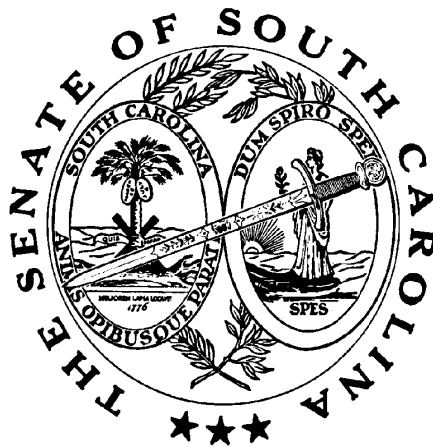


NO. 18

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, FEBRUARY 8, 2023

Wednesday, February 8, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:45 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:

Colossians 3:12

Paul wrote to the Colossians:

“As God’s chosen ones, holy and beloved, clothe yourselves with compassion, kindness, humility, and patience.”

Pray with me, please: O Most Gracious Lord, throughout your many holy texts -- such as today’s words from the Apostle Paul -- You give us insights as to how it is that we should live out our days as your followers. May it indeed be, O God, that each one of Your servants in this Senate will take all of Your teachings seriously. Moreover, help us all not just to hear Your words, but lead us faithfully as we choose to follow Your guidance in all that we say and do. Also, Lord, today we pray yet again that You continue to embrace in love and care all of our women and men in uniform, as well as everyone in Turkey and Syria who have so recently experienced the horror of devastating earthquakes. All this we pray in Your holy name, dear Lord. Amen.

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

RECESS

At 11:55 A.M., the Senate recessed from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of the Concurrent Resolutions adopted by both Houses.

S. 374 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX 12:00 NOON ON WEDNESDAY, FEBRUARY 8, 2023, AS THE TIME TO ELECT A SUCCESSOR TO

WEDNESDAY, FEBRUARY 8, 2023

A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2032; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2029; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2023, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2023, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 7, WHICH WILL EXPIRE JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, AT-LARGE, SEAT 8, WHICH WILL EXPIRE JUNE 30, 2023; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 5, UPON HER RETIREMENT ON OR BEFORE JUNE 30, 2023, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028.

H. 3703 -- Reps. Whitmire, King, McGinnis and Rose: A CONCURRENT RESOLUTION TO FIX 12:00 NOON ON WEDNESDAY, FEBRUARY 1, 2023, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF

WEDNESDAY, FEBRUARY 8, 2023

ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE THIRD JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE NINTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE ELEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE TWELFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026.

Motion Adopted

Representative Bannister asked unanimous consent for the Representatives to vote on the electronic voting board.

There was no objection.

WEDNESDAY, FEBRUARY 8, 2023

Election to the Position of Judge, Supreme Court, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Supreme Court, Seat 4.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Garrison Hill, the Honorable Aphrodite Konduros and the Honorable Stephanie Pendarvis McDonald had been screened and found qualified to serve.

On motion of Senator RANKIN, the names of the Honorable Aphrodite Konduros and the Honorable Stephanie Pendarvis McDonald were withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

The following named Senators voted in the negative:

Jackson	Matthews	McLeod
Senn		

Total--4

The following named Senators voted present:

Cash	Gustafson	Shealy
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Total—3

WEDNESDAY, FEBRUARY 8, 2023

The following named Senators abstained:
Garrett

Total--1

On the motion of Representative Bannister, with unanimous consent,
the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Connell
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Hart
Hayes	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCabe	McGinnis
Mitchell	T. Moore	Moss
Murphy	Neese	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	Thigpen
Trantham	Vaughan	Weeks

WEDNESDAY, FEBRUARY 8, 2023

West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten		

Total--103

The following named Representatives voted in the negative:

Beach	Harris	Magnuson
McDaniel		

Total--4

RECAPITULATION

Total number of Senators voting	41
Total number of Representatives voting.....	<u>107</u>
Grand Total.....	148
Necessary to a choice	0
Ayes	140
Nays	8

Whereupon, the PRESIDENT announced that the Honorable David Garrison Hill was elected to the position of Judge, Supreme Court, Seat 4 for the term to expire July 31, 2032.

Election to the Position of Judge, Court of Appeals, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Blake A. Hewitt had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Blake A. Hewitt in nomination and moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Blake A. Hewitt was elected to the position of Judge, Court of Appeals, Seat 1 for the term to expire June 30, 2023.

WEDNESDAY, FEBRUARY 8, 2023

Election to the Position of Judge, Court of Appeals, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 2.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Whitney B. Harrison, the Honorable Grace G. Knie and the Honorable Letitia H. Verdin had been screened and found qualified to serve.

On motion of Senator RANKIN, the names of Whitney B. Harrison and the Honorable Grace G. Knie were withdrawn from consideration.

Senator RANKIN placed the name of the Honorable Letitia H. Verdin in nomination and moved that the nominations be closed.

Representative Magnuson objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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

Total--44

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg

WEDNESDAY, FEBRUARY 8, 2023

Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Chapman	Chumley	Clyburn
Cobb-Hunter	Connell	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hayes	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	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	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten		

Total--115

WEDNESDAY, FEBRUARY 8, 2023

RECAPITULATION

Total number of Senators voting	44
Total number of Representatives voting.....	<u>115</u>
Grand Total.....	159
Necessary to a choice	0
Ayes	159
Nays	0

Whereupon, the PRESIDENT announced that the Honorable Letitia H. Verdin was elected to the position of Judge, Court of Appeals, Seat 2 for the term to expire June 30, 2029.

**Election to the Position of Judge, Circuit Court,
15th Judicial Circuit, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Amanda A. Bailey and B. Alex Hyman had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of Amanda A. Bailey was withdrawn from consideration.

Senator RANKIN placed the name of B. Alex Hyman in nomination, moved that nominations be closed.

Representative Magnuson objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

WEDNESDAY, FEBRUARY 8, 2023

Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Chapman
Chumley	Clyburn	Cobb-Hunter
Connell	B. J. Cox	B. L. Cox
Crawford	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Hart
Hayes	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCabe	McCravy
McDaniel	McGinnis	Mitchell
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith

WEDNESDAY, FEBRUARY 8, 2023

M. M. Smith	Stavrinakis	Taylor
Tedder	Thigpen	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	Whitmire
Williams	Willis	Wooten

Total--105

The following named Representatives voted in the negative:

Beach	Cromer	Harris
S. Jones	Kilmartin	Magnuson
A. M. Morgan	T. A. Morgan	Pace

Total--9

RECAPITULATION

Total number of Senators voting	45
Total number of Representatives voting.....	<u>114</u>
Grand Total.....	159
Necessary to a choice	0
Ayes	150
Nays	9

Whereupon, the PRESIDENT announced that the Honorable B. Alex Hyman was elected to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election to the Position of Judge, Circuit Court, At-Large, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Patrick C. Fant III, Doward Keith Karvel Harvin and S. Boyd Young had been screened and found qualified to serve.

On motion of Senator RANKIN, the names of Doward Keith Karvel Harvin and S. Boyd Young were withdrawn from consideration.

Senator RANKIN placed the names of Patrick C. Fant III in nomination, moved that nominations be closed.

Representative Magnuson objected.

WEDNESDAY, FEBRUARY 8, 2023

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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

Total--45

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris

WEDNESDAY, FEBRUARY 8, 2023

Hart	Hayes	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	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
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	

Total--116

RECAPITULATION

Total number of Senators voting	45
Total number of Representatives voting.....	<u>116</u>
Grand Total.....	161
Necessary to a choice	0
Ayes	161
Nays	0

Whereupon, the PRESIDENT announced that the Honorable Patrick C. Fant III was elected to the position of Judge, Circuit Court, at-large, Seat 3 for the term to expire June 30, 2027.

WEDNESDAY, FEBRUARY 8, 2023

Election to the Position of Judge, Family Court

1st Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 1st Judicial Circuit, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Mandy W. Kimmons and Margie A. Pizarro had been screened and found qualified to serve.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Mandy Kimmons:

Adams	Alexander	Bennett
Campsen	Climer	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
<i>Johnson, Michael</i>	Kimbrell	Massey
McElveen	Peeler	Rankin
Senn	Setzler	Shealy
Talley	Turner	Young

Total--24

The following named Senators voted for Margie Pizarro:

Allen	Cash	Cromer
Davis	Fanning	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
Martin	Matthews	McLeod
Rice	Sabb	Scott
Stephens	Williams	

Total--17

The following named Senators voted present:

Corbin	Loftis	Reichenbach
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Total--3

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 8, 2023

The following named Representatives voted for Mandy Kimmons:

Atkinson	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brewer	Brittain
Calhoon	Chapman	Collins
Connell	Crawford	Davis
Elliott	Forrest	Gagnon
Gatch	Guest	Guffey
Hager	Hardee	Hayes
Herbkersman	Hewitt	Hixon
Hyde	J. E. Johnson	Jordan
Landing	Lawson	Leber
Ligon	Lowe	McGinnis
Mitchell	T. Moore	Moss
Murphy	Neese	B. Newton
W. Newton	Ott	Pedalino
Pope	Robbins	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
West	Wetmore	Wheeler
Whitmire	Wooten	Yow

Total--60

The following named Representatives voted for Margie Pizarro:

Alexander	Anderson	Bauer
Beach	Bustos	Carter
Chumley	Clyburn	Cobb-Hunter
Cromer	Dillard	Felder
Garvin	Gibson	Gilliam
Gilliard	Harris	Hart
Henegan	Hiott	Hosey
Howard	Jefferson	J. L. Johnson
S. Jones	W. Jones	Kilmartin
King	Kirby	Magnuson
May	McCabe	McCravy
McDaniel	O'Neal	Pace
Pendarvis	Rivers	Rose
Rutherford	Tedder	Thigpen
Trantham	Vaughan	Weeks
White	Williams	

WEDNESDAY, FEBRUARY 8, 2023

Total--47

RECAPITULATION

Total number of Senators voting	41
Total number of Representatives voting.....	<u>107</u>
Grand Total.....	148
Necessary to a choice	75
Of which Mandy Kimmons received	84
Of which Margie Pizarro received	64

Whereupon, the PRESIDENT announced that the Honorable Mandy W. Kimmons was elected to the position of Judge, Family Court, 1st Judicial Circuit, Seat 3 for the term to expire June 30, 2028.

