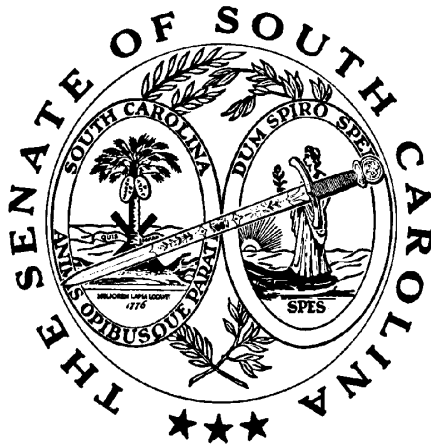


NO. 15

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, FEBRUARY 2, 2023

Thursday, February 2, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 36:7

The Psalmist tells us: "How precious is your steadfast love, O God! All people may take refuge in the shadow of your wings."

Bow with me as we pray, please: More than ever, O Lord, we find ourselves conscious of -- and wary of -- the shadows and the darkness that define so much of life: rebellion in the streets, warfare that keeps on going, the sad reality of poverty, and so much more. There is so very much that reminds us of the shadowy aspects of life and more aware than ever, dear God, how much we all need the gift of Your steadfast love. So, truly, bless these Senators and their aides as they work diligently on behalf of the people of our State. Indeed, wrap every single one of us in Your loving embrace and drive away the darkness which unsettles us. And by Your grace grant us all full awareness of the promises of hope You offer. In Your loving name we pray, Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Turner

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Verdin

Williams

Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Anne Hancock, 108 Live Oak Court, Greenwood, SC 29649-8960
VICE Thomas R. Love

Referred to the Committee on Education.

Reappointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2023, and to expire April 1, 2028

At-Large:

Yvonne C. Knight Carter, 1349 Old Cherry Hill Road, Monks Corner, SC 29461-4571

Referred to the Committee on Education.

Reappointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large:

Tony A. Foster, 105 Creekside Court, Greenwood, SC 29649-9540

Referred to the Committee on Corrections and Penology.

Reappointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large:

Kathleen Love, 105 Tryon Drive, Summerville, SC 29485-8430

Referred to the Committee on Corrections and Penology.

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Reappointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2021, and to expire August 15, 2025

At-Large:

Charles E. Gardner, 127 Haviland Ave., Greenville, SC 29607

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large:

Brenton F. Mackie, 237 Oak Haven Drive, Lexington, SC 29072-7112
VICE Bradley J. Allen

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2022, and to expire August 15, 2026

At-Large:

Charles David Tuttle, 821 Harborside Lane, Columbia, SC 29229-7431
VICE David C. Goodall

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator SETZLER introduced Dr. Rob Kosciusko of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TURNER, at 11:08 A.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 11:43 A.M., Senator McELVEEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator STEPHENS, at 11:43 A.M., Senator MATTHEWS was granted a leave of absence for today.

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Leave of Absence

On motion of Senator STEPHENS, at 11:43 A.M., Senator McLEOD was granted a leave of absence until 12:30 P.M.

Leave of Absence

On motion of Senator STEPHENS, at 11:43 A.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator CROMER, at 11:43 A.M., Senator GROOMS was granted a leave of absence for today.

Leave of Absence

On motion of Senator YOUNG, at 11:44 A.M., Senator RANKIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator MALLOY, at 12:56 P.M., Senator MARTIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CORBIN, at 12:56 P.M., Senator LOFTIS was granted a leave of absence for today.

