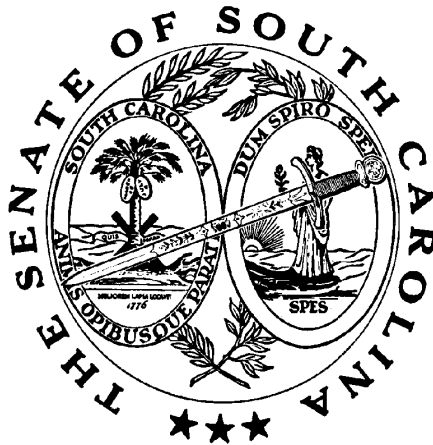


NO. 21

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, FEBRUARY 14, 2023

Tuesday, February 14, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

John 15:17

Our Lord Himself declared so pointedly: "This is my command: Love each other."

Bow in prayer with me, my friends: Holy and gracious Lord, how appropriate is our scripture text today about "love." We all readily acknowledge that, of course. But that itself is the point of this particular prayer: that this Body itself embrace a sense of honest-to-goodness loving and caring, that these Senate leaders do all that is possible to make certain the people of South Carolina know that they are all genuinely "loved." And there's nothing shallow or naive about this prayer. Indeed, Lord, how marvelous and meaningful would such a spirit of love bring to all of the debates, each resolution, and every action this Senate might take on behalf of our citizens. And what great honor would come to each of these leaders -- if only. We so pray in Your loving name, dear Lord. Amen.

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

Point of Quorum

At 12:06 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hutto

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator SETZLER introduced Dr. Greg Squires of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:06 P.M., Senator HARPOOTLIAN was granted a leave of absence for the week.

Leave of Absence

On motion of Senator SETZLER, at 12:11 P.M., Senator WILLIAMS was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator TURNER, at 12:11 P.M., Senator HEMBREE was granted a leave of absence for today.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 1	Sen. Campsen
S. 33	Sen. Kimpson
S. 36	Sens. Young and Campsen
S. 109	Sen. Climer
S. 120	Sen. Campsen
S. 134	Sens. Climer and Campsen
S. 153	Sen. Campsen
S. 239	Sen. Garrett
S. 303	Sen. Gustafson
S. 456	Sens. Kimbrell and Garrett

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S. 483 Sen. Gustafson
S. 492 Sen. Hutto
S. 506 Sen. Rice
S. 508 Sen. Senn
S. 520 Sens. Allen, Davis, Fanning, McElveen, Stephens, Goldfinch
and Climer

RECALLED

S. 495 -- Senator Kimpson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME S-81 (SYCAMORE AVENUE) FROM S-6 (MAGNOLIA ROAD) TO S-522 (5TH AVENUE) IN CHARLESTON COUNTY "ANNETTE AND JAMES SMALLS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

RECALLED

H. 3783 -- Reps. Sandifer and Hardee: A JOINT RESOLUTION TO ALLOW THE STATE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE TO NOMINATE LESS THAN THREE QUALIFIED CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE FOR THE GOVERNOR'S CONSIDERATION UNTIL THE VACANCY IS FILLED OR JULY 1, 2023, WHICHEVER OCCURS FIRST.

Senator DAVIS asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Labor, Commerce and Industry and further to waive the provisions of Rule 39.

The Joint Resolution was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

H. 3820 -- Reps. Hyde, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, 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 EXPRESS THE GRATITUDE OF THE CITIZENS OF SOUTH CAROLINA FOR THE COMMITTED LABORS OF OUR WATER PROFESSIONALS, WHO SERVE AS GUARDIANS OF OUR WATER, AND TO DECLARE MONDAY, MARCH 6, 2023, AS "WATER PROFESSIONALS DAY" IN SOUTH CAROLINA.

Senator CLIMER asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Agriculture and Natural Resources.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 528 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND TAIWAN FOR ITS RELATIONS WITH THE UNITED STATES AND SOUTH CAROLINA.

sr-0268km-vc23.docx : a11060b3-2c98-41f8-905f-a46bdf2fdcbe

The Senate Resolution was adopted.

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S. 529 -- Senators Bennett, Setzler, Alexander and Malloy: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO THE PALMETTO STATE'S QUALITY OF LIFE, AND TO DECLARE WEDNESDAY, FEBRUARY 22, 2023, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.

lc-0153dg-jn23.docx : ee123832-0a43-420a-b2b5-61971245e4e3

The Senate Resolution was adopted.