**Election to the Position of Judge, Family Court
12th Judicial Circuit, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Philip B. Atkinson and Alicia A. Richardson had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of Philip B. Atkinson was withdrawn from consideration.

Senator RANKIN placed the name of Alicia A. Richardson in nomination, moved that nominations be closed.

Representative Magnuson objected.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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

WEDNESDAY, FEBRUARY 8, 2023

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

Total--45

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hayes
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	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pedalino

WEDNESDAY, FEBRUARY 8, 2023

Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thigpen	Trantham
Vaughan	Weeks	West
Wetmore	Wheeler	Whitmire
Williams	Wooten	

Total--107

RECAPITULATION

Total number of Senators voting	45
Total number of Representatives voting.....	<u>107</u>
Grand Total.....	152
Necessary to a choice	0
Ayes	152
Nays	0

Whereupon, the PRESIDENT announced that the Honorable Alicia A. Richardson was elected to the position of Judge, Family Court, 12th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

**Election to the Position of Judge, Family Court
At-Large, Seat 7**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 7.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Thomas T. Hodges had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Thomas T. Hodges in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Thomas T. Hodges was elected to the position of Judge, Family Court, at-large, Seat 7 for the term to expire June 30, 2023.

WEDNESDAY, FEBRUARY 8, 2023

Election to the Position of Judge, Family Court

At-Large, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, at-large, Seat 8.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Rosalyn Frierson-Smith had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Rosalyn Frierson-Smith in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Rosalyn Frierson-Smith was elected to the position of Judge, Family Court, at-large, Seat 8 for the term to expire June 30, 2023.

Election of an Administrative Law Court Judge, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 5.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Stephanie N. Lawrence and the Honorable Crystal Rookard had been screened and found qualified to serve.

Senator RANKIN placed the name of Stephanie N. Lawrence and the Honorable Crystal Rookard in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Stephanie Lawrence:

Cromer	Fanning	Goldfinch
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Matthews
McLeod	Rankin	Sabb
Scott	Senn	Setzler
Stephens		

Total--16

The following named Senators voted for Crystal Rookard:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Gambrell

WEDNESDAY, FEBRUARY 8, 2023

Garrett	Grooms	Gustafson
<i>Johnson, Michael</i>	Kimpson	Loftis
Massey	McElveen	Peeler
Rice	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--25

The following named Senators voted present:

Corbin	Kimbrell	Martin
Reichenbach		

Total--4

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Stephanie Lawrence:

Alexander	Anderson	Ballentine
Bannister	Bauer	Bernstein
Brewer	Brittain	Clyburn
Connell	B. J. Cox	Garvin
Gatch	Hardee	Hart
Hayes	Henegan	Hosey
Jefferson	J. L. Johnson	Kirby
Leber	McDaniel	Mitchell
Murphy	B. Newton	W. Newton
O'Neal	Ott	Pendarvis
Robbins	Rutherford	Stavrinakis
Tedder	Thigpen	Weeks
Wetmore	Wheeler	

Total--38

The following named Representatives voted for Crystal Rookard:

Atkinson	Beach	Blackwell
Bradley	Burns	Bustos
Calhoon	Carter	Chapman
Chumley	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer

WEDNESDAY, FEBRUARY 8, 2023

Davis	Dillard	Elliott
Felder	Forrest	Gagnon
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Harris	Herbkersman
Hewitt	Hiott	Hixon
Howard	Hyde	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Landing
Lawson	Ligon	Long
Lowe	Magnuson	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Neese	Nutt	Oremus
Pace	Pedalino	Rivers
Rose	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Trantham	Vaughan	West
White	Whitmire	Williams
Willis	Wooten	

Total--71

RECAPITULATION

Total number of Senators voting	41
Total number of Representatives voting.....	<u>109</u>
Grand Total.....	150
Necessary to a choice	76
Of which Stephanie Lawrence received	54
Of which Crystal Rookard received	96

Whereupon, the PRESIDENT announced that the Honorable Crystal Rookard was elected to the position of Judge, Administrative Law Court, Seat 5 for the term to expire June 30, 2028.

Immediately following the Joint Assembly called for the Election of Judicial Candidates, the PRESIDENT announced that the Joint Assembly would proceed to the Election of the Boards of Colleges and University Trustees.

WEDNESDAY, FEBRUARY 8, 2023

**Election to the Board of Trustees for the
The Citadel, At-Large**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for The Citadel, at-large seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Benjamin D. Dixon, Dylan W. Goff and Kara Irvin had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the name of Benjamin D. Dixon was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Dylan Goff:

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

Total--41

The following named Senators voted for Kara Irvin:

Total--0

On the motion of Representative Bannister, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Dylan Goff:

WEDNESDAY, FEBRUARY 8, 2023

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Chapman	Chumley
Clyburn	Collins	Connell
B. J. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Felder	Forrest	Gagnon
Gatch	Gibson	Gilliam
Gilliard	Guest	Haddon
Hager	Hardee	Hayes
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Jordan	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
McCabe	McGinnis	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pedalino
Pope	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Taylor	Thigpen	Trantham
Vaughan	Weeks	West
Wetmore	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--97

The following named Representatives voted for Kara Irvin:

Total--0

WEDNESDAY, FEBRUARY 8, 2023

RECAPITULATION

Total number of Senators voting	41
Total number of Representatives voting.....	<u>97</u>
Grand Total.....	138
Necessary to a choice	70
Of which Dylan Goff received	138
Of which Kara Irvin received	0

Whereupon, the PRESIDENT announced that the Honorable Dylan W. Goff elected to a position on the Board of Trustees for The Citadel, at-large for the term to expire June 30, 2028.

**Election to the Board of Trustees for the
Clemson University, Three At-Large Seats**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Clemson University, three at-large seats.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Patricia H. McAbee, John N. McCarter, Sharka Marie Prokes and Joseph D. Swann had been screened and found qualified to serve and placed their names in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for McAbee:

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

WEDNESDAY, FEBRUARY 8, 2023

Total--43

The following named Senators voted for McCarter:

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

Total--43

The following named Senators voted for Prokes:

Total--0

The following named Senators voted for Swann:

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

Total--43

WEDNESDAY, FEBRUARY 8, 2023

On the motion of Representative Bannister, with unanimous consent,
the members of the House voted by electronic roll call.

The following named Representatives voted for McAbee:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Bernstein	Blackwell
Bradley	Brewer	Brittain
Bustos	Calhoon	Carter
Chapman	Clyburn	Cobb-Hunter
Collins	Connell	B. J. Cox
Crawford	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Hayes
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	W. Jones	Jordan
King	Kirby	Landing
Lawson	Leber	Ligon
Lowe	McCabe	McDaniel
McGinnis	Mitchell	T. Moore
Moss	Murphy	Neese
B. Newton	W. Newton	O'Neal
Ott	Pedalino	Pendarvis
Pope	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Whitmire
Williams	Willis	Wooten
Yow		

Total--94

The following named Representatives voted for McCarter:

Alexander	Anderson	Atkinson
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WEDNESDAY, FEBRUARY 8, 2023

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

Total--106

The following named Representatives voted for Prokes:

Beach	Burns	Bustos
Chumley	Cromer	Gibson

WEDNESDAY, FEBRUARY 8, 2023

Gilliam	Harris	Kilmartin
Long	Magnuson	May
McCabe	McCravy	A. M. Morgan
T. A. Morgan	Nutt	Oremus
Pace	Trantham	White

Total--21

The following named Representatives voted for Swann:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Bernstein	Blackwell
Bradley	Brewer	Brittain
Burns	Calhoon	Carter
Chapman	Chumley	Clyburn
Collins	Connell	B. J. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Felder
Forrest	Gagnon	Garvin
Gatch	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Hayes	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
McDaniel	McGinnis	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pedalino	Pendarvis	Pope
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
Taylor	Tedder	Thigpen
Vaughan	Weeks	West
Wetmore	Whitmire	Williams
Willis	Wooten	Yow

WEDNESDAY, FEBRUARY 8, 2023

Total--96

RECAPITULATION

Total number of Senators voting	43
Total number of Representatives voting.....	<u>111</u>
Grand Total.....	154
Necessary to a choice	78
Of which McAbee received	137
Of which McCarter received	149
Of which Prokes received	21
Of which Swann received	139

Whereupon, the PRESIDENT announced that the Honorable Patricia H. McAbee, John N. McCarter and Joseph D. Swann were elected to a position on the Board of Trustees for Clemson University, three at-large seats for the term to expire June 30, 2026.

