JOURNAL

OF THE

SENATE

OF THE

STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, FEBRUARY 21, 2023

Tuesday, February 21, 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:

Psalm 25:4-5

The Psalmist tells us: "Make me to know your ways, O Lord; teach me your paths. Lead me in your truth, and teach me, for you are the God of my salvation."

Please, bow in prayer with me: O Glorious God, we gather today in full awareness that another Presidents' Day has now come and gone, giving us opportunity as a Nation to reflect upon those who have led us. And truly, we are grateful for those individuals who have served in our land's highest office and blessed us in many diverse ways. Yet not only are we grateful for those leaders, O Lord, but also we give our heartfelt thanks for these who currently lead our State here in the Senate of South Carolina, May these Senators and their aides always follow Your ways, Lord, as they work diligently to achieve the highest goals and meet the greatest needs for our people as they wrestle with the challenges before them today. How grateful we are for each of these modern-day servants. In Your name we pray, dear Lord. Amen.

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

Point of Quorum

At 12:04 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	Bennett	
Campsen	Cash	Climer	
Corbin	Cromer	Garrett	
Goldfinch	Grooms	Gustafson	

Hembree	Johnson, Michael	Kimbrell
Loftis	Malloy	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
T 7		

Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator SHEALY introduced Dr. Carol Alan of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GOLDFINCH, at 12:07 P.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

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

CO-SPONSORS ADDED

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

- S. 36 Sen. Grooms
- S. 92 Sen. Senn
- S. 95 Sens. Senn, Verdin, M. Johnson, Gustafson and Kimbrell
- S. 109 Sen. Verdin
- S. 123 Sen. Malloy
- S. 139 Sen. Rice
- S. 143 Sen. Senn
- S. 153 Sen. Alexander
- S. 234 Sen. Davis
- S. 304 Sen. Kimbrell
- S. 355 Sen. Grooms
- S. 406 Sen. Senn
- S. 456 Sen. Gustafson
- S. 527 Sen. Grooms
- S. 423 Sen. Kimpson
- S. 424 Sen. Davis
- S. 484 Sen. Alexander

- S. 527 Sens. Kimbrell and Loftis
- S. 548 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 548 -- Senators Hembree and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-15-220, RELATING TO PARENTING PLANS, SO AS TO CREATE A REBUTTABLE PRESUMPTION THAT IT IS IN THE BEST INTEREST OF THE CHILD TO SPEND APPROXIMATELY AN EQUAL AMOUNT OF TIME WITH EACH PARENT WHEN BOTH PARENTS ARE WILLING, ABLE, AND FIT; AND BY AMENDING SECTION 63-15-240, RELATING TO CHILD CUSTODY ORDERS, SO AS TO REQUIRE THE COURT TO TAKE CONSIDERATION **CERTAIN FACTORS** DETERMINING WHAT IS IN THE BEST INTEREST OF A CHILD, TO REQUIRE THAT A CHILD CUSTODY ORDER INCLUDE FINDINGS OF FACT IF THE TIME-SHARING SCHEDULE DOES NOT ALLOCATE APPROXIMATELY EQUAL PARENTING TIME TO EACH PARENT, AND TO PROVIDE REQUIREMENTS TO MODIFY CHILD CUSTODY ORDERS.

lc-0190vr23.docx : ed1d3c07-aaba-4fb7-ad44-5e56efd77cd0

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

S. 549 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395. RELATING TO 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 PROGRAM AND THE

CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO REQUIREMENT THAT UPON LOSS OF INSURANCE. INSURED OBTAIN NEW INSURANCE OR SURRENDER REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURER, SUSPENSION OF REGISTRATION AND PLATES, APPEAL OF SUSPENSION, 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 FINE FOR LAPSE IN REQUIRED MOTOR VEHICLE INSURANCE 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 TITLE 56, CHAPTER 10. ARTICLE 5. RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE 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 VEHICLES TO COLLECT