S. 530 -- Senator Alexander: A SENATE RESOLUTION TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES BY RECOGNIZING FEBRUARY 15, 2023, AS "SUITS AND SNEAKERS DAY" IN THE SOUTH CAROLINA SENATE.

sr-0264km-hw23.docx : 6018ccdf-69e2-4363-872e-e6cea8112a68

The Senate Resolution was adopted.

S. 531 -- Senators Setzler, 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, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA AND THE ENTIRE USC SYSTEM FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE FEBRUARY 14, 2023, "CAROLINA DAY" AT THE STATE HOUSE.

lc-0116dg-gm23.docx : 315e44e1-cb57-4347-ba5c-d370e2c2ab65

The Senate Resolution was adopted.

S. 532 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE

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PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

lc-0144hdb23.docx : 430d8c8a-652b-42b8-ba33-252a48922a4e

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

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

sr-0270km23.docx : 4b604973-6b21-4e14-89e4-b816081f2e7f

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

S. 534 -- Senator Talley: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ATLEE SEBASTION BROWN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0058jg-hw23.docx : a7c13424-6a44-41d4-8c79-712b02a65654

The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

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

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT

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PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Ordered for consideration tomorrow.

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

**AMENDED, AMENDMENT PROPOSED
CARRIED OVER**

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.

The Senate proceeded to the consideration of the Bill.

Senator SENN proposed the following amendment (SR-304.JG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-1885(E)(1) and inserting:

(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than ~~twenty-five~~one hundred dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for a failure to appear in court when summoned or for a failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Seventy-five percent of

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each fine collected pursuant to this section shall be credited to the ticketing agency. Notwithstanding Section 56-1-640, a violation of this section must not be:

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

(b) included in the criminal records maintained by SLED; or

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

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SR-304.JG0004S):

Amend the bill, as and if amended, SECTION 1, Section 56-5-1885(E), by adding an item to read:

(2)(a) Any time a motor vehicle is stopped by a state or local law enforcement officer without a citation being issued or an arrest being made, the officer who initiated the stop must complete a data collection form designed by the Department of Public Safety that must include information regarding the age, gender, and race or ethnicity of the driver of the vehicle. This information may be gathered and transmitted electronically under the supervision of the department which shall develop and maintain a database storing the information collected. The department must promulgate rules and regulations with regard to the collection and submission of the information gathered.

(b) The Department of Public Safety shall develop and maintain a database for the information submitted to the department under subitem (a) and prepare a report to be posted on the department's website regarding motor vehicle stops using the collected information.

(c) The General Assembly shall have the authority to withhold any state funds or federal pass-through funds from any state or local law enforcement agency that fails to comply with the requirements of this section.

(d) This section must be reviewed by the Senate Transportation Committee and the House of Representatives Education and Public Works Committee during the 2024 Session of the General Assembly. The committees must make recommendations of appropriate changes, if any, to this section before the end of the 2024 Session.

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Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

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

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

The question then being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

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NAYS

Total--0

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

READ THE SECOND TIME

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

The Senate proceeded to the consideration of the Bill.

The question then being the second reading of the Bill.

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

Ayes 39; Nays 2

AYES

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

Total--39

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NAYS

Corbin

Hutto

Total--2

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

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 SENN objected to consideration of the Bill.

AMENDMENT FAILED, CARRIED OVER

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

The Senate proceeded to the consideration of the Bill.

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Senator MALLOY proposed the following amendment (SJ-1.BM0004S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-80 and inserting:

Section 16-3-80. (A) A person who knowingly and unlawfully delivers, dispenses, or otherwise provides fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, commits the felony offense of fentanyl-induced homicide if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance that was unlawfully delivered, dispensed, or otherwise provided.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question then being the adoption of the amendment.

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

Ayes 14; Nays 28

AYES

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

Total--14

NAYS

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

Total--28

The Senate refused to adopt the amendment.

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

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

AMENDED, CARRIED OVER

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

The Senate proceeded to the consideration of the Bill.

Senator HUTTO proposed the following amendment (SMIN-153.AA0007S), which was adopted:

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

SECTION X. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-393. Notwithstanding any provision of law to the contrary, the term "drug paraphernalia" as defined in Section 44-53-110

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shall not include rapid fentanyl test strips or any testing equipment or devices solely used, intended for use, or designed to determine whether a substance contains fentanyl or its analogues.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-33.BC0005S), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 2, 3, and 4.