**Election to the Board of Trustees for
Lander University, At-Large, Seat 8**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 8.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robert A. Barber, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert A. Barber, Jr. was elected to a position on the Board of Trustees for Lander University, at-large, Seat 8 for a term to expire June 30, 2026.

**Election to the Board of Trustees for
Lander University, At-Large, Seat 9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 9.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that James C.

WEDNESDAY, FEBRUARY 8, 2023

Shubert had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James C. Shubert was elected to a position on the Board of Trustees for Lander University, at-large, Seat 9 for a term to expire June 30, 2026.

Election to the Board of Trustees for Lander University, At-Large, Seat 10

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Peggy Makins had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Peggy Makins was elected to a position on the Board of Trustees for Lander University, at-large, Seat 10 for a term to expire June 30, 2026.

Election to the Board of Trustees for Lander University, At-Large, Seat 11

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 11.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Donald H. Scott had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald H. Scott was elected to a position on the Board of Trustees for Lander University, at-large, Seat 11 for a term to expire June 30, 2026.

WEDNESDAY, FEBRUARY 8, 2023

**Election to the Board of Trustees for
Lander University, At-Large, Seat 12**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 12.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that DeWitt B. Stone, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable DeWitt B. Stone, Jr. was elected to a position on the Board of Trustees for Lander University, at-large, Seat 12 for a term to expire June 30, 2026.

**Election to the Board of Trustees for
Lander University, At-Large, Seat 13**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 13.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Raymond D. Hunt, Sr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Raymond D. Hunt, Sr. was elected to a position on the Board of Trustees for Lander University, at-large, Seat 13 for a term to expire June 30, 2026.

**Election to the Board of Trustees for
Lander University, At-Large, Seat 14**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 14.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Marcia T.

WEDNESDAY, FEBRUARY 8, 2023

Hydrick had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Marcia T. Hydrick was elected to a position on the Board of Trustees for Lander University, at-large, Seat 14 for a term to expire June 30, 2026.

Election to the Board of Trustees for Lander University, At-Large, Seat 15

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 15.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that John E. Craig, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John E. Craig, Jr. was elected to a position on the Board of Trustees for Lander University, at-large, Seat 15 for a term to expire June 30, 2026.

Election to the Board of Trustees for the University of South Carolina, 1st Judicial Circuit

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 1st Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Charles H. Williams had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles H. Williams was elected to a position on the Board of Trustees for the University of South Carolina, 1st Judicial Circuit for a term to expire June 30, 2026.

WEDNESDAY, FEBRUARY 8, 2023

**Election to the Board of Trustees for the
University of South Carolina, 3rd Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 3rd Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that C. Dorn Smith III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable C. Dorn Smith III was elected to a position on the Board of Trustees for the University of South Carolina, 3rd Judicial Circuit for a term to expire June 30, 2026.

**Election to the Board of Trustees for the
University of South Carolina, 5th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Alexander English had been screened and found qualified to serve and placed his names in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Alexander English was elected to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit for a term to expire June 30, 2026.

**Election to the Board of Trustees for the
University of South Carolina, 7th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 7th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that D.

WEDNESDAY, FEBRUARY 8, 2023

Benjamin Graves, Henry L. Jolly, Jr. and J. Patrick Anderson had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the names of D. Benjamin Graves and J. Patrick Anderson were withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Henry L. Jolly, Jr. was elected to a position on the Board of Trustees for the University of South Carolina, 7th Judicial Circuit for a term to expire June 30, 2026.

Election to the Board of Trustees for the University of South Carolina, 9th Judicial Circuit

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 9th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that John C. von Lehe had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John C. von Lehe was elected to a position on the Board of Trustees for the University of South Carolina, 9th Judicial Circuit for a term to expire June 30, 2026.

Election to the Board of Trustees for the University of South Carolina, 11th Judicial Circuit

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 11th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Thad H.

WEDNESDAY, FEBRUARY 8, 2023

Westbrook had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Thad H. Westbrook was elected to a position on the Board of Trustees for the University of South Carolina, 11th Judicial Circuit for a term to expire June 30, 2026.

**Election to the Board of Trustees for the
University of South Carolina, 12th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 12th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that C. Edward Floyd had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable C. Edward Floyd was elected to a position on the Board of Trustees for the University of South Carolina, 12th Judicial Circuit for a term to expire June 30, 2026.

**Election to the Board of Trustees for the
University of South Carolina, 13th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 13th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that D. Hollis

WEDNESDAY, FEBRUARY 8, 2023

Felkel II, C. Brody Glenn and Reid T. Sherard had been screened and found qualified to serve and placed their names in nomination.

motion of Representative Whitmire, with unanimous consent, the names of D. Hollis Felkel II and C. Brody Glenn were withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Reid T. Sherard was elected to a position on the Board of Trustees for the University of South Carolina, 13th Judicial Circuit for a term to expire June 30, 2026.

**Election to the Board of Trustees for the
Wil Lou Gray Opportunity School,
Two At-Large Seats**

The PRESIDENT announced that nominations were in order to elect a successor to positions on the Board of Trustees for the Wil Lou Gray Opportunity School, two at-large seats.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that J. Blake Lindsey and Marilyn E. Taylor had been screened and found qualified to serve and placed their names in nomination.

Representative Whitmire, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable J. Blake Lindsey and the Honorable Marilyn E. Taylor were elected to the positions on the Board of Trustees for the Wil Lou Gray Opportunity School, two at-large seats for the term to expire June 30, 2026.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned at 1:36 P.M.

At 3:22 P.M., the Senate resumed.

Leave of Absence

On motion of Senator HUTTO, at 11:54 A.M., Senator HARPOOTLIAN was granted a leave of absence for today.

WEDNESDAY, FEBRUARY 8, 2023

Leave of Absence

On motion of Senator BENNETT, at 6:06 P.M., Senator HEMBREE was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

Remarks to be Printed

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

CO-SPONSORS ADDED

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

S. 96 Sen. Kimpson
S. 282 Sen. Goldfinch
S. 418 Sen. Gustafson
S. 483 Sens. Corbin, Senn, Adams, Fanning, Martin and McElveen
S. 484 Sen. Goldfinch
S. 492 Sen. Talley

CO-SPONSOR REMOVED

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

S. 285 Sen. Fanning

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 498 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE SAMUEL L. DUNCAN, FORMER MEMBER OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES, AND THE HONORABLE EDWARD ISRAEL CAIN, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES, FOR THEIR MANY ACCOMPLISHMENTS AND EXEMPLARY SERVICE TO THIS GREAT STATE.

lc-0174ph-gm23.docx : 0a06dc55-d3ed-45ce-a5b8-2e78510228d9

The Senate Resolution was adopted.

WEDNESDAY, FEBRUARY 8, 2023

S. 499 -- Senators Hutto and K. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 57-3-619 SO AS TO REQUIRE THAT THE DEPARTMENT OF TRANSPORTATION IMPOSE A TOLL ALONG INTERSTATE HIGHWAY 95 WHERE IT CROSSES LAKE MARION IN EITHER ORANGEBURG COUNTY OR CLARENDON COUNTY.

smin-0079aa23.docx : 0c9a1f8d-2e7b-4b3c-b18c-6a657d6d5ec7

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

S. 500 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-75-485, RELATING TO THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM, SO AS TO ESTABLISH GRANT CRITERIA, THAT MATCHING GRANT FUNDS MAY BE AVAILABLE TO LOCAL GOVERNMENTS, AND A NONMATCHING GRANT FORMULA; BY AMENDING SECTION 38-3-110, RELATING TO DUTIES OF DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO ALLOW THE DIRECTOR TO PROVIDE INFORMATION REGARDING FACTORS THAT MAY AFFECT PREMIUM RATES; BY AMENDING SECTION 38-61-80, RELATING TO WITHDRAWING FROM THE MARKET, SO AS TO REQUIRE NOTICE TO THE DIRECTOR BY THE INSURER; AND BY AMENDING SECTION 38-73-1085, RELATING TO THE PUBLICATION OF REPRESENTATIVE SAMPLE PREMIUMS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO MAKE AVAILABLE INFORMATION THAT AFFECTS PRIVATE PASSENGER PREMIUM RATES.

lc-0172ph23.docx : a10103a3-e71f-4121-83e8-277644bcd6ca

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

S. 501 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-39 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT MIGRATORY WATERFOWL WITHIN TWO HUNDRED YARDS OF A DWELLING ON LITTLE RIVER, OFF OF LAKE THURMOND, WITHOUT WRITTEN PERMISSION OF THE OWNER AND OCCUPANT.

sr-0262km23.docx : 9e243b1f-7f02-4f55-a40e-719c6a74192c

WEDNESDAY, FEBRUARY 8, 2023

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

S. 502 -- Family and Veterans' Services Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WIC VENDORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5120, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0221wab-rt23.docx : e943bb16-088b-40e4-83b4-de353a42fc0b