CO-SPONSORS ADDED

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

- S. 142 Sens. Hutto and Jackson
- S. 145 Sens. Hutto and Jackson
- S. 157 Sen. Turner
- S. 380 Sens. Gustafson and Young
- S. 444 Sen. Young
- S. 483 Sen. Young

Remarks to be Printed

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

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 482 -- Senators Peeler, Reichenbach, Verdin, Turner, Bennett and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE AND OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 14-3-10, RELATING TO THE COMPOSITION OF COURT AND ELECTION OF JUSTICES AND TERMS, SO AS TO DEFINE ELECTION BY JOINT VOTE OF THE GENERAL ASSEMBLY TO MEAN A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND A MAJORITY VOTE OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 14-5-610, RELATING TO THE DIVISION OF STATE INTO SIXTEEN JUDICIAL CIRCUITS, NUMBER OF JUDGES TO BE ELECTED FROM EACH CIRCUIT, AND ELECTION OF ADDITIONAL JUDGES WITHOUT REGARD TO COUNTY OR CIRCUIT OF RESIDENCE, SO AS TO ADD ELECTION OF JUDGES BY JOINT VOTE OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 14-8-20, RELATING TO THE ELECTION OF MEMBERS OF THE COURT AND TERMS OF OFFICE, SO AS TO DEFINE ELECTION BY JOINT VOTE OF THE GENERAL ASSEMBLY TO MEAN A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND A MAJORITY VOTE OF THE MEMBERS OF THE SENATE; BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERM AND TERRITORIAL JURISDICTION, AND TRAINING, CERTIFICATION, OR RECERTIFICATION REQUIREMENT, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-1-16, RELATING TO TRIAL OBSERVATION REQUIREMENTS FOR NEW MAGISTRATES WHO ARE NOT ATTORNEYS, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-1-30, RELATING TO SUSPENSION, REMOVAL, OR NON-REAPPOINTMENT, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-5, RELATING TO ELIGIBILITY EXAMINATIONS FOR MAGISTRATES, SO AS TO PROVIDE

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THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-10, RELATING TO SCREENING COMMITTEE ASSISTING IN SELECTION OF MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION AND NOMINEES MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE WITHIN THE LEGISLATIVE DELEGATION TO BE RECOMMENDED TO THE GOVERNOR; BY AMENDING SECTION 22-2-15, RELATING TO SPECIAL ELECTION FOR NONPARTISAN PREFERENTIAL SELECTION OF MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; BY AMENDING SECTION 22-2-40, RELATING TO NUMBER AND LOCATION OF MAGISTRATES IN COUNTY AND MINISTERIAL MAGISTRATES, SO AS TO PROVIDE THAT THE DELEGATION BE A LEGISLATIVE DELEGATION; AND BY AMENDING SECTION 2-20-410, RELATING TO ELECTION TO THE BOARDS AND MAJORITY VOTE, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF THE MEMBERS OF THE HOUSE AND OF THE MEMBERS OF THE SENATE.

sf-0011ch23.docx : 3f6e064d-407b-4af2-961a-646cd194cf2c

Senator PEELER spoke on the Bill.

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

S. 483 -- Senators Alexander, Peeler, Grooms, Williams, Massey, K. Johnson, Shealy, Turner, Gambrell, Climer, Talley, Kimbrell and Young: 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

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VEHICLE SALES CONTRACT CLOSING FEES, SO AS TO REQUIRE THE CLOSING FEE TO BE PROMINENTLY DISPLAYED WITH THE ADVERTISED PRICE.

lc-0129dg23.docx : 7928d307-0b9e-459a-a58a-332766b25d3e

Read the first time and referred to the Committee on Banking and Insurance.

S. 484 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA WATERWAYS PROTECTION ACT"; BY ADDING SECTION 50-9-975 SO AS TO ESTABLISH THE SOUTH CAROLINA WATERWAYS PROTECTION FUND AND THE PURPOSES FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED; BY AMENDING SECTION 50-23-220, RELATING TO THE DEPOSIT AND USE OF FUNDS FOR CERTAIN FEES, SO AS TO REQUIRE THAT THREE DOLLARS FROM EACH FEE FOR AN APPLICATION OR RENEWAL OF A CERTIFICATE OF NUMBER MUST BE DEPOSITED INTO THE SOUTH CAROLINA WATERWAYS PROTECTION FUND; BY AMENDING SECTION 50-23-340, RELATING TO CERTIFICATES OF NUMBER, SO AS TO INCREASE THE APPLICATION AND RENEWAL FEE FROM TEN DOLLARS TO THIRTEEN DOLLARS; AND BY ADDING SECTION 12-37-3215 SO AS TO REQUIRE THAT A TAX NOTICE FOR A UNITED STATES COAST GUARD DOCUMENTED WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

