job development credits may be claimed by businesses located in counties designated as “Tier III”;

 (c) seventy percent of the maximum job development credits may be claimed by businesses located in counties designated as “Tier II”; or

 (d) fifty‑five percent of the maximum job development credits may be claimed by businesses located in counties designated as “Tier I”.

 (2) The amount that may be claimed as a job development credit by a qualifying business is limited by this subsection and by the revitalization agreement. The council may approve a waiver of ninety‑five percent of the limits provided in item (1) for~~:~~

~~(a)~~ a significant business as defined in Section 12‑10‑30(18)~~; and~~

~~(b) a related person to a significant business if the related person is located at the project site of the significant business and qualifies for job development credits pursuant to this chapter.~~

~~For purposes of this item, a related person includes any entity or person that bears a relationship to a significant business as provided in Internal Revenue Code Section 267 and includes, without limitation, a limited liability company of which more than fifty percent of the capital interest or profits is owned directly or indirectly by a significant business or by a person or entity, or group of persons or entities which owns, more than fifty percent of the capital interest or profits in the significant business~~.

 (3) The ~~county~~ designation of the county in which the project is located on the date the application for job development credit incentives is received in the ~~Office~~ office of the ~~Coordinating Council~~ council remains in effect for the entire period of the revitalization agreement~~, except as to additional jobs created pursuant to an amendment to a revitalization agreement entered into before June 1, 1997, as provided in Section 12‑10‑60. In that case the county designation on the date of the amendment remains in effect for the remaining period of the revitalization agreement as to any additional jobs created after the effective date of the amendment~~.

 (E) The council shall certify to the department the maximum job development credit for each qualifying business. After receiving certification, the department shall remit an amount equal to the difference between the maximum job development credit and the job development credit actually claimed to the State Rural Infrastructure Fund as defined and provided in Section 12‑10‑85.

 (F) Any job development credit of a qualifying business permanently lapses upon expiration or termination of the revitalization agreement. If an employee is terminated, the qualifying business immediately must cease to claim job development credits as to that employee.

 (G) For purposes of the job development credit allowed by this section, an employee is a person whose job was created in this State.

 (H) Job development credits may not be claimed by a governmental employer who employs persons at a closed or realigned military installation as defined in Section 12‑10‑88(E).

 (I) A taxpayer who qualifies for the job development credit pursuant to the provisions of this section and who is located in a multicounty business or industrial park jointly established pursuant to Section 13 of Article VIII of the Constitution of this State is allowed a job development credit equal to the amount allowed pursuant to subsection (D) for the designation of the county which has the lowest development status of the counties containing the park if:

 (1) the park is developed and established on the geographical boundary of adjacent counties; and

 (2) the written agreement, pursuant to Section 4‑1‑170, requires revenue from the park to be allocated to each county on an equal basis.

 (J) Where the qualifying business that creates new jobs under this section is a qualifying service‑related facility as defined in Section 12‑6‑3360(M)(13), the determination of the number of jobs created for purposes of eligibility must be based on the total number of new jobs created within five years of the effective date of the revitalization agreement, without regard to monthly or other averaging.

 (K) For purposes of this section, the job and per capita income thresholds contained in the definition of “qualifying service‑related facility” as set forth in Section 12‑6‑3360(M)(13)(b) must be modified to read as set forth in the item below:

 (1) a business, other than a business engaged in legal, accounting, banking, or investment services (including a business identified under NAICS Section 55) or retail sales, which has a net increase of at least:

 (a) one hundred twenty‑five jobs ~~at~~ on the payroll for a single location;

 (b) one hundred jobs at a single location comprised of a building or portion of a building that has been vacant for at least twelve consecutive months before the ~~taxpayer's~~ business’s investment;

 (c) seventy‑five jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than one and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located;

 (d) fifty jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

 (e) twenty‑five jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than two and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located.

 (L) For purposes of this section and notwithstanding the provisions of Section 12‑10‑50(A)(1), subject to the discretion of the council, the definition of “qualifying service‑related facility” as defined in Section 12‑6‑3360(M)(13), as modified by Section 12‑10‑80(K)(1), shall also include the following:

 (1) a business engaged in legal, accounting, banking, or investment services operating at a single facility if the single facility would otherwise qualify as a qualifying service‑related facility as defined in Section 12‑6‑3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12‑6‑3360(M)(13)(b);

 (2) a business generally engaged in retail sales at a single facility if that single facility would otherwise qualify as a qualifying service‑related facility as defined in Section 12‑6‑3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12‑6‑3360(M)(13)(b) and provided that no retail sales are conducted at that single facility; and

 (3) In making a determination with regard to Section 12‑10‑80(L)(1) or Section 12‑10‑80(L)(2), the council may consider the following:

 (a) the percentage of such business's annual gross receipts from services or other income producing activity derived from customers or clients located outside of South Carolina for the twelve months preceding the month in which such business applies to the council to claim a job development credit and such percentage may not be less than seventy‑five percent;

 (b) the nature of the new jobs to be created at the project;

 (c) the wages of the new jobs to be created at the project;

 (d) the capital investment of the project; and

 (e) the potential for expansion or growth of the business or industry.

 (M) If the council approves an operating lease as an eligible expenditure under Section 12‑10‑80(C) for a qualifying business that qualifies pursuant to subsections (K) or (L) and will create at least twenty‑five jobs for a project and all of the jobs will have a cash compensation level of more than two and one-half times the per capita income in the county where the project is located, the qualifying business may be reimbursed on an annual basis for lease payments before the certification to the council that the qualifying business has met the minimum job requirement and minimum capital investment provided for in the revitalization agreement. The reimbursements may begin in the first year in which the business creates at least ten new jobs that meet such wage threshold and may continue for up to ten years. This subsection does not apply to build‑to‑suit lease payments.

SECTION X. Section 12‑10‑95 of the S.C. Code is amended to read:

 Section 12‑10‑95. (A)(1) Subject to the conditions in this section, a business engaged in manufacturing or processing operations or technology intensive activities at a manufacturing, processing, or technology intensive facility as defined in Section 12‑6‑3360(M), or warehousing and distribution, and that meets the requirements of Section 12‑10‑50(B)(2) ~~may negotiate with a technical college~~, with approval from the State Board for Technical and Comprehensive Education, ~~to~~ may claim as a credit against withholding one thousand dollars a year for the retraining of a production or technology or warehousing and distribution first line employee or immediate supervisor who has been continuously employed by the business for a minimum of ~~two years~~ one year and is a full‑time employee, so long as retraining is necessary for the qualifying business to remain competitive or to introduce new technologies. In addition to the yearly limits, the retraining credit claimed against withholding may not exceed five thousand dollars over five consecutive years for each retrained production or technology first line employee or immediate supervisor.

 (2) Retraining programs that are eligible for the credit include, but are not limited to:

 (a) retraining of current employees on newly installed equipment; ~~and~~

 (b) retraining of current employees on newly implemented technology, such as computer platforms, software implementation and upgrades, Total Quality Management, ISO 9000, and self‑directed work teams~~.~~; and

 (c) retraining of current employees for the purpose of upskilling, management development, or recertification in production‑related competencies.

 Executive training, ~~management development training, career development,~~ personal enrichment training, and cross‑training of employees on equipment or technology that is not new to the company are not eligible for the credit.

 (B) A qualifying business is eligible to claim as a retraining credit against withholding the lower amount of the following:

 (1) the retraining credit for the applicable withholding period as determined by subsection (A); or

 (2) withholding paid to the State for the applicable withholding period.

 (C) All retraining must be approved by ~~a technical college under the jurisdiction of the State Board for Technical and Comprehensive Education. A qualifying business must submit a retraining program for approval by the appropriate technical college. The approving technical college may provide the retraining itself, subject to the retraining program, or contract with other training entities to provide the required retraining, or supervise the employer's approved internal training program.~~the State Board for Technical and Comprehensive Education.

 (D) An employer may not receive the credit allowed by this section if the employer requires that the employee reimburse or pay the employer for the direct costs of retraining, or if the employee is required to reimburse or pay the employer indirectly through the forfeiture of leave time, vacation time, or other compensable time. Direct costs of retraining include instructor salaries, development of retraining programs, purchase or rental of materials and supplies, textbooks and manuals, instructional media, such as video tapes, presentations, equipment used for retraining only, not to include production equipment, and reasonable travel costs as limited by the state's travel expense reimbursement policy.

 (E) The qualifying business must expend at least one dollar ~~fifty cents~~ on retraining eligible employees for every dollar claimed as a credit against withholding for retraining. All training costs, including costs in excess of the retraining credits and matching funds, are the responsibility of the business.

 (F) A qualifying business may not claim retraining credit for training provided to the following production or technology first line employees or immediate supervisors:

 (a) temporary or contract employees; and

 (b) employees who are ~~subject to a~~ included in the minimum job requirement of an ongoing revitalization agreement, including a preliminary revitalization agreement and for which the company is eligible to claim job development credits. A qualifying business may claim retraining credits for employees who are not subject to the job development credit but who are included in the base employment of an ongoing revitalization agreement provided that such employees meet the requirements for retraining eligibility included in this section.

 (G) ~~Notwithstanding~~ In addition to another provision of this section, the retraining credit allowed by this section is for:

 (1) training included in a registered apprenticeship ~~programs~~program; and

 (2) retraining for all relevant employees that enable a company to export or increase its ability to export its products, including training for logistics, regulatory, and administrative areas connected to its export process and other export process training that allows a qualified company to maintain or expand its business in this State.