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

S. 503 -- Family and Veterans' Services Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO LICENSURE OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5109, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0222wab-dbs23.docx : c2ca0978-ef98-44bb-8c12-407e79f7f6ee

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

S. 504 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-10, RELATING TO DEFINITIONS, SO AS TO DEFINE A MEDIUM SPEED VEHICLE; AND BY ADDING SECTION 56-2-5000 SO AS TO PROVIDE REGULATIONS FOR THE OPERATION OF MEDIUM SPEED VEHICLES.

sr-0249km23.docx : f8b98360-8681-494b-bb51-9bf70044a151

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

S. 505 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY

WEDNESDAY, FEBRUARY 8, 2023

TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO JOINT PHARMACIST ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

lc-0224wab23.docx : 6f2e32fa-6f1b-463e-9b4b-217f93725380

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

S. 506 -- Senators Adams, Kimbrell and M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROTECTION OF MINORS FROM PORNOGRAPHY AND OBSCENITIES ACT" BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO THE ARTICLE REGARDING OBSCENITY LAWS, SO AS TO AMEND THE DEFINITIONS OF "HARMFUL TO MINORS" AND "MATERIAL" TO INCLUDE ANY PORTION OF MATERIALS AND PERFORMANCES THAT MAY BE CONSIDERED OBSCENE, AND TO DEFINE THE TERM "PROFANE LANGUAGE"; AND BY AMENDING SECTION 16-15-385, RELATING TO THE OFFENSES OF DISSEMINATING HARMFUL MATERIAL TO MINORS AND EXHIBITING HARMFUL PERFORMANCES TO MINORS, DEFENSES, AND PENALTIES, SO AS TO LIMIT THE AFFIRMATIVE DEFENSE PROVIDED BY THE STATUTE ONLY

WEDNESDAY, FEBRUARY 8, 2023

TO THE TEACHING OF AGE-APPROPRIATE SEX EDUCATION
AND HUMAN BIOLOGY CURRICULUM.

sr-0266km23.docx : 4d561813-5a9b-4fc7-ad9a-ca398ac799c9

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

S. 507 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DAVID H. BERESKIN, CHIEF EXECUTIVE OFFICER OF GREENVILLE WATER, UPON THE OCCASION OF HIS RETIREMENT AFTER TWELVE YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

lc-0222cm-gm23.docx : e30b5d7c-8608-4bca-8f9d-66d762c9cf38

The Senate Resolution was adopted.

S. 508 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "MULTIFAMILY DWELLING SAFETY ACT"; BY ADDING SECTION 20-21-110 SO AS TO PROVIDE DEFINITIONS FOR A MULTIFAMILY DWELLING AND OTHER TERMS; BY ADDING SECTION 20-21-120 SO AS TO DEFINE A QUALIFIED INSPECTOR OF MULTIFAMILY DWELLINGS; BY ADDING SECTION 20-21-130 SO AS TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS; BY ADDING SECTION 20-21-140 SO AS TO REQUIRE THE DEPARTMENT TO PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE; BY ADDING SECTION 20-21-150 SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CHARGE A PROPERTY OWNER A FEE FOR INSPECTIONS MADE TO ENFORCE THE MULTIFAMILY DWELLING BALCONY CODE; BY ADDING SECTION 20-21-160 SO AS TO PROVIDE REMEDIES FOR VIOLATIONS; BY ADDING SECTION 20-21-170 SO AS TO PROVIDE THAT THE DEPARTMENT MAY AUTHORIZE WAIVERS OR EXEMPTIONS UNDER THE MULTIFAMILY DWELLING BALCONY CODE; AND BY ADDING SECTION 20-21-180 SO AS TO PROVIDE PENALTIES FOR VIOLATION OF THE MULTIFAMILY DWELLING BALCONY CODE.

WEDNESDAY, FEBRUARY 8, 2023

sr-0267km23.docx : 7a00a41b-9f1a-4cc6-8588-e253a89b1566

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

S. 509 -- Family and Veterans' Services Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO LICENSURE OF FAMILY FOSTER HOMES AND APPROVAL OF ADOPTIVE HOMES FOR CHILDREN IN FOSTER CARE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5110, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0223wab-dbs23.docx : 20ef9f79-0391-488a-9a24-bafc39bb1a16

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

S. 510 -- Senators Young, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE WORLD WAR II VETERAN MR. HAL PECK ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0254km-hw23.docx : 1b1581f4-09e2-4930-a236-0346424d137a

The Senate Resolution was adopted.

H. 3231 -- Reps. West and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTIONS 44-6-300, 44-6-310, AND 44-6-320 ALL RELATING TO THE RESPONSIBILITY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND EXPAND CHILD DEVELOPMENT SERVICES.

lc-0004vr23.docx : 451da630-34d7-4e95-b87d-dfdca4353319

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

H. 3312 -- Reps. Haddon, Hixon, Forrest, Trantham, Chumley, Cobb-Hunter and Williams: A JOINT RESOLUTION TO CREATE THE "CHILD FOOD AND NUTRITION SERVICES STUDY

WEDNESDAY, FEBRUARY 8, 2023

COMMITTEE" TO DEVELOP RECOMMENDATIONS FOR TRANSFERRING ADMINISTRATION OF CERTAIN FEDERAL CHILD FOOD AND NUTRITION PROGRAMS IN THIS STATE TO THE DEPARTMENT OF AGRICULTURE, TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

lc-0026wab23.docx : 3eafd368-21dd-4a65-8586-984a9d695651

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3508 -- Reps. Davis and G. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 3-1-150 AND 63-3-510, RELATING TO JURISDICTION OVER CERTAIN LANDS RELINQUISHED BY THE UNITED STATES AND THE EXCLUSIVE ORIGINAL JURISDICTION OF THE FAMILY COURT, RESPECTIVELY, SO AS TO PROVIDE FOR CONCURRENT JURISDICTION WITH THE UNITED STATES IN CERTAIN MATTERS INVOLVING JUVENILES WITHIN A MILITARY INSTALLATION.

lc-0058dg23.docx : ee262287-40fb-4407-a400-1113d9e2e89f

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

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE

WEDNESDAY, FEBRUARY 8, 2023

PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR

WEDNESDAY, FEBRUARY 8, 2023

VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

lc-0138cm23.docx : 0f4e8199-0131-4074-9a2c-82ec6543ec4f

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

H. 3538 -- Reps. Hixon, Nutt, Haddon, Kirby and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-546, RELATING TO ELECTRONIC HARVEST REPORTING, SO AS TO INCLUDE REFERENCES TO BIG GAME SPECIES; AND BY AMENDING SECTION 50-9-1120, RELATING TO THE POINT SYSTEM FOR VIOLATIONS, SO AS TO MAKE CONFORMING CHANGES.

lc-0091ph23.docx : 3331f9e2-56f9-4292-b6d2-8c52771c360d

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

H. 3902 -- Reps. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, 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, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2023, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

lc-0136hdb-rm23.docx : 2f94fd19-8f82-480e-b35a-4369a900122f

WEDNESDAY, FEBRUARY 8, 2023

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 88 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-671 SO AS TO PROVIDE FOR THE DESIGN, COLOR, AND OTHER ELEMENTS OF THE SOUTH CAROLINA STATE FLAG AND TO DESIGNATE THE FLAG OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

S. 134 -- Senators Hembree and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2024.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 299 -- Senators Shealy and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-1-50, RELATING TO JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO PROVIDE FOR THE INCLUSION OF THE STATE CHILD ADVOCATE TO THE COMMITTEE.

Ordered for consideration tomorrow.

WEDNESDAY, FEBRUARY 8, 2023

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 303 -- Senators Shealy and McElveen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 52-5-300 SO AS TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA; BY ADDING SECTION 52-5-310 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 52-5-320 SO AS TO ESTABLISH THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-330 SO AS TO ESTABLISH THE POWERS OF THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-340 SO AS TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-350 SO AS TO PROVIDE GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-360 SO AS TO PROVIDE APPLICATION GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-370 SO AS TO PROVIDE FOR APPLICATION AND LICENSE FEES; BY ADDING SECTION 52-5-380 SO AS TO PROVIDE FOR THE EQUINE INDUSTRY DEVELOPMENT FUND; BY ADDING SECTION 52-5-390 AND SECTION 52-5-400 SO AS TO PROVIDE GUIDELINES AND PROTECTIONS FOR COMMITTEE MEMBERS; BY ADDING SECTION 52-5-410 SO AS TO REQUIRE AN THE COMMISSION TO SUBMIT AN ANNUAL REPORT.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

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; ANNUAL REPORTS, SO AS TO REDUCE THE NUMBER OF BOARD MEMBERS FROM NINETEEN TO ELEVEN; PROVIDE FOR APPOINTMENT OF THOSE MEMBERS BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; PROVIDE REQUIREMENTS FOR THE APPOINTMENT OF THE MEMBERS; AND ESTABLISH A FOUR-YEAR TERM.

Ordered for consideration tomorrow.