sfgf-0012bc23.docx : 7a649b28-4793-4cdc-a45c-5c74020a1771

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 485 -- Senator Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-3-640, RELATING TO DRIVEWAYS AND ROADS IN STATE PARKS, SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION SHALL NOT INSTALL CURB CUTS OR OTHER ACCESS POINTS TO PARIS MOUNTAIN STATE PARK ALONG ALTAMONT ROAD IN GREENVILLE COUNTY.

lc-0215cm23.docx : d493edcc-ce34-4898-b27d-54c857913268

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

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S. 486 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO PROVIDE THAT WHEN THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES, THE ATTORNEY GENERAL CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO MAKE CONFORMING CHANGES.

sr-0048jg23.docx : 7f1f22ac-e2e1-4182-b757-5052ddce5e69

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

S. 487 -- Senator Gambrell: A BILL TO AMEND ACT 293 OF 2012, AS AMENDED, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE REAPPORTIONED ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2024 SCHOOL TRUSTEE ELECTIONS, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THOSE REVISED ELECTION DISTRICTS.

lc-0107hdb23.docx : 08a22c2f-5076-478f-b092-20fc7339b1f5

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

S. 488 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF ELECTRIC-ASSISTED BICYCLES (E-BIKES) IN CERTAIN AREAS OF SCDNR-OWNED AND SCDNR-MANAGED LANDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5166, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0208wab-dbs23.docx : 62ae8eb0-fb4e-4332-9825-17ed69214495

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

S. 489 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF STATE

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LAKES AND PONDS LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5172, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0209wab-dbs23.docx : 0b4723ab-6169-4e2e-872f-0a30c14fb8ca

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

S. 490 -- Senators Alexander and Peeler: A JOINT RESOLUTION TO PERMIT FUNDS APPROPRIATED IN ACT 94 OF 2021 FOR SOUTH CAROLINA WELCOME CENTERS TO BE USED FOR THE CURRENT FAIR PLAY WELCOME CENTER PROJECT.

sf-0012ch23.docx : 4dbcdcd6-5688-4544-9cea-af53729f8b0f

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

S. 491 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 34 IN FAIRFIELD COUNTY FROM THE NEWBERRY/FAIRFIELD COUNTY LINE TO STATE ROAD S-20-99 "JOHNNY PEOPLES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0192cm-gt23.docx : 98fd052b-4d15-4136-9696-b71d1d4e5ebc

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3392 -- Rep. M. M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND MELROSE DRIVE IN CHARLESTON COUNTY "DEPUTY SHERIFF JEREMY CHRISTOPHER LADUE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

lc-0020cm-cm23.docx : f7e495f6-c419-4761-ae7c-5b35cafbb316

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 3503 -- Reps. Gilliam, Pope, Taylor, Chumley, Haddon, McCravy, Oremus, Hiott, Burns, Wooten, Hixon, Bailey, Caskey, Thayer, Trantham, Forrest, Yow, S. Jones, Sessions, Guffey, Lawson, Chapman, Leber, O'Neal, Vaughan, Robbins, B. J. Cox, M. M. Smith, Davis, Brewer, Murphy, Whitmire, Ligon, Felder, Mitchell, Hager, Connell, Carter, West, Calhoon, B. Newton, Neese, Landing, Blackwell, Pedalino, Willis and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-190, RELATING TO SCHEDULE I SUBSTANCES, SO AS TO ADD FENTANYL-RELATED SUBSTANCES; BY AMENDING SECTION 44-53-370, RELATING TO PROHIBITED ACTS AND PENALTIES, SO AS TO ADD AN OFFENSE FOR TRAFFICKING IN FENTANYL; AND BY AMENDING SECTION 16-1-60, RELATING TO VIOLENT CRIMES, SO AS TO ADD TRAFFICKING IN FENTANYL.