 (H) There is hereby established an annual renewal fee of two hundred fifty dollars to be billed and collected by the department.

 (I)(1) All approved programs and training must be reviewed annually by the State Board for Technical and Comprehensive Education.

 (2) A qualifying business may contract with the State Board for Technical and Comprehensive Education or a subsidiary technical college to assist with additional program administration beyond what is required in a typical retraining agreement for a quarterly fee not to exceed twenty percent of the retraining credit amount claimed. Fees must be collected on a quarterly basis.

 (3) Every three years, the Department of Revenue must audit any business that claimed the job retraining credit pursuant to this section during that time period, solely for the purpose of verifying proper sources and uses of the credits.

 (J) The State Board for Technical and Comprehensive Education shall establish policies and procedures to provide the oversight and review provisions of this section. By November fifteenth of each year, the State Board for Technical and Comprehensive Education shall submit a statewide aggregated report detailing the utilization of the retraining credit pursuant to this section, as well as the board's activities in regard to oversight, to the Governor, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Coordinating Council for Economic Development, and the Department of Revenue. Also, the board shall make the report available in a conspicuous place on the website maintained by the board.

SECTION X. Section 12-6-3360 of the S.C. Code is amended by adding:

 (Q)(1) Notwithstanding any other provision of law, to recruit an eligible business to this State or to expand in this State, and subject to approval by the Joint Bond Review Committee, the Secretary of Commerce is authorized to allow an eligible business to sell, exchange, or otherwise transfer tax credits earned pursuant to this section so long as the credit was earned after 2022 and before tax year 2029. A tax credit or increment of a tax credit may be transferred only once. The credit may be transferred to any taxpayer. A taxpayer to whom a credit has been transferred may use the credit for the taxable year in which the transfer occurred and unused amounts may be carried forward to succeeding taxable years, but the transferred credit may not be used more than ten years after it was originally earned. With regard to the sale or exchange of a credit allowed under this section, general income tax principles apply for purposes of the state income tax.

 (2) For purposes of this section, an eligible business is a business that is:

 (a) headquartered in this State; or

 (b) whose primary business is in:

 (i) research and development;

 (ii) the production of microchips, semiconductors, or circuit boards and other electronics components;

 (iii) the production of pharmaceuticals, including active pharmaceutical ingredients;

 (iv) advanced manufacturing;

 (v) life sciences; or

 (vi) new, emerging, or high technologies.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2022.

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

The amendment was then adopted.

Rep. CASKEY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 111; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Davis |
| Dillard | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. E. Johnson | J. L. Johnson | S. Jones |
| W. Jones | Jordan | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | McCravy |
| McDaniel | McGinnis | Mitchell |
| J. Moore | T. Moore | A. M. Morgan |
| T. A. Morgan | Murphy | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Ott | Pace |
| Pedalino | Pendarvis | Pope |
| Rivers | Robbins | Rose |
| Rutherford | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Trantham | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | White | Whitmire |
| Williams | Willis | Wooten |

**Total--111**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4145--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4145 -- Reps. Murphy and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES REMITTED BY THE DEPARTMENT OF REVENUE, SO AS TO REMOVE AN ANNUAL MAXIMUM AND TO REMOVE A SUNSET PROVISION; AND BY AMENDING ACT 356 OF 2002 SO AS TO DELETE A PROVISION REQUIRING THE SHARING OF CERTAIN REVENUE.

Rep. MURPHY moved to adjourn debate on the Bill, which was agreed to.

**H. 3811--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Rep. ELLIOTT moved to adjourn debate on the Bill, which was agreed to.

**H. 3425--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3425 -- Reps. Pope, Thayer, Gilliam, S. Jones, Wooten, B. Newton, McCravy, Lawson, Leber, Atkinson, Forrest, Robbins, Caskey, Crawford, Guest, Blackwell, Landing, Ligon and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-90, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 9-1-1790, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES.

Rep. POPE moved to adjourn debate on the Bill, which was agreed to.

**S. 108--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 108 -- Senators Davis, Scott, Kimbrell, Climer, Senn, Young, Fanning, Reichenbach, Peeler, Alexander, Cash, Malloy, Garrett, Rice, Cromer, McElveen, Loftis, Stephens, Corbin, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-1-1770, RELATING TO PRERETIREMENT DEATH BENEFIT PROGRAMS UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE FOR A DEATH BENEFIT FOR LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY, TO PROVIDE FOR THE AMOUNT OF THE BENEFIT, TO PROVIDE WHO SHALL RECEIVE THE DEATH BENEFIT PAYMENT, AND TO PROVIDE THE SOURCE OF THE REVENUE FOR THE PAYMENT; AND BY AMENDING SECTION 9-11-120, RELATING TO A PRERETIREMENT DEATH BENEFIT PROGRAM UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO PROVIDE FOR A DEATH BENEFIT FOR LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY, TO PROVIDE FOR THE AMOUNT OF THE BENEFIT, TO PROVIDE WHO SHALL RECEIVE THE DEATH BENEFIT PAYMENT, AND TO PROVIDE THE SOURCE OF THE REVENUE FOR THE PAYMENT.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 108 (LC-108.SA0015H), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 42-7-90 of the S.C. Code is amended by adding:

 (3) first responder line of duty death benefit.

 (a) For the purposes of this item, the term "first responder" means:

 (i) an emergency medical technician as defined in Section 44-61-20(12);

 (ii) a law enforcement officer as defined in Section 23-23-10(E)(1), including detention and corrections officers;

 (iii) reserves as defined in Section 23-28-10(A);

 (iv) constables appointed pursuant to Section 23-1-60;

 (v) a fire department worker or volunteer worker; or

 (vi) a coroner or a deputy coroner directly engaged in examining, treating, or directing persons during an emergency.

 (b) Upon receipt by the State Accident Fund of the satisfactory proof of death of a first responder as defined in subitem (a) whose death was a natural and proximate result of an injury by external accident or violence incurred while undergoing a hazard peculiar to the first responder’s employment as a first responder while in the actual performance of his duty, provided that his death is not the result of the first responder’s willful negligence, suicide, or intentionally self-inflicted bodily injury, there must be paid from the State Accident Fund to the designated beneficiary a one-time, lump sum benefit payment of seventy-five thousand dollars.

 (c) The amount of the benefit provided for in subitem (b) is increased to a total of one hundred fifty thousand dollars if the first responder is killed in the line of duty as defined above and the first responder’s death is either:

 (i) the result of an unlawful and intentional act of another person; or

 (ii) the result of an accident that occurs:

 (A) as a result of the first responder’s response to fresh pursuit, defined as the pursuit of a person who has committed or is reasonably suspected of having committed a felony, misdemeanor, traffic infraction, or violation of a county or municipal ordinance;

 (B) as a result of the first responder’s response to what is reasonably believed to be an emergency;

 (C) at the scene of a traffic accident to which the first responder has responded; or

 (D) while the first responder is enforcing what is reasonably believed to be a traffic law or ordinance.

 (d) Payments made pursuant to this item must be paid to the beneficiary designated for this benefit by the first responder in writing and filed with the State Accident Fund in a manner prescribed by the agency during the first responder’s lifetime. If no designation is made, then the payment must be paid to the first responder’s surviving spouse. If there is no surviving spouse, the payment must be paid to the first responder’s surviving children in equal portions. If there is no surviving spouse or child, the benefit is payable to the first responder’s surviving parents in equal portions. If a beneficiary is not designated and there is no surviving child, spouse, or parent, then the sum must be paid to the first responder’s estate. The payments required by this subsection are in addition to any other benefit set forth in this chapter or otherwise in law, including worker's compensation, and are exempt from the claims and demands of creditors of the first responder.

 (e) Any benefits paid pursuant to this item are not subject to subrogation, assignment, set-off, or lien claimed pursuant to Section 42-1-560.

 (f) Within thirty days after a written determination of the State Accident Fund regarding payment, a person or representative of the estate, as set out in subitem (d), may seek relief by requesting a contested case hearing before the Administrative Law Court in accordance with its rules. A hearing may be requested to contest any part of the decision made pursuant to this section.

SECTION X. Article 1, Chapter 7, Title 42 of the S.C. Code is amended by adding:

 Section 42-7-220. There is established, within the office of the State Accident Fund, the South Carolina First Responder Line of Duty Death Benefit Fund. This fund is separate and distinct from the general fund of the State and all other funds. Earnings and interest on this fund must be credited to it and any balance in this fund at the end of the fiscal year carries forward in the fund in the succeeding fiscal year. This fund is created to ensure payment of line of duty death benefits to first responders as defined in 42-7-90 and only may be used for that purpose. The fund must be administered by the Director of the State Accident Fund who shall establish procedures to implement this section. The Director of the State Accident Fund shall report to the State Treasurer expenditures made from the fund pursuant to this section. From the general fund of the state, the State Treasurer monthly shall deposit in the account sufficient funds to pay claims pursuant to this section. The amount deposited may not exceed the actual amount paid in claims.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. This act takes effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

Rep. COBB-HUNTER proposed the following Amendment No. 2 to S. 108 (LC-108.SA0016H), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 113; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Herbkersman | Hewitt |
| Hiott | Hixon | Hosey |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--113**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

RECORD FOR VOTING

 Due to researching and requesting an amendment, I missed an electronic vote on S. 108. If I had voted on the board, I would have voted in favor of the Bill. I wish to have this reflected in the Journal.