WEDNESDAY, FEBRUARY 8, 2023

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 342 -- Senators Shealy, Jackson and Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-1-40, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA CHILDREN'S CODE, SO AS TO DEFINE UNACCOMPANIED HOMELESS YOUTH, HOMELESS CHILD OR YOUTH, AND YOUTH AT RISK OF HOMELESSNESS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 380 -- Senators Shealy, McElveen, Hutto, Jackson, Gustafson and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO DEFINITIONS, SO AS TO DEFINE LEGAL GUARDIANSHIP; BY AMENDING SECTION 63-7-20, RELATING TO DEFINITIONS SO AS TO DEFINE LEGAL GUARDIAN; BY AMENDING SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO PROVIDE FOR PROCEDURES TO ESTABLISH LEGAL GUARDIANSHIP WITH SUPPLEMENTAL BENEFITS WHEN ADOPTION IS NOT AN OPTION; BY AMENDING SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO PROVIDE CONFORMING LANGUAGE; BY ADDING SECTION 63-7-1705 SO AS TO ESTABLISH PROCEDURES FOR INITIATING THE JUDICIAL ESTABLISHMENT OF LEGAL GUARDIANSHIP WITH SUPPLEMENTAL BENEFITS; BY ADDING SECTION 63-7-2810 SO AS TO PROVIDE THE PURPOSE OF THE SOUTH CAROLINA LEGAL GUARDIANSHIP WITH SUPPLEMENTAL BENEFITS; BY ADDING SECTION 63-7-2820 SO AS TO DEFINE THE TERMS; BY ADDING SECTION 63-7-2830 SO AS TO ESTABLISH AN ONGOING PROGRAM OF SUPPLEMENTAL BENEFITS FOR LEGAL GUARDIANSHIP; BY ADDING SECTION 63-7-2840 SO AS TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR LEGAL GUARDIANSHIP WITH SUPPLEMENTAL BENEFITS; BY ADDING SECTION 63-7-2850 SO AS TO PROVIDE REQUIREMENTS FOR WRITTEN AGREEMENTS BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND LEGAL GUARDIANS; BY ADDING SECTION 63-7-2860 SO AS TO PROVIDE A METHOD FOR REVIEW OF DECISIONS THAT ARE ADVERSE TO THE LEGAL GUARDIAN; BY ADDING SECTION 63-7-2870 SO AS TO PROMULGATION OF

WEDNESDAY, FEBRUARY 8, 2023

REGLUATIONS; BY ADDING SECTION 63-7-2880; BY AMENDING SECTION 63-1-20, RELATING TO POLICY, SO AS TO INCLUDE LEGAL GUARDIANSHIP WHEN ADOPTION IS NOT APPROPRIATE; AND BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, SO AS TO INCLUDE PLACEMENT OF A CHILD IN A LEGAL GUARDIAN'S HOME.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 418 -- Senators Hembree and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 496 -- Senator McElveen: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 16, 2023 AS "WORLD CHOLANGIOCARCINOMA AWARENESS DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

SECOND READING BILL

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.

The Senate proceeded to the consideration of the Bill.

WEDNESDAY, FEBRUARY 8, 2023

Senator GAMBRELL explained the Bill.

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

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 MASSEY objected to the consideration of the Bill.

OBJECTION

S. 361 -- Senators Grooms and Scott: 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.

Senator MASSEY objected to the consideration of the Bill.

OBJECTION

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.

Senator MASSEY objected to the consideration of the Bill.

WEDNESDAY, FEBRUARY 8, 2023

OBJECTION

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.

Senator MASSEY objected to the consideration of the Bill.

OBJECTION

S. 1 -- Senators Alexander, Turner, Senn, Young, Gustafson, Peeler, Setzler, Rankin, Adams, Bennett and Climer: 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.

Senator HEMBREE objected to the consideration of the Bill.

OBJECTION

S. 153 -- Senators Young, Gustafson, Senn, Rankin, Adams and Climer: 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.

WEDNESDAY, FEBRUARY 8, 2023

Senator HEMBREE objected to the consideration of the Bill.

OBJECTION

S. 96 -- Senators Campsen, Davis, McElveen, Cromer and Kimpson: 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.

Senator HEMBREE objected to the consideration of the Bill.

ADOPTED

S. 471 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MAY 1-7, 2023, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.

The Resolution was adopted.

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

MOTION ADOPTED

At 3:50 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

WEDNESDAY, FEBRUARY 8, 2023

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

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.

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

Amendment No. 1A

Senator CASH proposed the following amendment (SR-474.KM0003S), which was tabled:

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

SECTION 1. This act may be cited as the "Human Life Protection Act".

SECTION 2. The General Assembly hereby finds that:

(1) Article I, Section 1 of the South Carolina Constitution recognizes that all political power is vested in the people of this State, and it has long been recognized that the will of the people is expressed in the legislative enactments of the people's elected representatives.

(2) Article I, Section 3 of the South Carolina Constitution guarantees that no person shall be "deprived of life...without due process of law" and that the Fifth Amendment to the United States Constitution guarantees that no person shall be "deprived of life...without the due process of law."

(3) It is undisputed that the life of every human being begins at conception.

(4) South Carolina has a compelling interest in protecting the life of human beings at all stages of development and decline, and this right to life is superior to all other rights.

WEDNESDAY, FEBRUARY 8, 2023

(5) Article I, Section 8 of the South Carolina Constitution provides that the legislative, executive, and judicial powers of the government “shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other.”

(6) Article III, Section 1 of the South Carolina Constitution vests the “legislative power of this State” with the General Assembly.

(7) In Dobbs v. Jackson Women’s Health Organization, the United States Supreme Court held that the federal constitution does not provide a right to an abortion, and that the authority to regulate abortion must be returned to the people and their elected representatives.

(8) Pursuant to Article I, Section 1 of the South Carolina Constitution, the people of this State are exercising their political power through the General Assembly’s exercise of its Article III, Section 1 sole authority to legislate to secure the rights to life for unborn children as guaranteed by Article I, Section 3 of the South Carolina Constitution and the Fifth Amendment to the United States Constitution.

(9) Any attempt by a coequal branch of government to limit or prevent the General Assembly from exercising its Article I, Section 3 power is an unconstitutional usurpation of that power and is a violation of the separation of powers enshrined in Article I, Section 8 of the South Carolina Constitution and the United States Supreme Court’s holding in Dobbs v. Jackson Women’s Health Organization.

SECTION 3. Chapter 41, Title 44 of the S.C. Code is amended by adding:

Article 7

Human Life Protection Act

Section 44-41-810. For the purposes of this article:

(1) “Abortion” means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn human being. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of the unborn human being, or to remove a dead unborn human being.

(2) “Clinically diagnosable pregnancy” means the point in time when it is possible to determine that a woman is pregnant due to the detectable presence of human chorionic gonadotropin (hCG).

(3) “Female” means a biological female assigned at the time of birth or an intersexed person capable of producing an ovum at birth.

WEDNESDAY, FEBRUARY 8, 2023

(4) “Physician” means any person licensed in this State to practice medicine and surgery, or licensed osteopathic medicine and surgery.

(5) “Pregnant woman” means the human biological female reproductive condition of having a living unborn child within her body, whether or not she has reached the age of majority.

(6) “Selective reduction” means, in the context of assisted reproductive technology, a procedure to stop the development of one or more unborn children in utero.

(7) “Reasonable medical judgement” means a medical judgement that would be made by a reasonably prudent physician, knowledgeable about the case and treatment possibilities with respect to the medical condition involved.

(8) “Unborn child” means an individual organism of the species homo sapiens from conception until live birth.

Section 44-41-820. (A) No person shall knowingly administer to, prescribe for, deliver to, or sell to any pregnant woman any medicine, drug, or other substance with the specific intent of causing an abortion.

(B) No person may knowingly use or employ any instrument, device, means, or procedure upon a pregnant woman with the specific intent of causing an abortion.

Section 44-41-830. (A)(1) It is not a violation of Section 44-41-820 for a physician to perform a medical procedure necessary in his reasonable medical judgment to prevent the death of a pregnant woman, a substantial risk of death of a pregnant woman due to a physical condition, or the substantial physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions.

(2) It is presumed that the following medical conditions constitute a substantial risk of death or substantial risk of substantial physical impairment of a major bodily function of a pregnant woman: molar pregnancy, partial molar pregnancy, blighted ovum, ectopic pregnancy, severe preeclampsia, HELLP syndrome, abruptio placentae, severe physical maternal trauma, uterine rupture, intrauterine fetal demise, and miscarriage. However, when an unborn child is alive in utero, the physician must make all reasonable efforts to deliver and save the life of an unborn child during the process of separating the unborn child from the pregnant woman, to the extent that it does not adversely affect the life or physical health of the pregnant woman, and in a manner that is consistent with reasonable medical practice. The enumeration of the medical conditions in this item is not intended to exclude or abrogate other conditions that satisfy the exclusions contained in item (1) or

WEDNESDAY, FEBRUARY 8, 2023

prevent other procedures that are not included in the definition of abortion.

(3) A physician performing a medical procedure pursuant to item (1) shall make reasonable medical efforts under the circumstances to preserve the life of the pregnant woman's unborn child, to the extent that it does not substantially risk the death or physical impairment of a major bodily function of the pregnant woman, not including psychological or emotional conditions and in a manner consistent with reasonable medical practices. A medical procedure shall not be considered necessary if it is performed based upon a claim or diagnosis that the woman will engage in conduct that she intends to result in her death or in a substantial physical impairment of a major bodily function.