lc-0010sa23.docx : 0ad0edb1-cc07-4839-8c3f-67ac14485176

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

REPORTS OF STANDING COMMITTEES

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 33 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-107 SO AS TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN SEVENTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES; BY AMENDING SECTION 50-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; AND BY AMENDING SECTIONS 50-23-20 AND 50-23-35, BOTH RELATING TO WATERCRAFT TITLES, SO AS TO PROVIDE FOR THE DUAL TITLING OF A WATERCRAFT AND OUTBOARD MOTOR.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 96 -- Senators Campsen and Davis: 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

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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.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable with amendment report on:

S. 120 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-580, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL; TO MAKE TECHNICAL CHANGES; TO PROVIDE THE PURCHASE OR ACQUISITION OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE; TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM ALL STATE LICENSING PROCESSES AND REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY; TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING,

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MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED IN THE ADMINISTRATION OF THE DEATH PENALTY; AND TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE ABSOLUTE CONFIDENTIALITY OF IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE.

Ordered for consideration tomorrow.

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

6th Congressional District:

Geraldine P. Miro, 1106 Ellis Avenue, Orangeburg, SC 29115-4406
VICE Dr. Lonnie Randolph

Received as information.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2023, and to expire March 15, 2029

6th Congressional District:

Geraldine P. Miro, 1106 Ellis Avenue, Orangeburg, SC 29115-4406

Received as information.

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

SECOND READING BILL

S. 478 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BOARD OF DIRECTORS OF BROADWATER WATER AND SEWERAGE DISTRICT, SO AS TO REDUCE THE NUMBER OF MEMBERS OF THE BROADWATER WATER AND SEWERAGE DISTRICT BOARD FROM NINE TO SEVEN.

The Senate proceeded to the consideration of the Bill.

Senator GAMBRELL explained the Bill.

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

S. 478--Ordered to a Third Reading

On motion of Senator GAMBRELL, with unanimous consent, S. 478 was ordered to receive a third reading on Friday, February 3, 2023.

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

S. 164 -- Senators Climer, Gustafson, Kimbrell, Senn, Loftis, Peeler, Grooms, Garrett and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY RENAMING ARTICLE 3, CHAPTER 7, TITLE 44 AS THE "STATE HEALTH FACILITY LICENSURE ACT"; BY AMENDING SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; BY AMENDING SECTION 44-7-160, SO AS TO PROVIDE THAT THE CERTIFICATE OF NEED PROGRAM ONLY APPLIES TO NURSING HOMES; BY ADDING SECTION 44-7-161, TO PROVIDE THAT MUSC MUST APPEAR BEFORE THE JBRC AND OBTAIN APPROVAL FROM THE SFAA PRIOR TO TAKING CERTAIN ACTIONS; AND TO ESTABLISH THE CERTIFICATE OF NEED STUDY COMMITTEE TO ASSESS HEALTH CARE IN RURAL SOUTH CAROLINA.

The Senate proceeded to the consideration of the Bill.

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Senator DAVIS proposed the following amendment (SR-164.JG0020S), which was ruled out of order:

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

SECTION X. Article 3, Chapter 7, Title 44 of the S.C. Code is amended by adding:

Section 44-7-266. (A) In order to be licensed by the department, a hospital is prohibited from including any clauses that restrict the right of a physician to practice after termination of the relationship in any contract or agreement which creates or establishes an employment or any other form of professional relationship with a physician; provided, however, that the hospital may require a physician who has worked for the hospital three years or less to repay all or a portion of the actual costs of the following: relocation expenses, a signing bonus or other remuneration to induce the physician to relocate or establish a health care practice in a specified geographic area, or recruiting, education or training expenses, if the specific items and value of each item the hospital seeks in repayment must be outlined within the agreement at the time of signing; provided further, however, that the hospital may not In any contract or agreement prevent a physician from complying with his ethical duties to the patient upon departure as set forth in regulations which shall be promulgated by the Board of Medical Examiners, and may be fined for each violation in an amount set forth in such regulations. The requirements of this section shall apply only to new contracts or renewals of contracts entered into on or after the effective date of this section.