 Rep. Paula Calhoon

**S. 31--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 31 -- Senators Hutto and K. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 5-7-240, RELATING TO INDEPENDENT AUDITS OF MUNICIPAL FINANCIAL RECORDS AND TRANSACTIONS, SO AS TO ALLOW MUNICIPALITIES WITH LESS THAN $500,000 IN TOTAL REVENUES TO PROVIDE A COMPILATION OF FINANCIAL STATEMENTS; AND BY AMENDING SECTION 14-1-208, RELATING TO MUNICIPAL COURT AUDITS, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 31 (LC-31.SA0005H), which was adopted:

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

SECTION X. Section 4-9-150 of the S.C. Code is amended to read:

 Section 4-9-150. The council shall provide for an independent annual audit of all financial records and transactions of the county and any agency funded in whole by county funds and may provide for more frequent audits as it considers necessary. Special audits may be provided for any agency receiving county funds as the county governing body considers necessary. The audits must be made by a certified public accountant or public accountant or firm of these accountants who have no personal interest, direct or indirect, in the fiscal affairs of the county government or any of its officers. The council may, without requiring competitive bids, designate the accountant or firm annually or for a period not exceeding three years. The designation for any particular fiscal year must be made no later than thirty days after the beginning of the fiscal year. The report of the audit must be made available for public inspection. A copy of the report of the audit must be submitted to the Comptroller GeneralState Treasurer no later than January first each year following the close of the books of the previous fiscal year. Upon a showing of proper cause, as determined by the State Treasurer, the State Treasurer shall grant a county an extension of ninety days. To be considered, a request for extension must be signed by the chair of the council before the deadline for filing.

 If the report is not timely filed with the State Treasurer by January first, or within the time extended for filing the report, funds distributed by the Comptroller GeneralState Treasurer to the county in the current fiscal year must be withheld pending receipt of a copy of the report.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 7

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Davis | Dillard |
| Elliott | Erickson | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. E. Johnson | J. L. Johnson | S. Jones |
| W. Jones | Jordan | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Lowe |
| Magnuson | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | Moss | Murphy |
| B. Newton | W. Newton | Nutt |
| O'Neal | Oremus | Ott |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--104**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Cromer | Harris | Kilmartin |
| Long | May | McCabe |
| Pace |  |  |

**Total--7**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3880--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3880 -- Reps. M. M. Smith, Herbkersman, Davis, Elliott, B. J. Cox, B. L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Rep. M. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

**S. 284--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 284 -- Senators Davis, Turner, Jackson, Scott, Kimpson, Senn, Campsen and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-530, RELATING TO USE OF REVENUE FROM LOCAL ACCOMMODATIONS TAX, SO AS TO PROVIDE THAT THE DEVELOPMENT OF WORKFORCE HOUSING IS ONE OF THE PURPOSES FOR WHICH LOCAL ACCOMMODATIONS TAXES MAY BE USED; BY AMENDING SECTION 6-1-730, RELATING TO USE OF REVENUE FROM LOCAL HOSPITALITY TAX, SO AS TO PROVIDE THAT THE DEVELOPMENT OF WORKFORCE HOUSING IS ONE OF THE PURPOSES FOR WHICH LOCAL HOSPITALITY TAXES MAY BE USED; BY AMENDING SECTION 6-4-10, RELATING TO A SPECIAL FUND FOR TOURISM; MANAGEMENT AND USE OF SPECIAL FUND, SO AS TO PROVIDE THAT THE DEVELOPMENT OF WORKFORCE HOUSING IS ONE OF THE PURPOSES FOR WHICH THE SPECIAL FUND MAY BE USED; AND BY AMENDING SECTION 6-4-15, RELATING TO USE OF REVENUES TO FINANCE BONDS, SO AS TO PROVIDE THAT THE DEVELOPMENT OF WORKFORCE HOUSING IS ONE OF THE PURPOSES FOR WHICH BONDS MAY BE ISSUED.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 284 (LC-284.DG0023H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-1-530(A)(7) and inserting:

 (7) development of workforce housing, which must include programs to promote home ownership. However, a county or municipality may not expend or dedicate more than fifteen percent of its annual local accommodations tax revenue for the purposes set forth in this item, and all such expenditures are subject to review and comment by the Joint Bond Review Committee. The provisions of this item are no longer effective after December 31, 2030.

Amend the bill further, by deleting SECTION 2.

Amend the bill further, SECTION 3, by striking Section 6-4-10(4)(b)(ix) and inserting:

 (ix) development of workforce housing, which must include programs to promote home ownership. However, a county or municipality may not expend or dedicate more than fifteen percent of its annual local accommodations tax revenue for the purposes set forth in this item (4)(b)(ix), and all such expenditures are subject to review and comment by the Joint Bond Review Committee. The provisions of this item (4)(b)(ix) are no longer effective after December 31, 2030.

Amend the bill further, SECTION 5, by striking Section 6-4-12(F) and inserting:

 (F) The local government shall provide the housing impact analysis for an ordinance to the members of the legislative body of the local government, the Department of Revenue, and the Tourism Expenditure Revenue Committee before the ordinance is considered by the legislative body. The Department of Revenue may not disburse any accommodations taxes to the local government for purposes of development of workforce housing unless and until the local government has provided the housing impact analysis to the parties required pursuant to this subsection.

Amend the bill further, by deleting SECTION 7.

Amend the bill further, SECTION 10, by striking subsection (C) and inserting:

 (C) The members of the study committee shall seek assistance from governmental agencies including the South Carolina Building Codes Council, the South Carolina Housing Authority, and the South Carolina Department of Agriculture, and from members of the private sector including, but not limited to, the Homebuilders Association of South Carolina, Habitat for Humanity South Carolina, the Realtors Association of South Carolina, the Municipal Association of South Carolina, the South Carolina Association of Counties, South Carolina Land Trust, Conservation Voters of South Carolina, the South Carolina Chapter of the American Planning Association, and the Manufactured Housing Institute of South Carolina.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Before the beginning of the 2030 legislative session, the Director of the Department of Parks, Recreation and Tourism, in consultation with the Secretary of Commerce and the Commission of Agriculture, shall issue a report to the General Assembly detailing the effects on tourism and workforce housing resulting from the codified provisions of this act.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Rep. BANNISTER proposed the following Amendment No. 2 to
S. 284 (LC-284.DG0024H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-1-530(A)(7) and inserting:

 (7) development of workforce housing, which must include programs to promote home ownership. However, a county or municipality may not expend or dedicate more than fifteen percent of its annual local accommodations tax revenue for the purposes set forth in this item. The provisions of this item are no longer effective after December 31, 2030.

Amend the bill further, SECTION 2, by striking Section 6-4-10(4)(b)(ix) and inserting:

 (ix) development of workforce housing, which must include programs to promote home ownership. However, a county or municipality may not expend or dedicate more than fifteen percent of its annual local accommodations tax revenue for the purposes set forth in this item (4)(b)(ix). The provisions of this item (4)(b)(ix) are no longer effective after December 31, 2030.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 29

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atkinson | Bailey |
| Bannister | Bauer | Bernstein |
| Blackwell | Brewer | Brittain |
| Burns | Carter | Clyburn |
| Cobb-Hunter | Collins | Connell |
| Davis | Dillard | Erickson |
| Felder | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. E. Johnson | J. L. Johnson | W. Jones |
| King | Kirby | Landing |
| Lawson | Ligon | Long |
| McDaniel | Mitchell | J. Moore |
| T. Moore | Moss | Murphy |
| B. Newton | W. Newton | Nutt |
| Ott | Pendarvis | Pope |
| Rivers | Robbins | Rose |
| Rutherford | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thigpen | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| Williams | Willis |  |

**Total--80**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Calhoon | Caskey |
| Chapman | Chumley | Cromer |
| Forrest | Hardee | Harris |
| S. Jones | Jordan | Kilmartin |
| Leber | Lowe | Magnuson |
| May | McCabe | McCravy |
| McGinnis | A. M. Morgan | T. A. Morgan |
| O'Neal | Oremus | Pace |
| Thayer | Trantham | White |
| Whitmire | Wooten |  |

**Total--29**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 739--RULE 5.12 WAIVED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 739 -- Senators Setzler, Alexander, Peeler, Williams, Davis, Talley and Malloy: A JOINT RESOLUTION PROVIDING FOR A ONE-TIME AUTHORIZATION FOR USE OF CERTAIN REMAINING SOUTH CAROLINA HOUSING TAX CREDITS PROVIDED PURSUANT TO SECTION 1.B.1 OF ACT 202 OF 2022, CERTAIN REMAINING SOUTH CAROLINA HOUSING TAX CREDITS AUTHORIZED PURSUANT TO SECTION 12-6-3795 FOR THE TAX YEAR ENDING DECEMBER 31, 2023, AND NOT EXCEEDING $25 MILLION IN ONE-TIME, NON-RECURRING FUNDING FROM THE SOUTH CAROLINA HOUSING TRUST FUND ESTABLISHED PURSUANT TO ARTICLE 4 OF CHAPTER 13, TITLE 31 OF THE SOUTH CAROLINA CODE, ALL FOR THE LIMITED PURPOSE OF PROVIDING SUPPLEMENTAL FINANCIAL SUPPORT TO ADDRESS ESCALATIONS AND OTHER COSTS FOR CERTAIN MULTI-FAMILY HOUSING DEVELOPMENTS.