REGARDING VARIOUS MOTOR VEHICLE **STATISTICS** REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES; BY AMENDING SECTION 56-9-20, RELATING TO DEFINITIONS FOR THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, SO AS TO REVISE A REFERENCE IN THE DEFINITION OF "UNINSURED MOTOR VEHICLE": BY AMENDING SECTION 56-3-210, RELATING TO TIME PERIOD FOR PROCURING MOTOR VEHICLE REGISTRATION AND LICENSE; TEMPORARY LICENSE PLATES; AND TRANSFER OF LICENSE PLATES, SO AS TO REVISE THE REQUIREMENT FOR A TEMPORARY LICENSE PLATE AND WHO MAY DISTRIBUTE TEMPORARY LICENSE PLATES; BY ADDING SECTION 56-3-211 SO AS TO PROVIDE FOR THE ISSUANCE OF TEMPORARY LICENSE PLATES TO CERTAIN MOTOR VEHICLES AND FARM TRUCKS; BY ADDING SECTION 56-3-212 SO AS TO PROVIDE FOR THE ISSUANCE OF TEMPORARY LICENSE PLATES TO CERTAIN MOTOR VEHICLES; BY ADDING SECTION 56-3-213 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE SPECIAL PERMITS TO OPERATE CERTAIN MOTOR VEHICLES; BY AMENDING SECTION 56-3-2340, RELATING TO LICENSED MOTOR VEHICLE DEALERS TO ISSUE FIRST TIME REGISTRATIONS AND LICENSE PLATES FROM DEALERSHIP; CERTIFICATION OF THIRD-PARTY PROVIDERS; AND FEES, SO AS TO REVISE THE ISSUANCE OF TEMPORARY MOTOR VEHICLE REGISTRATIONS AND LICENSE PLATES; BY ADDING SECTION 56-3-214 SO AS TO PROVIDE THAT DEPARTMENT OF MOTOR VEHICLES SHALL IMPLEMENT A OUALITY ASSURANCE PROGRAM TO ENSURE INTEGRITY OF THE ELECTRONIC REGISTRATION AND TITLING PROGRAM; BY AMENDING SECTION 8-21-15, FEE FOR PERFORMING DUTY, RELATING TO NO RESPONSIBILITY, OR FUNCTION OF AGENCY UNLESS AUTHORIZED BY STATUTE AND REGULATION, SO AS TO PROVIDE THAT AN AGENCY MAY COLLECT VENDOR FEES, CONVENIENCE FEES, TRANSACTION FEES, OR SIMILAR FEES WHEN RECEIVING PAYMENT BY CREDIT CARD; BY AMENDING SECTION 56-14-30, RELATING TO LICENSE FOR RECREATIONAL VEHICLE DEALER; EXHIBITION LICENSE; FEES; AND PENALTIES, SO AS TO REVISE THE PENALTIES FOR THE UNAUTHORIZED SALE OF RECREATIONAL VEHICLES; AMENDING SECTION 56-14-40, RELATING

APPLICATIONS FOR RECREATIONAL VEHICLE DEALER LICENSES; BONDS; AND THE DUTY TO NOTIFY DEPARTMENT WHERE INFORMATION GIVEN BY APPLICANT CHANGES OR LICENSE CEASES OPERATIONS, SO AS TO REVISE THE BOND AMOUNTS REQUIRED, TO PROVIDE FOR THE PAYMENT OF BACK TAXES OR FEES, AND TO PROVIDE FOR THE CONTINUANCE OF THE BUSINESS IN THE EVENT OF A LICENSEE'S DEATH; BY AMENDING SECTION 56-14-50, RELATING TO REQUIREMENTS REGARDING A DEALER'S MAINTENANCE OF BONA FIDE PLACE OF BUSINESS AND PERMANENT SIGNS, SO AS TO PROVIDE FOR BUSINESS OPERATIONS ON PROPERTY ADJACENT TO A LICENSEE'S BONA FIDE ESTABLISHED PLACE OF BUSINESS: BY AMENDING SECTION 56-14-70, RELATING TO DENIAL, SUSPENSION, OR REVOCATION OF A DEALER LICENSE, SO AS TO REVISE THE REASONS THAT THE DEPARTMENT MAY DENY, SUSPEND, OR REVOKE A LICENSE; BY AMENDING SECTION 56-15-310, RELATING TO LICENSE REQUIRED, TERM OF LICENSE, FEES, SCOPE OF LICENSE, AND PENALTY FOR VIOLATION, SO AS TO INCREASE THE TIME PERIOD FOR A VALID LICENSE TO THIRTY-SIX MONTHS AND TO PROVIDE FOR A CURE PERIOD FOR CERTAIN COMPLAINTS FROM CONSUMERS; BY AMENDING SECTION 56-15-320, RELATING TO APPLICATION FOR LICENSES, BONDS, AND DUTIES UPON CHANGE OF CIRCUMSTANCES AND TERMINATION OF BUSINESS, SO AS TO PROVIDE THAT A NEW BOND MUST BE POSTED EVERY TWELVE MONTHS, TO PROVIDE FOR THE RECOVERY OF BACK TAXES AND FEES, AND TO PROVIDE FOR THE CONTINUATION BUSINESS IN THE EVENT OF A LICENSEE'S DEATH; BY AMENDING SECTION 56-15-330, RELATING TO FACILITIES REQUIRED FOR ISSUANCE OF DEALER'S LICENSE, SO AS TO INCLUDE WHOLESALERS, AND TO PROVIDE FOR BUSINESS OPERATIONS ON PROPERTY ADJACENT TO OR WITHIN SIGHT OF HIS BONA FIDE ESTABLISHED PLACE OF BUSINESS; BY AMENDING SECTION TO DENIAL, SUSPENSION, RELATING REVOCATION OF LICENSE; GROUNDS; AND PROCEDURE, SO AS TO REVISE THE GROUNDS FOR DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE; BY ADDING SECTION 56-3-30 SO AS TO PROVIDE FOR CERTAIN ACTIONS THAT ONLY A LICENSED DEALER MAY UNDERTAKE; TO ESTABLISH THE