(B) The prohibitions as to contract or agreements set forth in subparagraph (A) shall apply only to the clauses the restrict the right of a physician to practice after termination of the relationship, and shall not apply to any other clause, including, without limitation, those pertaining to the protection of medical trade secrets.

(C) In order to be licensed by the department, a hospital is prohibited from using economic criteria unrelated to quality of care or professional competency in determining an individual's qualifications for initial or continuing hospital medical staff membership or privileges.

SECTION X. Chapter 47, Title 40 of the S.C. Code is amended by adding:

Section 40-47-60. (A) In order to be licensed to practice medicine in this State, a physician is prohibited from offering or making a partnership, shareholders, operating, employment, or other similar type of agreement that restricts the right of a physician to practice after

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termination of the relationship or prevents another physician from complying with his ethical duties to the patient upon departure as set forth in regulations which shall be promulgated by the Board of Medical Examiners, and may be fined for each violation in an amount set forth in such regulations; provided, however, provided however nothing in this section prevents such agreements from containing the following:

(1) Physicians who are employees and have been employed three years or less may be required to repay all or a portion of the actual costs of the following: a loan, relocation expenses, a signing bonus or other remuneration to induce the physician to relocate or establish a health care practice in a specified geographic area, or recruiting, education or training expenses. To be enforceable, the specific items and value of each item that may be sought in repayment must be outlined within the agreement at the time of signing.

(2) Physicians who are partners or owners of a practice may be required to repay the practice upon his departure damages in an amount that are reasonably related to injury, if any, suffered by reason of such departure. To be enforceable, the specific monetary value of such anticipated damages or the formula by which such anticipated damages will be calculated must be outlined within the agreement at the time of signing and agreed upon as reasonably related to any injury that may occur.

(B) The requirements of this section shall apply to new contracts or renewals of contracts entered into on or after the effective date of this section.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Motion Adopted

Senator DAVIS moved, under Rule 26B, to take up a further amendment on third reading.

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

Ayes 35; Nays 2

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis

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

Total--35

NAYS

Bennett Sabb

Total--2

The motion was adopted.

Senator DAVIS explained the amendment.

Point of Order

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

Senator DAVIS spoke in opposition of the Point.

Senator CLIMER spoke in opposition of the Point.

Senator GOLDFINCH spoke in opposition of the Point.

Senator SETZLER spoke in favor of the Point.

Senator SABB spoke in favor of the Point.

Senator GOLDFINCH spoke in opposition of the Point.

Senator DAVIS continued speaking on the amendment.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Senators DAVIS and CLIMER proposed the following amendment (SR-164.JG0021S), which was adopted:

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

SECTION X. Article 3, Chapter 7, Title 44 of the S.C. Code is amended by adding:

Section 44-7-266. (A) In order to be licensed by the department, a hospital is prohibited from including any clauses that restrict the right of a physician to practice after termination of the relationship in any contract or agreement which creates or establishes an employment or any other form of professional relationship with a physician; provided, however, that the hospital may require a physician who has worked for the hospital three years or less to repay all or a portion of the actual costs of the following: relocation expenses, a signing bonus or other remuneration to induce the physician to relocate or establish a health care practice in a specified geographic area, or recruiting, education or training expenses, if the specific items and value of each item the hospital seeks in repayment must be outlined within the agreement at the time of signing; provided further, however, that the hospital may not In any contract or agreement prevent a physician from complying with his ethical duties to the patient upon departure as set forth in regulations which shall be promulgated by the Board of Medical Examiners, and may be fined for each violation in an amount set forth in such regulations. The requirements of this section shall apply only to new contracts or renewals of contracts entered into on or after the effective date of this section.

(B) The prohibitions as to contract or agreements set forth in subparagraph (A) shall apply only to the clauses the restrict the right of a physician to practice after termination of the relationship, and shall not apply to any other clause, including, without limitation, those pertaining to the protection of medical trade secrets.