**RULE 5.12 WAIVED**

Rep. BANNISTER moved to waive Rule 5.12.

The yeas and nays were taken resulting as follows:

 Yeas 82; Nays 25

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Caskey | Chapman |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. L. Cox | Davis |
| Dillard | Elliott | Erickson |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Hager |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Herbkersman | Hewitt |
| Hiott | Hixon | Hosey |
| Hyde | Jefferson | J. E. Johnson |
| W. Jones | Jordan | King |
| Kirby | Lawson | Leber |
| Ligon | Lowe | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | Moss | Murphy |
| B. Newton | W. Newton | Ott |
| Pedalino | Pope | Rivers |
| Robbins | Rose | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Thayer | Thigpen | Vaughan |
| Weeks | West | Wetmore |
| Whitmire | Williams | Willis |
| Wooten |  |  |

**Total--82**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Ballentine | Burns |
| Bustos | Calhoon | Cromer |
| Hardee | Harris | J. L. Johnson |
| S. Jones | Kilmartin | Landing |
| Long | Magnuson | May |
| McCabe | McCravy | A. M. Morgan |
| T. A. Morgan | Nutt | O'Neal |
| Oremus | Pace | Trantham |
| White |  |  |

**Total--25**

So, Rule 5.12 was waived.

Rep. BANNISTER explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 84; Nays 26

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Carter | Caskey |
| Chapman | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Hager | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. E. Johnson | W. Jones | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | McCravy |
| McDaniel | Mitchell | T. Moore |
| Moss | Murphy | B. Newton |
| W. Newton | Nutt | Ott |
| Pedalino | Pope | Rivers |
| Robbins | Rose | Rutherford |
| Sandifer | Schuessler | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Vaughan | Weeks | West |
| Wetmore | Wheeler | Whitmire |
| Williams | Willis | Wooten |

**Total--84**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Ballentine | Burns |
| Bustos | Calhoon | Chumley |
| Cromer | Haddon | Hardee |
| Harris | S. Jones | Jordan |
| Kilmartin | Long | Lowe |
| Magnuson | May | McCabe |
| McGinnis | A. M. Morgan | T. A. Morgan |
| O'Neal | Oremus | Pace |
| Trantham | White |  |

**Total—26**

So, the Joint Resolution was read the second time and ordered to third reading.

**S. 399--RULE 5.12 WAIVED AND INTERRUPTED DEBATE**

The following Bill was taken up:

S. 399 -- Senators Peeler, Alexander, Malloy, Kimbrell and Grooms: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS' HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS' HOMES.

**RULE 5.12 WAIVED**

Rep. BANNISTER moved to waived Rule 5.12.

The yeas and nays were taken resulting as follows:

 Yeas 106; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bailey |
| Ballentine | Bamberg | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Calhoon | Carter |
| Caskey | Chapman | Chumley |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. L. Cox | Cromer |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McCravy | McDaniel |
| McGinnis | Mitchell | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pedalino | Pope |
| Robbins | Rose | Rutherford |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Trantham | Vaughan | West |
| Wetmore | Wheeler | White |
| Whitmire | Williams | Willis |
| Wooten |  |  |

**Total--106**

 Those who voted in the negative are:

**Total--0**

So, Rule 5.12 was waived.

Further proceedings were interrupted by the House receding.

Rep. COBB-HUNTER moved that the House recede until 2:15 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:15 p.m. the House resumed, the SPEAKER *PRO TEMPORE* in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. HADDON moved that the House recur to the morning hour, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 4474 -- Reps. Williams, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE MINNIE LEE BLATHERS GEORGE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4475 -- Reps. J. E. Johnson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR RAHEEM ROBINSON OF WHITTEMORE PARK MIDDLE SCHOOL IN CONWAY AND TO CONGRATULATE HIM UPON BEING CHOSEN AS AN EXTRAORDINARY EDUCATOR BY CURRICULUM ASSOCIATES.

The Resolution was adopted.

**S. 343--DEBATE ADJOURNED**

The following Bill was taken up:

S. 343 -- Senators Shealy, Jackson, Hutto and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO DEFINITIONS IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO INCLUDE ALL SHORT-TERM RESIDENTIAL STABILIZATION AND INTENSIVE CRISIS SERVICES IN THE DEFINITION OF CRISIS STABILIZATION UNIT FACILITIES AND TO CHANGE THE AGE OF THE INDIVIDUALS SERVED IN SAME.

Rep. M. M. SMITH explained the Bill.

Rep. DAVIS moved to adjourn debate on the Bill until Thursday, May 11, which was agreed to.

**S. 397--DEBATE ADJOURNED**

The following Bill was taken up:

S. 397 -- Senators Shealy, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND BY ADDING ARTICLE 11, CHAPTER 47, TITLE 40, SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS.

Rep. M. M. SMITH moved to adjourn debate on the Bill until Thursday, May 11, which was agreed to.

**S. 407--DEBATE ADJOURNED**

The following Bill was taken up:

S. 407 -- Senators Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-361(A), RELATING TO PRESCRIPTIONS FOR OPIOID ANTIDOTES, SO AS TO PROVIDE FOR IT TO BE OFFERED CONSISTENT WITH THE EXISTING STANDARD OF CARE AND THE FDA.

Rep. M. M. SMITH moved to adjourn debate on the Bill until Thursday, May 11, which was agreed to.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. HIXON a temporary leave of absence.

**H. 4145--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4145 -- Reps. Murphy and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES REMITTED BY THE DEPARTMENT OF REVENUE, SO AS TO REMOVE AN ANNUAL MAXIMUM AND TO REMOVE A SUNSET PROVISION; AND BY AMENDING ACT 356 OF 2002 SO AS TO DELETE A PROVISION REQUIRING THE SHARING OF CERTAIN REVENUE.

Rep. MURPHY proposed the following Amendment No. 1 to H. 4145 (LC-4145.DG0003H):

Amend the bill, as and if amended, SECTION 1, by striking Section 12-10-88(E)(1) and inserting:

 (1) until January 1, 2028, June 30, 2043, a federal defense site in which permanent employment was reduced by three thousand or more jobs from the level of such jobs on December 31, 1990, or a federal military base or installation which has been closed or realigned under:

 (a) the Defense Base Closure and Realignment Act of 1990;

 (b) Title 11 of the Defense Authorization Amendments and Base Closure and Realignment Act; or

 (c) Section 2687 of Title 10, United States Code.

Renumber sections to conform.

Amend title to conform.

Rep. MURPHY explained the amendment.

Rep. BUSTOS moved to adjourn debate on the Bill, which was not agreed to by a division vote of 44 to 45.

Reps. LANDING, CROMER, PACE, WHITE, BUSTOS, MAY, BURNS, A. M. MORGAN, T. A. MORGAN, MCCABE, ROBBINS and GATCH requested debate on the Bill.

**H. 3811--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**H. 3425--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3425 -- Reps. Pope, Thayer, Gilliam, S. Jones, Wooten, B. Newton, McCravy, Lawson, Leber, Atkinson, Forrest, Robbins, Caskey, Crawford, Guest, Blackwell, Landing, Ligon and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-90, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 9-1-1790, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**H. 3880--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12‑21‑2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**S. 399--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

S. 399 -- Senators Peeler, Alexander, Malloy, Kimbrell and Grooms: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS' HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS' HOMES.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 399 (LC-399.SA0068H), which was adopted:

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

SECTION 1. On July 1, 2024:

 (1) There is created the Department of Public Health to be headed by a director who is appointed by the Governor pursuant to Section 1-30-10 with the advice and consent of the Senate; provided, however, until the Governor appoints the initial Director after creation of the Department of Public Health, the Director of the Department of Health and Environmental Control shall serve as the Director of the Department of Public Health.

  (2) There is created the Department of Environmental Services to be headed by a director who is appointed by the Governor pursuant to Section 1‑30‑10 with the advice and consent of the Senate; provided, however, until the Governor appoints the initial Director after creation of the Department of Environmental Services, the Director of Environmental Affairs of the Department of Health and Environmental Control shall serve as the Director of the Department of Environmental Services.

 (3) The South Carolina Department of Health and Environmental Control and the South Carolina Board of Health and Environmental Control are abolished.

SECTION 2.  (A) It is the intent of the General Assembly to restructure and transfer the programs, services, duties, and authority of the Department of Health and Environmental Control into the Department of Public Health or the Department of Environmental Services. Accordingly, the Department of Administration immediately shall commence the process of analyzing the circumstances and determining the best manner to efficiently and effectively restructure and transfer all programs, services, duties, and authority of the Department of Health and Environmental Control to the Department of Public Health or the Department of Environmental Services, consistent with the provisions of this act. The Department of Health and Environmental Control shall cooperate with the Department of Administration and assign such personnel as requested by the Executive Director of the Department of Administration to assist the department and enable it to complete its duties under this SECTION. To complete its duties under this SECTION the Department of Administration shall consult with the existing Director of the Department of Health and Environmental Control and the existing Director of Environmental Affairs of the Department of Health and Environmental Control.

 (B)(1) The Department of Administration’s analysis required by this SECTION must include the submission of a report to the General Assembly no later than December 31, 2023, with specific recommendations of statutory changes needed throughout the South Carolina Code of Laws to reflect the restructuring and transfer of the health‑related programs, services, duties, and authority of the Department of Health and Environmental Control to the Department of Public Health and to reflect the restructuring and transfer of the environmental related programs, services, duties, and authority of the Department of Health and Environmental Control to the Department of Environmental Services. The Department of Health and Environmental Control shall assign such legal, programmatic and administrative personnel as requested by the Executive Director of Department of Administration to assist the department in identifying statutory provisions requiring change and in suggesting appropriate language to effectuate required changes. The Code Commissioner shall be available to consult with and assist the Department of Administration in making the recommendations required by this SECTION.