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

SECTION X. Section 50-21-10 (20) through (29) of the S.C. Code are amended to read:

(20) “Personal watercraft” means a vessel, usually less than sixteen feet in length, that uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion and that is intended to be operated by a person sitting, standing, or kneeling on the vessel.

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rather than within the confines of the hull. Personal watercraft include a vessel commonly known as a “jet ski”.

(21) “Reportable boating accident” means an accident, collision, or other casualty involving a vessel subject to this chapter which results in loss of life, injury which results in loss of consciousness, necessity for medical treatment, necessity to carry a person from the scene, disability which prevents the discharge of normal duties beyond the day of casualty, or actual physical damage to property including vessels in excess of the minimum amount set by the United States Coast Guard for reportable accidents.

(21)(22) “Serial number” means the identifying manufacturer's number affixed to a watercraft before November 2, 1972, and to outboard motors before, on, and after that date. The serial number of watercraft manufactured after November 1, 1972, is part of the hull identification number.

(23) “Specialty propcraft” means a vessel that is similar in appearance and operation to a personal watercraft but is powered by an outboard or propeller-driven motor.

(22)(24) “Temporary certificate of number” is a temporary registration assigned to a vessel to allow operation for a limited purpose.

(23)(25) “Tender” means a small watercraft attendant to a larger vessel that meets United States Coast Guard requirements and is used solely for ferrying supplies or passengers and crew between its parent vessel and shore.

(24)(26) “Use” means operate, navigate, or employ.

(25)(27) “Vessel” means every description of watercraft, other than a seaplane regulated by the federal government, used or capable of being used as a means of transportation on water.

(26)(28) “Water device” means a motorboat, boat, personal watercraft or vessel, water skis, an aquaplane, surfboard, or other similar device.

(27)(29) “Waters of the State” means waters within the territorial limits of the State but not private lakes or ponds.

(28)(30) “Watercraft” means any thing used or capable of being used as a means of transportation on the water but does not include: a seaplane regulated by the federal government, water skis, aquaplanes, surfboards, windsurfers, tubes, rafts, and similar devices or any thing that does not meet construction or operational requirements of the state or federal government for watercraft.

(29)(31) “Wake surf” means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person.

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Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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

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

Ayes 38; Nays 3

AYES

Adams	Allen	Campsen
Cash	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
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	Young	

Total--38

NAYS

Climer	Corbin	Loftis
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Total--3

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

COMMITTEE AMENDMENT ADOPTED

AMENDED, READ THE SECOND TIME

S. 96 -- Senators Campsen, Davis, McElveen, Cromer and Kimpson:
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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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.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-96.BC0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-21-10~~(22) through (29)~~ and inserting:

(23) "Specialty propcraft" means a vessel that is similar in appearance and operation to a personal watercraft but is powered by an outboard or propeller-driven motor.

~~(22)~~(24) "Temporary certificate of number" is a temporary registration assigned to a vessel to allow operation for a limited purpose.

~~(23)~~(25) "Tender" means a small watercraft attendant to a larger vessel that meets United States Coast Guard requirements and is used solely for ferrying supplies or passengers and crew between its parent vessel and shore.

~~(24)~~(26) "Use" means operate, navigate, or employ.

~~(25)~~(27) "Vessel" means every description of watercraft, other than a seaplane regulated by the federal government, used or capable of being used as a means of transportation on water.

~~(26)~~(28) "Water device" means a motorboat, boat, personal watercraft or vessel, water skis, an aquaplane, surfboard, or other similar device.

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~~(27)~~(29) “Waters of the State” means waters within the territorial limits of the State but not private lakes or ponds.

~~(28)~~(30) “Watercraft” means anything used or capable of being used as a means of transportation on the water but does not include: a seaplane regulated by the federal government, water skis, aquaplanes, surfboards, windsurfers, tubes, rafts, and similar devices or anything that does not meet construction or operational requirements of the state or federal government for watercraft.

~~(29)~~(31) “Wake surf” means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person.