(4) A physician who performs a medical procedure pursuant to item (1) shall declare, in a written document maintained with the woman's medical records, that the medical procedure was necessary, the woman's medical condition necessitating the procedure, the physician's rationale for his conclusion that the procedure was necessary, and that all reasonable efforts were made to save the unborn child in the event it was living prior to the procedure. The declaration required by this item must be placed in the woman's medical records not later than thirty days after the procedure was completed. A physician's exercise of reasonable medical judgment in relation to a medical procedure undertaken pursuant to this subsection is presumed to be within the applicable standard of care.

(B) Medical treatment provided to a pregnant woman by a physician which results in the accidental or unintentional injury or death of her unborn child is not a violation of Section 44-41-820.

(C)(1) It is not a violation of Section 44-41-820 to use, sell, or administer a contraceptive measure, drug, chemical, or device if the contraceptive measure, drug, chemical, or device is used, sold, prescribed or administered in accordance with manufacturer's instructions and is not used, sold, prescribed or administered to cause or induce an abortion.

(2) It is not a violation of Section 44 41 820 to use, sell, prescribe, and insert an intrauterine device if the intrauterine device is used, sold, inserted, and prescribed within the reasonable medical judgment of a physician and is not used, sold, prescribed, or administered to cause or induce an abortion of an unborn human being.

(3) It is not a violation of Section 44-41-820 to use, sell, prescribe, and administer an emergency contraceptive drug designed to be taken within five days of unprotected sex and used according to the

WEDNESDAY, FEBRUARY 8, 2023

manufacturer's instructions. For purposes of this item, an emergency contraceptive drug does not include mifepristone or misoprostol.

(D)(1) Except as provided in item (2), it is not a violation of Section 44-41-820 perform or undergo assistive reproductive technology, including but not limited to in vitro fertilization, within the accepted standards of care by the reproductive medical community.

(2) Performing selective reduction is a violation of Section 44-41-820 unless it is necessary within reasonable medical judgment to prevent a substantial risk of death or a substantial and irreversible physical impairment of a major bodily function of another unborn child.

Section 44-41-840. (A) A person who violates Section 44-41-820 is guilty of a felony and, upon conviction, must be fined ten thousand dollars or imprisoned for not more than two years, or both.

(B) A person who uses force, or the threat of force, to intentionally injure or intimidate another person for the purpose of coercing an abortion in violation of Section 44-41-820 is guilty of a felony and, upon conviction, must be fined ten thousand dollars or imprisoned for not more than two years, or both.

(C) A person who is not a physician as defined in this article and who prescribes any means of abortion for the purpose of facilitating an abortion within this State violates Section 44-41-820 and, upon conviction, is guilty of a felony and must be fined ten thousand dollars or imprisoned for two years, or both.

Section 44-41-850. (A) In addition to all other remedies available under common or statutory law, failure to comply with the requirements of this article shall provide the basis for a civil action further described in this section.

(B) A pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, a plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant found to have violated this article.

(C) A separate and distinct cause of action for injunctive relief against any person who has violated this article may be maintained by:

(1) the woman upon whom the abortion was performed or induced in violation of this article;

(2) the parent or guardian of the pregnant woman if she had not attained the age of eighteen years at the time of the abortion or died as a result of the abortion;

WEDNESDAY, FEBRUARY 8, 2023

(3) a Solicitor or prosecuting attorney with proper jurisdiction; or

(4) the Attorney General.

(D) If a plaintiff prevails in an action initiated pursuant to this section the court shall award the plaintiff reasonable costs and attorney's fees.

(E) No damages, costs, or attorney's fees may be assessed against the woman upon whom an abortion was performed or induced.

(F) Under no circumstances may civil damages be awarded to a plaintiff if the pregnancy resulted from the plaintiff's criminal conduct.

(G) A civil cause of action pursuant to this section must be brought within three years of the date of the abortion and is not subject to the limitations and requirements contained in Chapter 79, Title 15.

Section 44-41-860. A pregnant woman upon whom an abortion is performed or induced in violation of this article may not be criminally prosecuted or found civilly liable for violating any of the provisions of this article or for attempting to commit, conspiring to commit, or acting complicity in committing a violation of any of the provisions for this article.

Section 44-41-870. In addition to any other penalties imposed by law, a physician or any other professionally licensed person who intentionally, knowingly, or recklessly violates the prohibition on abortion contained in this article commits an act of unprofessional conduct. A physician's license to practice in this State immediately shall be revoked by the State Board of Medical Examiners, after due process according to the board's rules and procedures. Any other licensed person's professional license shall be immediately revoked by the appropriate licensing board, after due process according to that board's rules and procedures. A complaint may originate by any person or by the board sua sponte. A licensing board acting pursuant to this section may assess costs of the investigation, fines, and other disciplinary actions as it may deem appropriate.

Section 44-41-880. In every civil or criminal proceeding or other action brought pursuant to this article, the court shall rule whether the anonymity of any woman upon whom an abortion has been performed or induced shall be preserved from public disclosure if the woman does not give consent to disclosure. The court, by motion or sua sponte, shall make a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses, and counsel shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings that explain why the woman's anonymity is

WEDNESDAY, FEBRUARY 8, 2023

being preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest, and why no reasonable least restrictive alternative exists. In the absence of the woman's written consent, any person, other than a public official, who brings an action pursuant to Section 44-41-820 shall do so under a pseudonym. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 44-41-890. If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed, lifted, dissolved, or otherwise ceases to have effect, the provisions of this article shall have full force and effect.

SECTION 4. Article 1, Chapter 41, Title 44 of the S.C. Code is amended by adding:

Section 44-41-90. (A) No funds appropriated by the State for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except as provided in Sections 44-41-830, 44-41-840, and 44-41-850.

(B) No funds appropriated or authorized by the State may be used by any political subdivision of the State to purchase fetal tissue obtained from an abortion or fetal remains, nor may any political subdivision of the State accept donated fetal remains.

(C) No state funds may, directly or indirectly, be utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions.

SECTION 5. Article 3, Chapter 17, Title 63 of the S.C. Code is amended by adding:

Section 63-17-325. A biological father of a child has a duty to pay the mother of the child the following financial obligations beginning with the date of conception:

(1) child support payment obligations in an amount determined pursuant to Section 63-17-470;

(2) fifty percent of the mother's pregnancy expenses.

(a) Any portion of a mother's pregnancy expenses paid by the mother or the biological father reduces that parent's fifty percent obligation regardless of when the mother or biological father pays the pregnancy expenses.

WEDNESDAY, FEBRUARY 8, 2023

(b) Pregnancy expenses must include fifty percent of the mother's insurance premiums that are not paid by her employer or governmental program beginning from the date of conception and before the pregnancy ends, unless otherwise ordered by the court.

(c) Item (2) does not apply if a court apportions pregnancy expenses as part of an award of child support in item (1).

(B) In the case of a mother who becomes pregnant as a result of rape or incest, the biological father, in addition to the duties imposed by subsection (A), also is responsible for the full cost of any expenses incurred by the mother for mental health counseling arising out of the rape or incest.

(C) The duties imposed by this section accrue at the time of conception and must be applied retroactively when paternity is contested and medical evidence establishes the paternity of the child. Interest accrues on any retroactive obligations beginning with conception until either the obligations are brought current or paid in full whichever happens first. The rate of interest must be calculated based on the applicable interest rate for money decrees and judgments in this State established annually by the South Carolina Supreme Court.

SECTION 6. Article 1, Chapter 71, Title 38 of the S.C. Code is amended by adding:

Section 38-71-146. All individual and group health insurance and health maintenance organization policies in this State shall include coverage for contraceptives. For purposes of this Section, "contraceptive" means any drug, device, or medication to prevent pregnancy. A contraceptive may prevent ovulation, fertilization, or implantation in the uterus. A contraceptive does not include any drug, device, or medication used with the intent of terminating a pregnancy of a woman known to be pregnant. This section does not apply if an individual or entity asserts a sincerely held religious belief regarding the use of contraception.

SECTION 7. The Public Employee Benefit Authority and the State Health Plan shall cover prescribed contraceptives for dependents under the same terms and conditions that the Plan provides contraceptive coverage for employees and spouses. The State Health Plan shall not apply patient cost sharing provisions to covered contraceptives.

SECTION 8. Section 44-41-710 of the S.C. Code is amended to read:

Section 44-41-710. ~~This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of~~

WEDNESDAY, FEBRUARY 8, 2023

~~Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

SECTION 9. Section 44-41-480 of the S.C. Code is amended to read:

~~Section 44-41-480. This article must not be construed to repeal, by implication or otherwise, Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion. An abortion that complies with this article but violates the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law must be considered unlawful as provided in such provision. An abortion that complies with the provisions of Section 44-41-20 or any otherwise applicable provision of South Carolina law regulating or restricting abortion but violates this article must be considered unlawful as provided in this article.~~ If some or all of the provisions of this article are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of South Carolina law regulating or restricting abortion must be enforced as though such restrained or enjoined provisions had not been adopted; provided, however, that whenever such temporary or permanent restraining order of injunction is stayed or dissolved, or otherwise ceases to have effect, such provisions shall have full force and effect.

SECTION 10. Section 44-41-20 of the S.C. Code is repealed.