 (2) The Department of Administration also shall analyze and make recommendations regarding the regulation of water conduced by the Department of Natural Resources to determine whether such regulation would be more efficiently conducted by the Department of Environmental Services.

 (C) The Department of Administration may procure such supplies, services, information technology, and experts, including attorneys, as are necessary to perform the requirements of this SECTION. Such procurements are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code but must be made with as much competition as is practicable. Additionally, if determined necessary, the State Fiscal Accountability Authority shall assign such personnel as requested by the Executive Director of Department of Administration to assist the department in any required procurements. The Department of Health and Environmental Control shall pay the costs of any supplies, services, information technology, and experts, including attorneys, procured pursuant to this subsection.

SECTION 3.A. Section 44-1-20 of the S.C. Code is amended to read:

 Section 44-1-20. There is created the South Carolina Department of Public Health. and Environmental Control which shall be administered under the supervision of the South Carolina Board of Health and Environmental Control. The board shall consist of eight members, one from each congressional district, and one from the State at large to be appointed by the Governor, upon the advice and consent of the Senate. The member who is appointed at large shall serve as the chairman of the board. The Governor may remove the chairman of the board pursuant to Section 1-3-240(B); however, the Governor only may remove the other board members pursuant to Section 1-3-240(C). The terms of the members shall be for four years and until their successors are appointed and qualify. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In making these appointments, race, gender, and other demographic factors should be considered to ensure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed.

B. Section 44-1-60(A) of the S.C. Code is amended to read:

 (A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department which may give rise to a contested case, except a decision to establish a baseline or setback line, must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 44-1-65.

C. Section 44‑1‑140 of the S.C. Code is amended to read:

 Section 44‑1‑140. (A) The Department of Public Health and Environmental Control may make, adopt, promulgate and enforce reasonable rules and regulations from time to time requiring and providing for:

 (1) For the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats and other vehicles of transportation in this State and all convict camps, penitentiaries, jails, hotels, schools and other places used by or open to the public;

 (2) For the sanitation of hotels, restaurants, cafes, drugstores, hot dog and hamburger stands and all other places or establishments providing eating or drinking facilities and all other places known as private nursing homes or places of similar nature, operated for gain or profit;

 (3) For the production, storing, labeling, transportation and selling of milk and milk products, filled milk and filled milk products, imitation milk and imitation milk products, synthetic milk and synthetic milk products, milk derivatives and any other products made in semblance of milk or milk products;

 (4) For the sanitation and control of abattoirs, meat markets, whether the same be definitely provided for that purpose or used in connection with other business, and bottling plants;

 (5) For the classification of waters and for the safety and sanitation in the harvesting, storing, processing, handling and transportation of mollusks, fin fish and crustaceans;

 (6) For the control of disease‑bearing insects, including the impounding of waters;

 (7) For the safety, safe operation and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs;

 (8) For the control of industrial plants, including the protection of workers from fumes, gases and dust, whether obnoxious or toxic;

 (9) For the use of water in air humidifiers;

 (10)(7) For the care, segregation and isolation of persons having or suspected of having any communicable, contagious or infectious disease; and

 (11) For the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction or otherwise;

 (12)(8) For the thorough investigation and study of the causes of all diseases, epidemic and otherwise, in this State, the means for the prevention of contagious disease and the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease; and

 (13) For alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes.

 (B) The Department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious and infectious diseases and other danger to the public life and health.

D. Section 44‑1‑150 (A) and (E) of the S.C. Code is amended to read:

 (A) Except as provided in Section 44‑1‑151, a person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Public Health and Environmental Control, made by the department pursuant to Section 44‑1‑140, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

 (E) This section does not apply to fines levied under Section 44‑1‑140(8) or any other areas regulated by the South Carolina Occupational Health and Safety Act, Section 41‑12‑10 et seq.

E. Sections 1-30-45 and 44‑1‑65 of the S.C. Code are repealed.

F. Chapter 1, Title 44 of the S.C. Code is renamed “Department of Public Health”.

SECTION 4. Title 48 of the S.C. Code is amended by adding:

 CHAPTER 6

 Department of Environmental Services

 Section 48‑6‑10. (A) There is created the Department of Environmental Services which shall be headed by a director appointed by the Governor, upon the advice and consent of the Senate. The director is subject to removal by the Governor as provided for in Section 1‑3‑240.

 (B) As the governing authority of the department, the director is vested with all authorities and duties as provided for in Section 1‑30‑10.

 Section 48‑6‑20. (A) The Department of Environmental Services is vested with all the functions, powers, and duties of the environmental divisions, offices, and programs of the Department of Health and Environmental Control on the effective date of this act.

 (B) The department may promulgate regulations necessary to implement the provisions of this chapter.

 (C) The department may apply for and accept funds, grants, gifts, and services from the State, the United States government or any of its agencies, or any other public or private source and may use funds derived from these sources to defray clerical and administrative costs, as may be necessary for carrying out the department’s duties.

 Section 48‑6‑30. (A) All decisions of the Department of Environmental Services involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case, except a decision to establish a baseline or setback line, must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 48‑6‑40.

 (B) The department shall comply with all requirements for public notice, receipt of public comments, and public hearings before making a decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment, and public hearings.

 (C) In making a decision about a permit, license, certification, or other approval, the department shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny, or condition a permit, license, certification, or other approval. At the time that a decision is made, the department shall issue a written decision and shall base its decision on the administrative record, which must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification, or other approval. The administrative record also may include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as those materials are referred to specifically in the department decision. The department is not required to issue a written decision for issuance of routine permits for which the department has not received adverse public comments.

 (D)(1) The department shall send notice of a decision by certified mail, return receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of decisions for which a department decision is not required pursuant to subsection (C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

 (2) Within thirty calendar days after the receipt of a decision pursuant to item (1), an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the department decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. Notwithstanding Section 1-23-600(H)(1), the entirety of Section 1-23-600(H) shall apply to timely requests for a contested hearing of decisions from the Department of Environmental Services. The court shall give consideration to the provisions of Section 1‑23‑330 regarding the department’s specialized knowledge.

 (E) If a deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

 Section 48‑6‑40. (A) In making a decision on a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, pursuant to Section 48‑6‑30(C), the department shall base its decision solely on whether the permit complies with the applicable department regulations governing the permitting of poultry and other animal facilities, other than swine facilities.

 (B) For purposes of permitting, licensing, certification, or other approval of a poultry facility or another animal facility, other than a swine facility:

 (1) only an applicant, permittee, licensee, or affected person may request a contested case hearing pursuant to Section 48‑6‑30(D)(2);

 (2) only an applicant, permittee, licensee, or affected person may become a party to a contested case hearing; and

 (3) only an applicant, permittee, licensee, or affected person is entitled as of right to be admitted as a party pursuant to Section 1‑23‑310(5) of the Administrative Procedures Act.

 (C)(1) In determining whether to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, the department only may take into consideration the existing development on and use of property owned or occupied by an affected person on the date the department receives the applicant’s complete application package as prescribed by regulation. The department must not take into consideration any changes to the development or use of property after receipt of the application including, but not limited to, the construction of a residence.

 (2) If a property owner signs a setback waiver of the right to contest the issuance of a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, including waiver of the right to notice and a public hearing on a permit, license, certification, or other approval and to file a contested case or other action, then the affected person has seventy‑two hours to provide in writing a withdrawal or rescission of the waiver.

 (D)(1) An applicant, permittee, licensee, or affected person who is aggrieved by a decision to issue or deny a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act.

 (2) Notwithstanding any other provision of law, a decision to issue a permit, license, certification, or other approval of a poultry facility or another animal facility, except a swine facility, may not be contested if the proposed building footprint is located eight hundred feet or more from the facility owner’s property line or located one thousand feet or more from an adjacent property owner’s residence.

 (E) For purposes of this section, “affected person” means a property owner with standing within a one mile radius of the proposed building footprint or permitted poultry facility or other animal facility, except a swine facility, who is challenging on his own behalf the permit, license, certificate, or other approval for the failure to comply with the specific grounds set forth in the applicable department regulations governing the permitting of poultry facilities and other animal facilities, other than swine facilities.

 Section 48‑6‑50. All rules and regulations promulgated by the department shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation.

 Section 48‑6‑60. (A) The Department of Environmental Services may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

 (1) the classification of waters;

 (2) the control of disease‑bearing insects, including the impounding of waters;

 (3) the control of industrial plants, including the protection of workers from fumes, gases, and dust, whether obnoxious or toxic;

 (4) the use of water in air humidifiers;

 (5) the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town, or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction, or otherwise; and

 (6) the alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes.

 (B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the environment.

 Section 48‑6‑70. (A) A person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Environmental Services, made by the department pursuant to Section 48‑6‑60, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

 (B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued pursuant to Section 48‑6‑60 is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

 (C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

 (D) The term “notice” as used in this section means either actual notice or constructive notice.

 (E) This section does not apply to fines levied pursuant to Section 48‑6‑60(3) or any other areas regulated by the South Carolina Occupational Health and Safety Act, Section 41‑12‑10, et seq.