(C) In order to be licensed by the department, a hospital is prohibited from using economic criteria unrelated to quality of care or professional competency in determining an individual's qualifications for initial or continuing hospital medical staff membership or privileges.

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator DAVIS, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

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Senator DAVIS explained the amendment.

Senator BENNETT spoke on the amendment.

Senator BENNETT moved to lay the amendment on the table.

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

Ayes 10; Nays 26

AYES

Bennett	Cromer	Gambrell
Garrett	Hembree	Massey
Setzler	Shealy	Stephens
Turner		

Total--10

NAYS

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Goldfinch
Gustafson	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	McLeod	Peeler
Reichenbach	Rice	Sabb
Scott	Senn	Verdin
Williams	Young	

Total—26

The Senate refused to lay the amendment on the table.

The amendment was adopted.

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

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

Ayes 30; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Jackson	<i>Johnson, Michael</i>	Kimbrell
Malloy	Massey	Peeler
Reichenbach	Rice	Scott
Senn	Setzler	Shealy
Turner	Verdin	Young

Total--30

NAYS

Hutto	<i>Johnson, Kevin</i>	McLeod
Sabb	Stephens	Williams

Total--6

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

OBJECTION

S. 304 -- Senators Turner, Climer and Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1885, RELATING TO OVERTAKING AND PASSING ANOTHER VEHICLE IN THE FARTHEST LEFT-HAND LANE, SO AS TO INCREASE THE FINE FROM TWENTY-FIVE DOLLARS TO ONE HUNDRED DOLLARS AND TO PROVIDE THAT SEVENTY-FIVE DOLLARS FROM EACH FINE COLLECTED MUST BE CREDITED TO THE HIGHWAY PATROL.

Senator MARTIN objected to the consideration of the Bill.

OBJECTION

S. 361 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-5-1630, RELATING TO THE EXTENSION OF CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION COMMISSION IS NOT REQUIRED TO PROVIDE PREAPPROVAL OF CONSTRUCTION CONTRACT EXTENSIONS AND TO PROVIDE THAT THE COMMISSION MUST RATIFY EXTENSIONS AT THE NEXT COMMISSION MEETING.

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Senator MARTIN objected to the consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 363 -- Senators Rankin, Grooms and Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4445, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE; SO AS TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER, TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FRONT FENDER IN RELATION TO THE REAR FENDER, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-363.JG0001S), which was adopted:

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

SECTION 2. This act takes effect upon approval by the Governor. For a period of one hundred eighty days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act.

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senators RICE and CAMPSSEN proposed the following amendment (SR-363.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4445(B)(1) and inserting:

(B)(1) A passenger motor vehicle, including vehicles commonly referred to as pickup trucks, shall not be operated upon the highways of this State if, by alteration of the suspension, frame, or chassis, the height of the front fender is four or more inches greater than the height of the rear fender. For purposes of this subsection, the height of the fender shall

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be a vertical measurement from and perpendicular to the ground, through the centerline of the wheel, and to the bottom of the fender.

Re-number sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 375 -- Senators Grooms, Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE THAT A DRIVER SHALL ENSURE THAT HIS VEHICLE IS KEPT UNDER CONTROL WHEN APPROACHING OR PASSING A MOTOR VEHICLE STOPPED ON OR NEAR THE RIGHT-OF-WAY OF A STREET OR HIGHWAY; TO PROVIDE THAT A PERSON DRIVING A VEHICLE APPROACHING A STATIONARY VEHICLE DISPLAYING FLASHING HAZARD LIGHTS SHALL SLOW DOWN, YIELD THE RIGHT-OF-WAY, AND MAINTAIN A SAFE SPEED IF CHANGING LANES IS UNSAFE; AND TO PROVIDE PENALTIES.

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

CARRIED OVER

S. 165 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING TITLE 1, CHAPTER 40, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75, SO AS TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT; BY ADDING SECTION 40-1-77 SO AS TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP

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PROGRAMS; AND TO REPEAL SECTION 40-1-140, RELATING TO THE EFFECT OF PRIOR CONVICTIONS ON LICENSE APPLICATIONS FOR PROFESSIONS AND OCCUPATIONS.