SECTION 11. Section 44-41-70(b) of the S.C. Code is amended to read:

(b) The department shall promulgate and enforce regulations for the licensing and certification of facilities other than hospitals as defined in Section 44-41-10(d) wherein abortions are to be performed ~~as provided for in Section 44-41-20(a) and (b).~~

SECTION 12. The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of

WEDNESDAY, FEBRUARY 8, 2023

their respective bodies in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act. In a federal court action that challenges the constitutionality of this act the Legislature may seek to intervene, to file an amicus brief, or to present arguments in accordance with federal rules of procedure. Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute legal actions or defend state agencies, officers or employees as otherwise provided. In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function independently from each other in the representation of their respective clients.

SECTION 13. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 14. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CASH spoke on the amendment.

Objection

Senator CASH asked unanimous consent to withdraw Amendment No. 1A.

Senator KIMPSON objected.

Senator CASH moved to lay the amendment on the table.

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

Ayes 34; Nays 6

AYES

Adams
Bennett

Alexander
Campsen

Allen
Cash

WEDNESDAY, FEBRUARY 8, 2023

Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Scott	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Fanning	Hutto	Kimpson
McLeod	Sabb	Stephens

Total--6

The amendment was laid on the table.

Amendment No. 3

Senator SENN proposed the following amendment (SR-474.JG0029S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-630(3)(B) and inserting:

(B) Except as provided in Section 44-41-650 or 44-41-660, no person shall perform, induce, or attempt to perform or induce an abortion on a pregnant woman when the probable gestational age of the unborn child is more than twelve weeks. A person who violates this subsection is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned for not more than two years, or both.

Amend the bill further, SECTION 1, by striking Section 44-41-640 and inserting:

~~Section 44-41-640. If a pregnancy is at least eight weeks after fertilization, then the abortion provider who is to perform or induce an abortion, or an agent of the abortion provider, shall tell the woman that it may be possible to make the embryonic or fetal heartbeat of the unborn child audible for the pregnant woman to hear and shall ask the woman if she would like to hear the heartbeat. If the woman would like to hear the heartbeat, then the abortion provider shall, using whichever method the~~

WEDNESDAY, FEBRUARY 8, 2023

~~physician and patient agree is best under the circumstances, make the fetal heartbeat of the unborn child audible for the pregnant woman to hear.~~ (A) Except as provided in subsection (B), Section 44-41-650, and Section 44-41-660, no person shall perform or induce an abortion on a pregnant woman with the specific intent of causing or abetting the termination of the life of the unborn child the pregnant woman is carrying if the probable gestational age of the unborn child is more than twelve weeks.

(B) A physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman after the probable gestational age of the unborn child is more than twelve weeks if:

(1) the pregnancy is the result of rape, and the probable gestational age of the unborn child is not more than fifteen weeks; or

(2) the pregnancy is the result of incest, and the probable gestational age of the unborn child is not more than fifteen weeks.

(C) A physician who performs or induces an abortion on a pregnant woman based on an exception contained in subsection (B) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, the physician who performs or induces an abortion based on an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor notified the sheriff of the allegation of rape or incest in a timely manner, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

(D) A person who violates this section is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned for not more than two years, or both.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

WEDNESDAY, FEBRUARY 8, 2023

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

Ayes 27; Nays 18

AYES

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

Total--27

NAYS

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

Total--18

The amendment was laid on the table.

Amendment No. 4

Senator SENN proposed the following amendment (SR-474.JG0016S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-650(C) and inserting:

(C) The notations made in the woman's medical records must be maintained therein for a period of seven years.

Amend the bill further, SECTION 1, by striking Section 44-41-690(C) and inserting:

(C) A physician who performs a medical procedure as described in subsection (A) shall place the written document required by subsection (B) in the pregnant woman's medical records. ~~For at least seven years from the date the document is created, the physician shall maintain a~~

WEDNESDAY, FEBRUARY 8, 2023

~~copy of the document in his own records.~~ The notations made in the woman's medical records must be maintained for a period of seven years.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator MASSEY spoke on the amendment.

Senator SENN spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 26; Nays 17

AYES

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

Total--26

NAYS

Allen	Fanning	Gustafson
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Senn	Setzler
Stephens	Williams	

Total--17

The amendment was laid on the table.

WEDNESDAY, FEBRUARY 8, 2023

Amendment No. 5

Senator SENN proposed the following amendment (SR-474.JG0023S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by adding:

Section 44-41-625. (A) A physician may perform, induce, or attempt to perform or induce an abortion on a minor who successfully petitions the court for an order granting her the right to obtain an abortion without the consent required in Section 44-41-31(1), and the probable gestational age of the unborn child is not more than twelve weeks, or upon the final disposition of the petition, whichever occurs later.

(B) A physician may perform, induce, or attempt to perform or induce an abortion on a minor upon receiving consent that is obtained in accordance with Section 44-41-31(1), and the probable gestational age of the unborn child is not more than twelve weeks.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to carryover the amendment.

The amendment was carried over.

Amendment No. 6

Senator SENN proposed the following amendment (SR-474.JG0013S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-620(A) and inserting:

~~(A) A court judgment or order suspending enforcement of any provision of this chapter is not to be regarded as tantamount to repeal of that provision.~~ Nothing in this article prohibits the sale, use, prescription, implantation, or administration of a drug, device, or chemical that is designed for contraceptive purposes, including, but not limited to, any form of emergency contraceptive that is used to prevent pregnancy after sexual intercourse or intrauterine devices.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator MASSEY spoke on the amendment.

WEDNESDAY, FEBRUARY 8, 2023

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 26; Nays 17

AYES

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

Total--26

NAYS

Allen	Davis	Fanning
Gustafson	Hutto	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Sabb
Scott	Senn	Shealy
Stephens	Williams	

Total--17

The amendment was laid on the table.

Amendment No. 8

Senator SENN proposed the following amendment (SR-474.JG0015S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-640(C) and inserting:

(C) A physician who performs or induces an abortion on a pregnant woman based on an exception contained in subsection (B) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall not include the name and contact information of

WEDNESDAY, FEBRUARY 8, 2023

the pregnant woman making the allegation unless the pregnant woman consents. Prior to performing or inducing an abortion, the physician who performs or induces an abortion based on an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor notified the sheriff of the allegation of rape or incest in a timely manner, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 27; Nays 15

AYES

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

Total--27

NAYS

Allen	Fanning	Gustafson
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Sabb
Scott	Senn	Stephens

WEDNESDAY, FEBRUARY 8, 2023

Total--15

The amendment was laid on the table.

Amendment No. 10

Senator HUTTO proposed the following amendment (SMIN-474.MW0022S), which was carried over:

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

SECTION X. From Article 1, Chapter 41, Title 44, related to Abortions Generally, Section 44-41-80(b) is repealed.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

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

Amendment No. 12

Senators CAMPSER, GROOMS, and MASSEY proposed the following amendment (SFGF-474.BC0026S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-610(8) and inserting:

(8) "Medical emergency" means a condition that, ~~by any~~ in reasonable medical judgment, so ~~complicates the medical condition~~ threatens the life of a pregnant woman ~~that it as to necessitates~~ necessitate the immediate abortion of her pregnancy to avert her death ~~without first determining whether there is a detectable fetal heartbeat,~~ or for which ~~the~~ a delay ~~necessary to determine whether there is a detectable fetal heartbeat~~ will create serious risk of a substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition must not be considered a medical emergency if based on a claim or diagnosis that a woman will engage in conduct that she intends to result in her death or in a substantial and irreversible physical impairment of a major bodily function.

Amend the bill further, SECTION 1, by striking Section 44-41-620(A) and inserting:

~~(A) A court judgment or order suspending enforcement of any provision of this chapter is not to be regarded as tantamount to repeal of that provision. Nothing in this article prohibits the sale, use, prescription, or administration of a contraceptive.~~

WEDNESDAY, FEBRUARY 8, 2023

Amend the bill further, SECTION 1, by striking Section 44-41-660(B)(3) and inserting:

(3) the medical rationale to support the physician's conclusion that ~~the pregnant woman's medical condition necessitated the immediate abortion of her pregnancy to avert her death~~ a medical emergency necessitating the abortion existed.

Amend the bill further, SECTION 1, by striking Section 44-41-660(D) and inserting:

(D) A person who violates subsection (B) or (C) is guilty of a felony and must be fined ten thousand dollars, imprisoned for not more than two years, or both.

Amend the bill further, SECTION 1, by striking Section 44-41-690(A) and inserting:

(A) Section ~~44-41-680~~44-41-640 does not apply to a physician who performs a medical procedure that, ~~by any~~in reasonable medical judgment, is designed or intended to prevent the death of the pregnant woman or to prevent the serious risk of a substantial and irreversible impairment of a major bodily function of the pregnant woman.