 Section 48‑6‑80. Nothing contained in Section 48‑6‑60 in any way abridges or limits the right of a person to maintain or prosecute a civil or criminal proceeding against a person maintaining a nuisance.

SECTION 5.A. Section 1‑30‑10(A)8. of the S.C. Code is amended to read:

 8. Department of Public Health and Environmental Control

B. Section 1‑30‑10(A) of the S.C. Code is amended by adding:

 25. Department of Environmental Services

SECTION 6.A. Chapter 30, Title 1 of the S.C. Code is amended by adding:

 Section 1‑30‑135. There is hereby created, within the executive branch of the state government, the Department of Public Health, headed by a director appointed by the Governor with the advice and consent of the Senate. The divisions, offices, and programs of the Department of Health and Environmental Control performing functions related to regulation and protection of the public health prior to the effective date of this act, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with these divisions, offices, programs, and other related entities, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Public Health.

B. Chapter 30, Title 1 of the S.C. Code is amended by adding:

 Section 1‑30‑140. There is hereby created, within the executive branch of the state government, the Department of Environmental Services, headed by a director appointed by the Governor pursuant to Section 48‑6‑10. The divisions, offices, and programs of the Department of Health and Environmental Control performing functions related to regulation and protection of the environment prior to the effective date of this act, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property and all contractual rights and obligations associated with these divisions, offices, programs, and other related entities, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Environmental Services.

SECTION 7. Section 49-3-60 of the S.C. Code is amended to read:

 Section 49-3-60. (A) Notwithstanding another provision of law, an entity that has contracted for the right to store water in a reservoir owned by the United State Army Corps of Engineers has exclusive rights to any return flows generated directly or indirectly to that reservoir by the entity. The rights conferred by this subsection must be subject to any regulatory requirements imposed by the South Carolina Department of Health and Environmental Control and to the availability to the entity of unused storage capacity within the reservoir to store such return flows. All decisions of the Department of Environmental Services involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, certificates, or other actions of the department which may give rise to a contested case, except a decision to establish a baseline or setback line, must be made using the procedures set forth in this section. A department decision referenced in this subsection relating to a poultry facility or another animal facility, except a swine facility, also must comply with the provisions of Section 49-3-65.

 (B) For purposes of this section, “return flow” means water that is discharged directly or indirectly to a reservoir from a water reclamation facility. The department shall comply with all requirements for public notice, receipt of public comments, and public hearings before making a decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment, and public hearings.

 (C) In making a decision about a permit, license, certification, or other approval giving rise to a contested case, the department shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition a permit, license, certification, or other approval. At the time that a final departmental decision is made, the department shall issue a final written decision and shall base its decision on the administrative record, which must consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification, or other approval. The administrative record also may include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department is not required to issue a final written departmental decision for issuance of routine permits for which the department has not received adverse public comments. The department is required to make a final decision granting the permit where the applicant has met all conditions in statutes and regulations governing that permit.

 (D) (1) The department shall send a notice of a final departmental decision by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of decisions for which a written decision is not required pursuant to subsection (C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified.

 (2) Decisions by the department become final thirty days after the mailing of a notice pursuant to item (1) unless the applicant, permittee, licensee, certificate holder, or affected person files a request for a contested case hearing with the Administrative Law Court.

 (3) Within thirty calendar days after the mailing of the decision pursuant to item (1), an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. Notwithstanding Section 1-23-600(H)(1), the entirety of Section 1-23-600(H) shall apply to timely requests for a contested case hearing of decisions from the Department of Environmental Services. The court shall give consideration to the provisions of Section 1-23-330 regarding the department’s specialized knowledge.

 (E) If a deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

SECTION 8. Section 1-23-600(H)(1) of the S.C. Code is amended to read:

 (H)(1) This subsection applies to timely requests for a contested case hearing pursuant to this section timely filed requests for a contested case hearing of decisions by departments governed by a board or commission authorized to exercise the sovereignty of the Statethe Department of Environmental Services. Emergency actions taken by the Department of Environmental Services pursuant to an applicable statute or regulation are not subject to the provisions of this subsection.

SECTION 9. (A) This SECTION is effective upon approval by the Governor.

 (B) Subject to sufficient appropriations for the requirements of this SECTION, the Department of Administration shall identify, select, retain, and procure the services of independent, third-party experts, consultants, or advisors to analyze the missions and delivery models of all state agencies concerned with the overall public health of the state, as well as certain specific populations including, but not limited to, children and adolescents, newborns, pregnant women, the elderly, disabled, mentally ill, special needs individuals, those with chemical dependencies, the chronically ill, economically disadvantaged, and veterans. This analysis will include, but not be limited to, the Department of Health and Environmental Control and its successor entities, the Department of Mental Health, the Department of Alcohol and Other Drug Abuse Services, the Department of Disabilities and Special Needs, and the Department on Aging. Any agencies identified by the Department of Administration as being subject to this analysis shall provide the department with any and all information requested and shall fully participate as requested and required.

 (C) The analysis procured by the Department of Administration shall consider whether structural changes are necessary to improve health services delivery in the state, recognize operational efficiencies, and maximize resource utilization. Structural changes to be analyzed include reorganizations or mergers of existing health agencies, or divisions or components thereof, as well as the establishment of any new health agencies or the privatization of services currently provided by existing health agencies.

 (D) The third-party experts, consultants, or advisors must make appropriate recommendations based on the analysis required pursuant to this section and the benefits of each recommendation.

 (E) The Department of Administration shall prepare a final report summarizing the aforementioned analysis and recommendations and shall submit the final report to the President of the Senate, the Speaker of the House of Representatives, the Chairmen of the Medical Affairs Committee, the Chairman of the Medical, Military and Municipal Affairs Committee, the Chairman of the Finance Committee, the Chairman of the Ways and Means Committee, and the Governor by April 1, 2024, and shall submit interim reports on October 1, 2023, and January 1, 2024. Procurements by the Department of Administration of all experts, consultants and advisors pursuant to and required by this SECTION are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code in Chapter 35, Title 11 of the S.C. Code. If requested by the Executive Director of the Department of Administration, staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist in procuring the necessary services.

 (F) The Department of Health and Human Services shall give support to the Department of Administration in fulfilling the purposes of this SECTION.

SECTION 10. (A) When the provisions of this act transfer particular state agencies, departments, boards, commissions, committees, or entities, or sections, divisions, or portions thereof (transferring departments), to another state agency, department, division, or entity or make them a part of another department or division (receiving departments), the employees, authorized appropriations, bonded indebtedness if applicable, real and personal property, assets, and liabilities of the transferring department also are transferred to and become part of the receiving department or division unless otherwise specifically provided. All classified or unclassified personnel of the affected agency, department, board, commission, committee, entity, section, division, or position employed by these transferring departments on the effective date of this act, either by contract or by employment at will, shall become employees of the receiving department or division, with the same compensation, classification, and grade level, as applicable. The Department of Administration shall cause all necessary actions to be taken to accomplish this transfer and shall in consultation with the agency head of the transferring and receiving agencies prescribe the manner in which the transfer provided for in this section shall be accomplished. The Department of Administration’s action in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers.

 (B) When an agency, department, entity, or official is transferred to or consolidated with another agency, department, division, entity or official, regulations promulgated by that transferred agency, department, entity or official under the authority of former provisions of law pertaining to it are continued and are considered to be promulgated under the authority of present provisions of law pertaining to it. When powers and duties of an agency, department, entity, or official are transferred to and devolved upon another department, agency, or subdivision thereof, the power and duty to promulgate regulations is also transferred to and devolved upon that department, agency, or subdivision thereof.

 (C) References to the names of agencies, departments, entities, or public officials changed by this act, to their duties or functions herein devolved upon other agencies, departments, entities, or officials, or to provisions of law consolidated with or transferred to other parts of the S.C. Code are considered to be and must be construed to mean appropriate references.

 (D) Unless otherwise provided herein or by law, all fines, fees, forfeitures, or revenues imposed or levied by agencies, personnel, or portions thereof, so transferred to other agencies or departments must continue to be used and expended for those purposes provided prior to the effective date of this act. If a portion of these fines, fees, forfeitures, or revenues were required to be used for the support, benefit, or expense of personnel transferred, these funds must continue to be used for these purposes.

SECTION 11. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 12. This act takes effect on July 1, 2024, except that the provisions of SECTION 2, relating to the Department of Administration’s duties, take effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

The yeas and nays were taken resulting as follows:

 Yeas 108; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hayes | Henderson-Myers |
| Henegan | Herbkersman | Hewitt |
| Hiott | Hixon | Hosey |
| Howard | Hyde | Jefferson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | McCabe |
| McDaniel | McGinnis | Mitchell |
| J. Moore | T. Moore | A. M. Morgan |
| T. A. Morgan | Moss | Murphy |
| Neese | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pope |
| Rivers | Robbins | Rose |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Thigpen | Trantham | Vaughan |
| Wetmore | White | Whitmire |
| Williams | Willis | Wooten |

**Total--108**

 Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Davis |
| Dillard | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Garvin | Gatch | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Howard | Hyde | Jefferson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | King |
| Kirby | Landing | Lawson |
| Leber | Ligon | Long |
| Lowe | Magnuson | May |
| McCabe | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pope |
| Rivers | Robbins | Rose |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Thayer |
| Trantham | Vaughan | West |
| Wetmore | White | Whitmire |
| Williams | Willis | Wooten |

**Total--105**

 Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. HOWARD moved that the House recur to the morning hour, which was agreed to.