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

POINT OF ORDER

S. 1 -- Senators Alexander, Turner, Senn, Young, Gustafson, Peeler, Setzler, Rankin and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; BY AMENDING SECTION 16-1-10, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, SO AS TO ADD DRUG-INDUCED HOMICIDE; AND BY AMENDING SECTION 44-53-190, RELATING TO SCHEDULE I DRUGS, SO AS TO ADD FENTANYL-RELATED SUBSTANCES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 36 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-286, RELATING TO SUSPENSION OF LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO ALLOW PERSONS UNDER THE AGE OF TWENTY-ONE WHO ARE SERVING A SUSPENSION OR ARE DENIED A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, OR REQUEST A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLES HEARINGS; BY AMENDING SECTION 56-1-385, RELATING TO REINSTATEMENT OF PERMANENTLY REVOKED DRIVER'S LICENSES, SO AS TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING BEFORE OCTOBER 1, 2014; BY AMENDING SECTION 56-1-400, RELATING TO

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SURRENDER OF LICENSES; ISSUANCE OF NEW LICENSES; ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICES ON LICENSES, SO AS TO REVISE THE PROVISIONS THAT RELATE TO THE DURATION OF THE PERIOD FOR WHICH THE IGNITION INTERLOCK DEVICES MUST BE MAINTAINED TO INCLUDE REFERENCES TO THE HABITUAL OFFENDER STATUTE AND DELETE THE REQUIREMENT THAT REQUIRES PERSONS SEEKING TO HAVE LICENSES ISSUED MUST FIRST PROVIDE PROOF THAT FINES OWED HAVE BEEN PAID; BY AMENDING SECTION 56-1-1090, RELATING TO REQUEST FOR RESTORATION OF PRIVILEGES TO OPERATE MOTOR VEHICLES, CONDITIONS, AND APPEALS OF DENIALS OF REQUESTS, SO AS TO PROVIDE HABITUAL OFFENDERS MAY OBTAIN DRIVERS' LICENSES WITH INTERLOCK RESTRICTIONS IF THEY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM AND OBTAINED LICENSES WITH INTERLOCK RESTRICTIONS; BY AMENDING SECTION 56-1-1320, RELATING TO PROVISIONAL DRIVERS' LICENSES, SO AS TO ELIMINATE THE ISSUANCE OF PROVISIONAL DRIVERS' LICENSES FOR CERTAIN OFFENSES THAT OCCURRED BEFORE THE EFFECTIVE DATE OF THIS ACT; BY AMENDING SECTION 56-1-1340, RELATING TO LICENSES THAT MUST BE KEPT IN POSSESSION, ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, SO AS TO CONFORM STATUTORY REFERENCES; BY AMENDING SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE CERTAIN PERSONS ISSUED TEMPORARY ALCOHOL LICENSES ARE REQUIRED TO HAVE IGNITION INTERLOCK DEVICES INSTALLED ON CERTAIN MOTOR VEHICLES, TO DELETE THE PROVISION THAT PROVIDES THIS SECTION DOES NOT APPLY TO PERSONS CONVICTED OF CERTAIN FIRST OFFENSE VIOLATIONS, TO PROVIDE THAT DRIVERS OF MOTORCYCLES ARE EXEMPT FROM HAVING IGNITION INTERLOCK DEVICES INSTALLED ON THESE VEHICLES, TO INCLUDE REFERENCES TO THE HABITUAL OFFENDER STATUTE, TO PERMIT DRIVERS WITH LIFETIME IGNITION INTERLOCK REQUIREMENT DUE TO CONVICTIONS ON OR AFTER OCTOBER 1, 2014, TO SEEK TO HAVE THE DEVICES REMOVED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES AND THE RESTRICTIONS FROM THEIR DRIVERS'