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

SECTION X.A. Chapter 41, Title 44 of the S.C. Code is amended by adding:

Section 44-41-695. (A) Any abortion performed in this State must be reported by the licensed facility on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained, or circumstances waiving consent, and must include:

- (1) Gestational age;
- (2) Method of abortion, of which the following was employed:
 - (a) medication abortion such as, but not limited to, mifepristone/misoprostol or methotrexate/misoprostol;
 - (b) manual vacuum aspiration;
 - (c) electrical vacuum aspiration;
 - (d) dilation and evacuation;
 - (e) combined induction abortion and dilation and evacuation;
 - (f) induction abortion with prostaglandins;
 - (g) induction abortion with intra-amniotic instillation such as, but not limited to, saline or urea;

WEDNESDAY, FEBRUARY 8, 2023

(h) induction abortion; and

(i) intact dilation and extraction (partial-birth);

(3) Whether an intrafetal injection was used in an attempt to induce fetal demise such as, but not limited to, intrafetal potassium chloride or digoxin;

(4) Age of the patient; and

(5) If an exception under this article applies, the applicable exception.

(B) Reports required by this section shall not contain the name or the address of the patient whose pregnancy was terminated, nor shall the report contain any other information identifying the patient, except that each report shall contain a unique medical record identifying number, to enable matching the report to the patient's medical records. Such reports must be maintained in strict confidence by the department, must not be available for public inspection, and must not be made available except:

(1) to the Attorney General or solicitor with appropriate jurisdiction pursuant to a criminal investigation; or

(2) pursuant to court order in an action under 44-41-690.

(C) By June thirtieth of each year, the department shall issue a public report providing statistics for the previous calendar year compiled from all of the reports covering that year submitted in accordance with this section for each of the items listed in subsection (A). Each such report also shall provide the statistics for all previous calendar years during which this section was in effect, adjusted to reflect any additional information from late or corrected reports. The department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any pregnant woman upon whom an abortion was performed, induced, or attempted.

(D) Any facility that fails to submit a report by the end of thirty days following the due date must be subject to a late fee of one thousand dollars for each additional thirty-day period or portion of a thirty-day period the report is overdue. Any facility required to report in accordance with this article that has not submitted a report, or has submitted only an incomplete report, more than six months following the due date, may, in an action brought by the department, be directed by a court of competent jurisdiction to submit a complete report within a period stated by court order or be subject to civil contempt. Intentional or reckless falsification of any report required under this section is a misdemeanor punishable by not more than one year in prison.

B. The department must update the standard form for reporting abortions in accordance with Section 44-41-695, as added in this act,

WEDNESDAY, FEBRUARY 8, 2023

within ninety days of the effective date of this act. Until the standard form is updated, the standard form in use immediately preceding the effective date of this act must continue to be used.

SECTION X. Section 44-41-10 of the S.C. Code is amended to read:

Section 44-41-10. As used in this chapter:

(a) "Abortion" means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant for reasons other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus.

(b) "Physician" means ~~any~~ any person licensed to practice medicine and surgery, or osteopathic medicine and surgery, in this State.

(c) "Department" means the South Carolina Department of Health and Environmental Control.

(d) "Hospital" means those institutions licensed for hospital operation by the department in accordance with Article 3, Chapter 7 of this title and which have also been certified by the department to be suitable facilities for the performance of abortions.

(e) "Clinic" shall mean any facility other than a hospital as defined in subsection (d) which has been licensed by the Department, and which has also been certified by the Department to be suitable for the performance of abortions.

(f) ~~"PregnancyPregnant"~~ "Pregnant" means the condition of a woman after conception until the termination of gestation. Pregnancy begins when a fertilized ovum implants in a woman's uterine wall ~~carrying a fetus or embryo within her body as the result of conception.~~

(g) ~~"Conception" means the fecundation of the~~ "Conception" means the fertilization of an ovum by the spermatozoasperm.

(h) "Consent" means a signed and witnessed voluntary agreement to the performance of an abortion.

(i) "First trimester of pregnancy" means the first twelve weeks of pregnancy commencing with conception rather than computed on the basis of the menstrual cycle.

(j) "Second trimester of pregnancy" means that portion of a pregnancy following the twelfth week and extending through the twenty-fourth week of gestation.

(k) "Third trimester of pregnancy" means that portion of a pregnancy beginning with the twenty-fifth week of gestation.

(l) ~~"Viability" means that stage of human development when the fetus is potentially able to live outside of the mother's womb with or without the aid of artificial life support systems. For the purposes of this chapter,~~

WEDNESDAY, FEBRUARY 8, 2023

~~a legal presumption is hereby created that viability occurs no sooner than the twenty-fourth week of pregnancy.~~

~~(m)~~ “Minor” means a female under the age of seventeen.

~~(n)(m)~~ “Emancipated minor” means a minor who is or has been married or has by court order been freed from the care, custody, and control of her parents.

~~(o)(n)~~ “In loco parentis” means any person over the age of eighteen who has placed himself or herself in the position of a lawful parent by assuming obligations which are incidental to the parental relationship and has so served for a period of sixty days.

SECTION X. Section 44-41-70(b) of the S.C. Code is amended to read:

(b) The department shall promulgate and enforce regulations for the licensing and certification of facilities other than hospitals as defined in Section 44-41-10(d) wherein abortions are to be performed ~~as provided for in Section 44-41-20(a) and (b).~~

Amend the bill further, by striking SECTION 6 and inserting:

SECTION 6. From Article 1, Chapter 41, Title 44, related to Abortions Generally, Section 44-41-20, Section 44-41-60, and Section 44-41-80 are repealed.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

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

Amendment No. 13

Senator SENN proposed the following amendment (SR-474.JG0033S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-610~~(6)~~(7) and inserting:

~~(6)(7) “Human fetus” or “unborn~~ “Unborn child” ~~each~~ means an individual organism of the species homo sapiens from fertilization until live birth.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

WEDNESDAY, FEBRUARY 8, 2023

Amendment No. 5

Senator SENN proposed the following amendment (SR-474.JG0023S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by adding:

Section 44-41-625. (A) A physician may perform, induce, or attempt to perform or induce an abortion on a minor who successfully petitions the court for an order granting her the right to obtain an abortion without the consent required in Section 44-41-31(1), and the probable gestational age of the unborn child is not more than twelve weeks, or upon the final disposition of the petition, whichever occurs later.

(B) A physician may perform, induce, or attempt to perform or induce an abortion on a minor upon receiving consent that is obtained in accordance with Section 44-41-31(1), and the probable gestational age of the unborn child is not more than twelve weeks.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator SENN proposed the following amendment (SR-474.JG0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-640(B)(1) and (2) and inserting:

(1) the pregnancy is the result of rape, and the probable gestational age of the unborn child is not more than twelve weeks; or

(2) the pregnancy is the result of incest, and the probable gestational age of the unborn child is not more than twelve weeks.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 11A

Senator SHEALY proposed the following amendment (SR-474.JG0032S), which was adopted:

WEDNESDAY, FEBRUARY 8, 2023

Amend the bill, as and if amended, SECTION 1, by striking Section 44-41-650(C) and (D) and inserting:

(C) For at least seven years from the date the notations are made in the woman's medical records, the physician, if he is the owner of the pregnant woman's medical records, shall maintain a copy of the notations in his own records.

(D) A physician, if he is the owner of the pregnant woman's medical records, who violates subsection (B) or (C) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned for not more than two years, or both.

(E) Entities other than an individual physician with ownership of the pregnant woman's medical records that violate subsection (B) or (C) must be fined fifty thousand dollars.

Amend the bill further, SECTION 1, by striking Section 44-41-690(C) and (D) and inserting:

(C) A physician who performs a medical procedure as described in subsection (A) shall place the written document required by subsection (B) in the pregnant woman's medical records. For at least seven years from the date the document is created, if the physician is the owner of the pregnant woman's medical records, the physician shall maintain a copy of the document in his own records.

(D) A physician, if he is the owner of the pregnant woman's medical records, who violates subsection (B) or (C) is guilty of a felony and must be fined ten thousand dollars, imprisoned for not more than two years, or both.

(E) Entities other than an individual physician with ownership of the pregnant woman's medical records that violate subsection (B) or (C) must be fined fifty thousand dollars.

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

RECESS

At 6:36 P.M., on motion of Senator MARTIN, the Senate recessed from business until 6:45 P.M.

At 7:10 P.M., the Senate resumed.

WEDNESDAY, FEBRUARY 8, 2023

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carrying over the amendments currently on the desk.

There was no objection.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Edward Pressley of Hemingway, S.C. Edward worked at Oneida Mills in Andrews, S.C. for many years and later owned and operated a successful barbershop. He was a proud member of Friendship United Methodist Church and enjoyed cooking and feeding his family and friends. Edward was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 7:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

WEDNESDAY, FEBRUARY 8, 2023

SENATE JOURNAL INDEX

S. 1	51	S. 474	53
Amendment No. 4	65	S. 487	49
Amendment No. 5	67, 75	S. 496	49
Amendment No. 6	67	S. 498	37
Amendment No. 7	75	S. 499	38
Amendment No. 8	68	S. 500	38
Amendment No. 10	70	S. 501	38
Amendment No. 12	70	S. 502	39
S. 88	46	S. 503	39
S. 96	52	S. 504	39
S. 134	46	S. 505	39
S. 153	51	S. 506	40
S. 299	46	S. 507	41
S. 303	47	S. 508	41
S. 304	50	S. 509	42
S. 317	47	S. 510	42
S. 342	48		
S. 361	50	H. 3231	42
S. 363	50	H. 3312	42
S. 374	1	H. 3508	43
S. 375	51	H. 3518	43
S. 380	48	H. 3538	45
S. 418	49	H. 3703	2
S. 471	52	H. 3902	45