**H. 4300--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Tuesday, May 9, 2023

Mr. Speaker and Members of the House:

 The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 4300:

H. 4300 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

President

On motion of Rep. BANNISTER, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. BANNISTER, HERBKERSMAN and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 4301--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Tuesday, May 9, 2023

Mr. Speaker and Members of the House:

 The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 4301:

H. 4301 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2022-2023, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

President

On motion of Rep. BANNISTER, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. BANNISTER, HERBKERSMAN and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**HOUSE RESOLUTION**

The following was introduced:

H. 4476 -- Reps. Hart, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF BETTY BARBARA SINGLETARY LITTLE OF COLUMBIA, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**H. 3811--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**H. 3425--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3425 -- Reps. Pope, Thayer, Gilliam, S. Jones, Wooten, B. Newton, McCravy, Lawson, Leber, Atkinson, Forrest, Robbins, Caskey, Crawford, Guest, Blackwell, Landing, Ligon and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-90, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 9-1-1790, RELATING TO THE EARNINGS LIMITATION UPON RETURN TO COVERED EMPLOYMENT IN THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE THAT THE EARNINGS LIMITATION DOES NOT APPLY IN CERTAIN CIRCUMSTANCES.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**H. 3880--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3880 -- Reps. M. M. Smith, Herbkersman, Davis, Elliott, B. J. Cox, B. L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Rep. BANNISTER moved to adjourn debate on the Bill, which was agreed to.

**S. 639--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 639 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-530, RELATING TO DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

Rep. GUFFEY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 110; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. L. Cox | Cromer |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Herbkersman | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| J. L. Johnson | S. Jones | W. Jones |
| Jordan | Kilmartin | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Ott | Pace |
| Pope | Rivers | Robbins |
| Rose | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Thigpen | Trantham |
| Vaughan | West | Wetmore |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--110**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| King |  |  |

**Total--1**

So, the Bill was read the second time and ordered to third reading.

**S. 564--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 564 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-330, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN JASPER COUNTY, SO AS TO ADD ONE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Rep. HAGER explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 107; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Clyburn |
| Cobb-Hunter | Collins | Connell |
| B. L. Cox | Cromer | Davis |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gatch | Gibson | Gilliam |
| Guest | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Herbkersman | Hewitt | Hiott |
| Hosey | Howard | Hyde |
| Jefferson | J. E. Johnson | S. Jones |
| W. Jones | Jordan | Kilmartin |
| King | Kirby | Landing |
| Lawson | Leber | Ligon |
| Long | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| W. Newton | Nutt | O'Neal |
| Oremus | Ott | Pace |
| Pope | Rivers | Robbins |
| Rose | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Thigpen | Trantham |
| Vaughan | West | Wetmore |
| White | Whitmire | Williams |
| Willis | Wooten |  |

**Total--107**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Guffey |  |  |

**Total--1**

So, the Bill was read the second time and ordered to third reading.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. FORREST.

**S. 764--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 764 -- Senators Climer, M. Johnson and Peeler: A BILL TO AMEND ACT 470 OF 2000, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF ROCK HILL SCHOOL DISTRICT 3 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

Rep. KING proposed the following Amendment No. 2 to S. 764 (LC-764.HDB0005H), which was ruled out of order:

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

SECTION X. Section 1(A)(1) of Act 473 of 2002, as last amended by Act 265 of 2022, is further amended to read:

(A)(1) Notwithstanding any other provision of law, beginning with the elections conducted in 20222024, the five single-member election districts in which five of the seven members of the Board of Trustees of Clover School District No. 2 of York County are required to reside and be elected from are established and delineated on map number S-91-02-22 S-91-02-23 created and maintained by the Revenue and Fiscal Affairs Office.

SECTION X. Section 1(A) of Act 270 of 1981, as last amended by Act 310 of 2012, is further amended to read:

 (A) Notwithstanding any other provision of law, the terms of the present members of the Board of Trustees of Fort Mill School District No. 4 in York County rather than expiring in March of the year in which such terms are scheduled to expire shall instead expire on the following January first. Successors to these present members must then be elected from five single-member districts by the qualified electors of those districts, and two from the district at large by the qualified electors of the district in the manner hereinafter provided for terms of office of four years each; provided, that those trustees elected in November 1982 shall serve a term of three years. Trustees to succeed members whose terms expire on a particular January first must be elected in an election to be conducted by the county election commission at the same time as the general election immediately preceding that January first. These persons so elected shall take office on the first day of January immediately following their election and all trustees shall serve until their successors have been elected and qualify. The board may fill a vacancy occurring for any reason other than expiration of a term by election of a new trustee by majority vote which new trustee shall serve for the remainder of the unexpired term. The five single-member districts from which five of the seven members are required to reside and be elected from are established and delineated on map number S-91-04-23 maintained by the Revenue and Fiscal Affairs Office.

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

**SPEAKER IN CHAIR**

**POINT OF ORDER**

 Rep. FELDER raised the Point of Order under Rule 9.3 that Amendment No. 2 was not germane to S. 764.

 Rep. KING argued contra.

 The SPEAKER stated that he had to look at the substantial effect of both the bill and the amendment.  In this case the bill concerned redistricting of school board members of one school district, but the proposed amendment concerned redistricting of several other school districts.  He stated that the amendment’s effect went beyond the scope of the bill, and he sustained the Point of Order.

Rep. KING proposed the following Amendment No. 3 to S. 764 (LC-764.HDB0007H), which was tabled:

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

 (A)(1) Notwithstanding another provision of law, beginning with the elections conducted in 20142024, the election districts for the members of the Board of Trustees of Rock Hill School District No. 3 of York County are established and delineated on map number S-91-03-14S-91-03-23B created and maintained by the Office of Research and Statistics of the State Budget and Control BoardRevenue and Fiscal Affairs Office, or its successor agency.

 (2) The demographic information shown on this map is as follows:

 District Pop Dev. %Dev. NHWHT %NHWHT NHBLK %NHBLK

 1 20,887 -1,258 -5.68% 7,141 34.19% 12,638 60.51%

 2 22,873 728 3.29% 18,522 80.98% 2,913 12.74%

 3 21,154 -991 -4.48% 12,595 59.54% 7,646 36.14%

 4 22,850 705 3.18% 16,490 72.17% 3,509 15.36%

 5 22,964 819 3.70% 15,256 66.43% 4,434 19.31%

 Total 110,728 70,004 31,140

 District VAP NHWVAP %NHWVAP NHBVAP NHBVAP% AllOth AllOthVAP

 1 15,901 5,999 37.73% 9,125 57.39% 1,108 777

 2 17,296 14,370 83.08% 2,000 11.56% 1,438 926

 3 16,090 9,934 61.74% 5,562 34.57% 913 594

 4 17,424 13,225 75.90% 2,356 13.52% 2,851 1,843

 5 17,398 12,171 69.96% 3,050 17.53% 3,274 2,177

 Total 84,109 55,699 22,093 9,584 6,317

 District Pop. Dev. %Dev. Hisp. %Hisp. NHWhite %NHWhite

 1 16,462 -856 -4.94% 1,075 6.53% 6,150 37.36%

 3 16,864 -454 -2.62% 885 5.25% 5,863 34.77%

 Total 33,326 1,960 12,013

 District NHBlk %NHBlk VAP %VAP HVAP %HVAP

 1 8,548 51.93% 12,780 77.63% 724 5.67%

 3 9,538 56.56% 13,223 78.41% 643 4.86%

 Total 18,086 26,003 1367

 District NHWVAP %NHWVAP NHBVAP %NHBVAP

 1 5,129 40.13% 6,434 50.34%

 3 5,022 37.98% 7,130 53.92%

 Total 10,151 13,564

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 1(B)(1) and (2) of Act 470 of 2000 is amended to read:

 (B)(1) The Board of Trustees of Rock Hill School District No. 3 of York County is composed of seven members elected in a nonpartisan election by the qualified electors of the district with five two members required to reside in the five single-member districts delineated in subsection (A) of this section and two five elected at large from the remainder of the district without regard to residency.

 (2) The trustees representing districts 1, and 3, and 5 and onetwo at-large seatseats must be elected at the time of the general election of 20002024, and the trustees representing districts 2 and 4 and one three at large seatseats must be elected at the time of the general election of 20022026. Trustees serving on the effective date of this act elected from residency districts 2 and 4 and the three at large seat seats shall continue to serve until the expiration of their terms in 20022026. Thereafter, all terms of office are for four years, until their successors are elected and qualify.

SECTION 3.

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. GUFFEY spoke against the amendment.

Rep. GUFFEY moved to table the amendment.

Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 26

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Ballentine | Bannister |
| Blackwell | Brewer | Brittain |
| Burns | Calhoon | Carter |
| Chapman | Chumley | Connell |
| Cromer | Davis | Elliott |
| Erickson | Felder | Gagnon |
| Gatch | Gibson | Gilliam |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Herbkersman | Hewitt | Hiott |
| Hyde | J. E. Johnson | S. Jones |
| Jordan | Kilmartin | Landing |
| Lawson | Leber | Ligon |
| Long | Lowe | Magnuson |
| May | McCabe | McCravy |
| McGinnis | Mitchell | J. Moore |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Moss | Murphy | Neese |
| B. Newton | W. Newton | Nutt |
| O'Neal | Oremus | Pace |
| Pedalino | Pope | Robbins |
| Sandifer | Sessions | G. M. Smith |
| M. M. Smith | Taylor | Thayer |
| Trantham | Vaughan | West |
| White | Whitmire | Willis |
| Wooten |  |  |

**Total--76**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bauer |
| Bernstein | Clyburn | Cobb-Hunter |
| Dillard | Garvin | Henderson-Myers |
| Henegan | Hosey | Howard |
| Jefferson | J. L. Johnson | W. Jones |
| King | Kirby | McDaniel |
| Rivers | Rose | Rutherford |
| Tedder | Thigpen | Weeks |
| Wetmore | Williams |  |

**Total--26**

So, the amendment was tabled.