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LICENSES, REQUIRE DEVICE MANUFACTURERS TO APPLY TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES FOR CERTIFICATION OF THE DEVICES, PAY A CERTIFICATION FEE AND PROVIDE FOR THE DISPOSITION OF THE FEE, AND TO PROVIDE FOR THE COLLECTION AND RETENTION OF THE INFORMATION RECORDED BY THE DEVICES; BY AMENDING SECTION 56-5-2951, RELATING TO THE SUSPENSION OF LICENSES FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVELS OF ALCOHOL CONCENTRATION, TEMPORARY ALCOHOL LICENSES, ADMINISTRATIVE HEARING, RESTRICTED DRIVERS' LICENSES AND PENALTIES, SO AS TO PROVIDE WITHIN THIRTY DAYS OF THE ISSUANCE OF NOTICES OF SUSPENSION, PERSONS MAY REQUEST A CONTESTED HEARING BEFORE THE OFFICE OF MOTOR VEHICLES HEARINGS, ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND OBTAIN TEMPORARY ALCOHOL LICENSES WITH IGNITION INTERLOCK DEVICE RESTRICTIONS, TO PROVIDE FOR THE DISPOSITION OF TEMPORARY ALCOHOL LICENSE FEES, TO PROVIDE THE IGNITION INTERLOCK RESTRICTION BE MAINTAINED ON TEMPORARY LICENSES UNDER CERTAIN CIRCUMSTANCES, TO MAKE TECHNICAL CHANGES, TO ALLOW PERSONS TO RECEIVE CERTAIN CREDITS FOR MAINTAINING IGNITION INTERLOCK RESTRICTIONS ON TEMPORARY ALCOHOL LICENSES UNDER CERTAIN CIRCUMSTANCES, AND TO DELETE THE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES, TO PROVIDE PROSECUTING AUTHORITIES ARE NOT PRECLUDED FROM WAIVING OR DISMISSING CHARGES UNDER THIS SECTION; AND BY AMENDING SECTION 56-5-2990, RELATING TO SUSPENSION OF CONVICTED PERSONS DRIVERS' LICENSES, AND PERIOD OF SUSPENSION, SO AS TO REVISE THE PENALTIES RELATING TO CONVICTIONS FOR FIRST OFFENCE DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS TO ONLY REQUIRE PERSONS TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, END THE SUSPENSION, AND OBTAIN INTERLOCK RESTRICTED LICENSES, DELETE THE PROVISION ALLOWING THE USE OF ROUTE-RESTRICTED OR SPECIAL RESTRICTED DRIVERS' LICENSES TO ATTEND CERTAIN PROGRAMS AND FUNCTIONS, AND TO DELETE THE

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PROVISION THAT ESTABLISHES THE DATE WHEN DRIVER'S LICENSE SUSPENSION PERIODS BEGINS AND WHEN CERTAIN APPEALS MAY BE FILED.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 153 -- Senators Young, Gustafson, Senn, Rankin and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, BY AMENDING SECTIONS 44-53-190(B) AND 44-53-370(E), RELATING TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", TO DEFINE NECESSARY TERMS AND PROVIDE PENALTIES; AND BY AMENDING SECTION 44-53-370(D) TO PROVIDE FOR PRESUMPTIVE WEIGHTS FOR POSSESSION WITH INTENT TO DISTRIBUTE FENTANYL OR FENTANYL-RELATED SUBSTANCES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 3176 -- Reps. B. Newton, Mitchell, Neese and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT UNITED STATES HIGHWAY 521, HUBBARD DRIVE, AND CRAIG MANOR ROAD IN LANCASTER COUNTY "CHARLES ALAN BUNDY MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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H. 3357 -- Reps. B. Newton, Mitchell, Neese and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN LANCASTER COUNTY FROM THE LANCASTER BYPASS TO SOUTH CAROLINA HIGHWAY 522 "SHERIFF WILLIFORD LEE FAILE MEMORIAL HIGHWAY" AND PLACE APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF THE HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Motion Adopted

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

ADJOURNMENT

At 1:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1B.

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