Amend the bill further, by striking SECTION 4 and inserting:

SECTION X. Section 50-21-870(A) of the S.C. Code is amended to read:

(A) As used in this section:

~~(1)(a) “Personal watercraft” means a boat less than sixteen feet in length which:~~

~~—— (i) has an outboard motor or an inboard motor which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion;~~

~~—— (ii) is designed with the concept that the operator and passenger ride on the outside surfaces of the vessel as opposed to riding inside the vessel;~~

~~—— (iii) has the probability that the operator and passenger, in the normal course of use, may fall overboard.~~

~~—— (b) Personal watercraft includes, without limitation, a vessel where the operator and passenger ride on the outside surfaces of the vessel, even if the primary source of motive propulsion is a propeller, and a vessel commonly known as a “jet ski”.~~

~~(2) “Specialty propercraft” means a vessel which is similar in appearance and operation to a personal watercraft but is powered by an outboard or propeller driven motor.~~

~~—— (3) “Class ‘A’ boat” means a motorboat which is less than sixteen feet in length.~~

~~(4)~~(2) “Floating device” includes kneeboards, aqua planes, surfboards, saucers, inner tubes, and other similar equipment.

SECTION X. Section 50-21-870(B)(9) and (10) of the S.C. Code are amended to read:

~~(9)(a) operate a personal watercraft, specialty propercraft, or vessel if he is younger than sixteen years of age, unless accompanied by an adult, eighteen years or older, who is not under the influence of alcohol, drugs,~~

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~~or a combination of them. However, a person younger than sixteen years of age may operate a personal watercraft, specialty propercraft, or vessel without being accompanied by an adult if one or more of the following applies:~~

~~_____ (i) the person completes a boating safety program as administered by the Department of Natural Resources; or~~

~~_____ (ii) the person completes a boating safety program approved by the Department of Natural Resources;~~

~~_____ (iii) anyone operating a vessel with less than fifteen horsepower engine will not be required to take the boating safety program.~~

~~_____ (b) It is unlawful for a person who has temporary or permanent responsibility for a child to knowingly or wilfully violate item (9) of subsection (B).~~

~~_____ (c) The Department of Natural Resources shall promulgate regulations relating to boating safety programs administered by the department or subject to its approval.~~

~~_____ (10) wake surf in excess of idle speed within two hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water.~~

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senators CAMPSSEN and DAVIS proposed the following amendment (SFGF-96.BC0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-21-10(20) and inserting:

(20) “Personal watercraft” means a vessel, usually less than sixteen feet in length, that uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion and that is intended to be operated by a person sitting, standing, or kneeling on the vessel, rather than within the confines of the hull.

Amend the bill further, SECTION 2, Section 50-21-90, by adding a subsection to read:

(C) The department must approve of one or more boat rental safety education courses to be taken by persons renting a vessel, personal watercraft, or specialty propercraft from businesses engaged in the renting of vessels, personal watercrafts, or specialty propercrafts. A person who

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completes a boat rental safety education course approved by the department must be issued a boat rental safety certificate in either electronic or physical form in the person's name. A boat rental safety certificate is valid for thirty days from the date of issuance and only while operating a vessel, personal watercraft, or specialty propcraft from a business engaged in the renting of vessels, personal watercrafts, or specialty propcrafts.

Amend the bill further, SECTION 3, by striking Section 50-21-95(A)(5) and inserting:

(5) is operating a vessel, personal watercraft, or specialty propcraft from a business engaged in the renting of vessels, personal watercrafts, or specialty propcrafts and is in possession of a valid boat rental safety certificate issued in the person's name; or

Amend the bill further, SECTION 3, by striking Section 50-21-95(A)(6)(b) and inserting:

(b) meets one of the criteria in items (1) through (4) of this subsection.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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

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

Ayes 43; Nays 0

AYES

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

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Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

CARRIED OVER

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

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

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

CARRIED OVER

S. 489 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF STATE LAKES AND PONDS LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5172, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

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Senator CAMPSSEN explained the Resolution.

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

READ THE SECOND TIME

S. 134 -- Senators Hembree, Gustafson, Verdin, Climer and Campsen:
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.

The Senate proceeded to the consideration of the Bill.

Senator TURNER explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
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

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Turner
Young

Verdin

Williams

Total--43

NAYS

Total--0

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

READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senator M. JOHNSON explained the Bill.