Rep. KING spoke against the Bill.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. KING continued speaking.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 23

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Ballentine | Bannister |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Connell |
| Cromer | Davis | Elliott |
| Erickson | Felder | Gagnon |
| Gatch | Gibson | Gilliam |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hewitt | Hiott |
| Hixon | Hyde | J. E. Johnson |
| S. Jones | Jordan | Kilmartin |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McGinnis | Mitchell |
| T. Moore | A. M. Morgan | T. A. Morgan |
| Moss | Murphy | Neese |
| B. Newton | W. Newton | Nutt |
| O'Neal | Oremus | Pace |
| Pedalino | Pope | Robbins |
| Sandifer | Schuessler | Sessions |
| G. M. Smith | M. M. Smith | Taylor |
| Thayer | Trantham | Vaughan |
| West | White | Whitmire |
| Willis | Wooten |  |

**Total--80**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bauer | Bernstein | Clyburn |
| Dillard | Garvin | Hayes |
| Henderson-Myers | Henegan | Hosey |
| Howard | Jefferson | W. Jones |
| King | Kirby | McDaniel |
| J. Moore | Rivers | Rose |
| Tedder | Thigpen | Weeks |
| Wheeler | Williams |  |

**Total--23**

So, the Bill was read the second time and ordered to third reading.

**S. 459--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 459 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 55-9-235, SO AS TO PROVIDE FOR THE SALE AND CONSUMPTION OF LIQUOR BY THE DRINK THROUGHOUT THE TRANSPORTATION SECURITY ADMINISTRATION SCREENED PORTION OF QUALIFYING SOUTH CAROLINA AIRPORTS.

Rep. ELLIOTT explained the Bill.

**ACTING SPEAKER HIOTT IN CHAIR**

Rep. MCCRAVY spoke against the Bill.

Rep. W. NEWTON spoke in favor of the Bill.

Rep. MOSS spoke against the Bill.

Rep. WOOTEN spoke in favor of the Bill.

Rep. BAMBERG spoke in favor of the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 31

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Bradley | Brewer | Brittain |
| Bustos | Carter | Caskey |
| Chapman | Clyburn | Cobb-Hunter |
| Collins | B. L. Cox | Davis |
| Dillard | Elliott | Erickson |
| Forrest | Gagnon | Garvin |
| Gatch | Guest | Guffey |
| Hardee | Harris | Hartnett |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hixon | Hosey |
| Hyde | S. Jones | W. Jones |
| Kilmartin | King | Kirby |
| Landing | Leber | Lowe |
| Magnuson | May | McDaniel |
| McGinnis | J. Moore | T. Moore |
| A. M. Morgan | T. A. Morgan | Murphy |
| Neese | B. Newton | W. Newton |
| Oremus | Ott | Pace |
| Pope | Rivers | Rose |
| Rutherford | Sandifer | Schuessler |
| G. M. Smith | M. M. Smith | Stavrinakis |
| Taylor | Tedder | Trantham |
| Weeks | Wetmore | Wheeler |
| Whitmire | Wooten |  |

**Total--80**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Blackwell | Burns | Calhoon |
| Chumley | Cromer | Felder |
| Gibson | Gilliam | Haddon |
| Hager | Hayes | Hiott |
| Howard | J. E. Johnson | Jordan |
| Lawson | Ligon | Long |
| McCabe | McCravy | Mitchell |
| Moss | Nutt | O'Neal |
| Pedalino | Robbins | Sessions |
| Thayer | Vaughan | Williams |
| Willis |  |  |

**Total--31**

So, the Bill was read the second time and ordered to third reading.

**S. 406--DEBATE ADJOURNED**

The following Bill was taken up:

S. 406 -- Senators Campsen, Senn and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-15-420(D) AND (E), RELATING TO THE TABULATION OF ABSENTEE BALLOTS, SO AS TO PROVIDE THAT BALLOTS CAST DURING THE EARLY VOTING PERIOD MAY BEGIN TO BE TABULATED AT THE SAME TIME AS ABSENTEE BALLOTS.

Rep. JORDAN moved to adjourn debate on the Bill, which was agreed to.

**H. 4145--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4145 -- Reps. Murphy and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-10-88, RELATING TO REDEVELOPMENT FEES REMITTED BY THE DEPARTMENT OF REVENUE, SO AS TO REMOVE AN ANNUAL MAXIMUM AND TO REMOVE A SUNSET PROVISION; AND BY AMENDING ACT 356 OF 2002 SO AS TO DELETE A PROVISION REQUIRING THE SHARING OF CERTAIN REVENUE.

Rep. MURPHY proposed the following Amendment No. 1 to H. 4145 (LC-4145.DG0003H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-10-88(E)(1) and inserting:

 (1) until January 1, 2028, June 30, 2043, a federal defense site in which permanent employment was reduced by three thousand or more jobs from the level of such jobs on December 31, 1990, or a federal military base or installation which has been closed or realigned under:

 (a) the Defense Base Closure and Realignment Act of 1990;

 (b) Title 11 of the Defense Authorization Amendments and Base Closure and Realignment Act; or

 (c) Section 2687 of Title 10, United States Code.

Renumber sections to conform.

Amend title to conform.

Rep. MURPHY spoke in favor of the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 102; Nays 11

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Atkinson |
| Bailey | Ballentine | Bamberg |
| Bannister | Bauer | Bernstein |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. L. Cox |
| Cromer | Davis | Dillard |
| Elliott | Erickson | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Guffey |
| Haddon | Hager | Hardee |
| Hayes | Henderson-Myers | Henegan |
| Herbkersman | Hewitt | Hiott |
| Hixon | Hosey | Howard |
| Hyde | Jefferson | J. E. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Lawson | Ligon | Long |
| Lowe | McCravy | McDaniel |
| McGinnis | Mitchell | J. Moore |
| T. Moore | Moss | Murphy |
| Neese | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pedalino | Pope |
| Rivers | Robbins | Rose |
| Rutherford | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Tedder |
| Thayer | Thigpen | Trantham |
| Vaughan | Weeks | West |
| Wetmore | Wheeler | Whitmire |
| Williams | Willis | Wooten |

**Total--102**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bustos | Felder | Harris |
| Hartnett | Landing | Leber |
| Magnuson | May | McCabe |
| A. M. Morgan | T. A. Morgan |  |

**Total--11**

So, the Bill, as amended, was read the second time and ordered to third reading.

**SPEAKER IN CHAIR**

**RECURRENCE TO THE MORNING HOUR**

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 4477 -- Reps. Gatch, Brewer, Mitchell, Jordan, Guest, B. Newton, Hewitt, West, Sessions, Chapman, Caskey, T. Moore, B. J. Cox and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-31-250, RELATING TO THE STATE NOT BEING COMPELLED BY THE FEDERAL GOVERNMENT TO TAKE ANY ACTION THAT LIMITS CARRYING CONCEALABLE WEAPONS, AND THE EVALUATION OF CERTAIN FEDERAL LAWS BY THE ATTORNEY GENERAL, SO AS TO PROVIDE THIS SECTION APPLIES TO ALL WEAPONS AND WEAPON ACCESSORIES.

Referred to Committee on Judiciary

Rep. MCDANIEL moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4460 -- Reps. Wheeler, Mitchell, Connell, Yow, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, White, Whitmire, Williams, Willis and Wooten: A CONCURRENT RESOLUTION TO COMMEMORATE THE ONE HUNDREDTH ANNIVERSARY OF THE CLEVELAND SCHOOL FIRE OF 1923 AND TO REMEMBER THE SEVENTY-SEVEN PEOPLE, INCLUDING FORTY-ONE CHILDREN, WHO PERISHED IN THIS TRAGIC EVENT.

H. 4461 -- Reps. Hayes, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR THE MEMORY OF YOLANDA MANNING MCCORMICK, DIRECTOR OF THE DILLON COUNTY LIBRARY SYSTEM, UPON HER PASSING AFTER FORTY-FOUR YEARS OF SERVICE TO THE PEOPLE OF DILLON COUNTY.

H. 4466 -- Reps. Haddon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE ROGER C. PEACE ROLLIN' TIGERS WHEELCHAIR BASKETBALL TEAM FOR WINNING THE 2023 NATIONAL WHEELCHAIR BASKETBALL ASSOCIATION PREP DIVISION CHAMPIONSHIP.

H. 4379 -- Reps. Leber, M. M. Smith, Pedalino, Brewer, Murphy, B. L. Cox, Schuessler, Bustos, Hartnett, Landing and Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STEAMBOAT LANDING ROAD IN CHARLESTON COUNTY "JAMES LEE JAMERSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

**ADJOURNMENT**

At 5:04 p.m. the House, in accordance with the motion of Rep. G. M. SMITH, adjourned in memory of Suzanna Carter Foley, to meet at 10:00 a.m. tomorrow.

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