The question then being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
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

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--43

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-317.JG0002S), which was adopted:

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

(A) There is created the Board of Trustees for the Veterans' Trust Fund of South Carolina composed of ~~nineteen~~ eleven voting members. The Governor, with the advice and consent of the Senate, shall appoint the board consisting of seven members selected at large, two members currently serving as county veterans' affairs officers, and two members who represent veterans' service organizations. Of the eleven appointed members, at least six must be United States Armed Forces veterans. Any veteran who serves on the board, must have been honorably discharged from the armed services. The Secretary of the Department of Veterans' Affairs shall serve as the Executive Director of the Trust Fund and an ex

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officio non-voting member of the board. The board shall utilize the staff of the Veterans' Affairs Department in order to carry out its duties, as provided in Section 25-21-30. One member of the board of trustees must be the Director of the Department of Veterans' Affairs. The Governor, with the advice and consent of the Senate, shall appoint individuals to fill the remaining positions on the board of trustees. Of the eighteen remaining positions filled by gubernatorial appointment, four must be county veterans' affairs officers and five must represent veterans' service organizations. At least eleven of the members of the board of trustees must be United States Armed Forces veterans who were honorably discharged; the remaining members are not required to be veterans; however, if any are veterans, they also must have been honorably discharged from the armed services. The members of the board shall elect officers from among themselves as necessary and shall utilize the staff of the Veterans' Affairs Department in order to carry out its duties, as provided in Section 25-21-30.

(B) Individuals appointed at large by the Governor shall serve four-year terms, and the remaining initial appointees shall serve two-year terms. Upon the expiration of the terms of those members initially appointed, the term of office for the members of the board is four years, and until their successors are appointed and qualify. Members may succeed themselves; however, no member may serve more than two consecutive terms or eight continuous years, whichever is greater. A member shall not serve on the board in a hold-over capacity at the conclusion of his term for more than 180 days. Vacancies on the board must be filled in the same manner as the initial appointment for the unexpired term. at the pleasure of the Governor and may be removed by the Governor at any time.

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

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

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

Ayes 43; Nays 0

AYES

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Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
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--43

NAYS

Total--0

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

CARRIED OVER

S. 242 -- Senators Garrett and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-190, RELATING TO SCHEDULE I SUBSTANCES, SO AS TO ADD FENTANYL-RELATED SUBSTANCES; BY AMENDING SECTION 44-53-370, RELATING TO PROHIBITED ACTS AND PENALTIES, SO AS TO ADD AN OFFENSE FOR TRAFFICKING IN FENTANYL; AND BY AMENDING SECTION 16-1-60, RELATING TO VIOLENT CRIMES, SO AS TO ADD TRAFFICKING IN FENTANYL.

The Senate proceeded to the consideration of the Bill.

Senator M. JOHNSON explained the Bill.

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

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READ THE SECOND TIME

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 PROMULGATE REGULATIONS; 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.

The Senate proceeded to the consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-380.JG0001S), which was carried over:

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Amend the bill, as and if amended, SECTION 5, by striking Section 63-7-1705(B)(3) and inserting:

(3) the child's guardian ad litem;

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

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

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

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

CARRIED OVER

S. 418 -- Senators Hembree, Turner and Gustafson: 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.

The Senate proceeded to the consideration of the Bill.

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

CARRIED OVER

S. 502 -- Family and Veterans' Services Committee: A JOINT RESOLUTION 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.

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The Senate proceeded to the consideration of the Resolution.

Senator SHEALY explained the Resolution.

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

CARRIED OVER

S. 503 -- Family and Veterans' Services Committee: A JOINT RESOLUTION 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.

The Senate proceeded to the consideration of the Resolution.

Senator SHEALY explained the Resolution.

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

CARRIED OVER

S. 509 -- Family and Veterans' Services Committee: A JOINT RESOLUTION 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.

The Senate proceeded to the consideration of the Resolution.

Senator SHEALY explained the Resolution.

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

POINT OF ORDER

S. 173 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-119-170 SO AS TO PROVIDE THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE

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PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER, OBJECTION

S. 449 -- Senator Climer: A BILL TO AMEND SECTION 4 OF ACT 71 OF 2021, RELATING TO TRANSPORTATION OF LIVE SWINE WITHOUT IDENTIFICATION, SO AS TO EXTEND THE SUNSET CLAUSE BY TWO YEARS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

Senator MARTIN spoke on the Bill.

Senator GROOMS objected to further consideration of the Bill.

ADOPTED

S. 451 -- Senators Shealy, Setzler and Senn: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 16, 2023.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 2:43 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

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

ADJOURNMENT

At 2:47 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

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