MOTOR VEHICLE PERFORMANCE EVALUATION SYSTEM AND TO PROVIDE FOR THE EVALUATION PROCESS; BY AMENDING SECTION 56-16-140, RELATING TO LICENSE FOR MOTOR CYCLE DEALER OR WHOLESALER; EXHIBITION LICENSE; FEES; AND PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE THAT THE LICENSE LASTS FOR THIRTY-SIX MONTHS AND TO REVISE THE PENALTIES FOR A DEALER SELLING A MOTOR CYCLE WITHOUT A LICENSE; BY AMENDING SECTION 56-16-150, RELATING TO APPLICATION FOR MOTOR CYCLE DEALER'S OR WHOLESALER'S LICENSE; BONDS; AND THE DUTY TO NOTIFY THE DEPARTMENT OF MOTOR VEHICLES WHERE INFORMATION GIVEN BY APPLICANT CHANGES OR LICENSEE CEASES OPERATIONS. SO AS TO REVISE THE BOND REQUIREMENTS, TO PROVIDE FOR THE RECOVERY OF BACK TAXES AND FEES, AND TO PROVIDE FOR THE CONTINUATION OF BUSINESS IN THE EVENT OF A LICENSEE'S DEATH; BY AMENDING SECTION 56-16-160, RELATING TO REQUIREMENTS REGARDING A MOTOR CYCLE DEALER'S MAINTENANCE OF **BONA** ESTABLISHED PLACE OF BUSINESS, SIZE OF BUSINESS, AND PERMANENT SIGN, SO AS TO PROVIDE THAT A DEALER MAY CONDUCT BUSINESS ON PROPERTY ADJACENT TO HIS BONA FIDE ESTABLISHED PLACE OF BUSINESS; BY AMENDING SECTION 56-16-180, RELATING TO DENIAL, SUSPENSION, OR REVOCATION OF LICENSE, SO AS TO REVISE THE REASONS THAT THE DEPARTMENT MAY DENY, SUSPEND, OR REVOKE A LICENSE; AND BY AMENDING SECTION 56-19-370, RELATING TO PROCEDURES FOR VOLUNTARY TRANSFER AND DEALER PURCHASING VEHICLE FOR RESALE, SO AS TO REVISE THE PROCEDURE FOR TITLING AND REGISTERING A VEHICLE.

sr-0286km23.docx : 9a75e90c-8f54-4d7c-8930-ac7c54661ad1
Read the first time and referred to the Committee on Transportation.

S. 550 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, VINCENT J. "JIM" TROIOLA, TO SOUTH CAROLINA, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 8, 2023.

lc-0151hdb-rm23.docx: 7325874b-9353-4533-99b5-372debc3c9a7
The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 551 -- Senator Scott: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 28, 2023, AS "371ST INFANTRY DAY" IN SOUTH CAROLINA.

sr-0284km-hw23.docx : b3f7009e-1d4f-4026-8997-ce06f133473f

The Senate Resolution was introduced and referred to the Committee on Family and Veterans' Services.

RECALLED AND ADOPTED

S. 551 -- Senator Scott: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 28, 2023, AS "371ST INFANTRY DAY" IN SOUTH CAROLINA.

Senator SCOTT asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

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

There was no objection.

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

On motion of Senator SCOTT, the Resolution was adopted.

S. 552 -- Senators Massey and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-150, RELATING TO PAID PARENTAL LEAVE, BIRTH OF A CHILD, AND PLACEMENT OF A FOSTER CHILD, AND SECTION 8-11-155, RELATING TO PAID PARENTAL LEAVE AND ADOPTION, SO AS TO INCLUDE STATE PUBLIC SCHOOL TEACHERS AS ELIGIBLE STATE EMPLOYEES WHO ARE GRANTED PAID PARENTAL LEAVE; AND BY AMENDING SECTION 59-25-47, RELATING TO UNUSED LEAVE PAYMENTS, SO AS TO PROVIDE THAT UNUSED PAID PARENTAL LEAVE IS NOT INCLUDED IN UNUSED LEAVE PAYMENTS AS THEY APPLY TO PUBLIC SCHOOL TEACHERS.

sr-0280km23.docx : af817157-15af-49c8-b2c6-ac3da927b56d Read the first time and referred to the Committee on Finance.

S. 553 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-33-20, RELATING TO DEFINITIONS. SO AS TO PROVIDE SCOPE OF PRACTICE OF MEDICAL ACTS FOR A LICENSED APRN, TO PROVIDE A MEANS FOR A CERTIFIED NURSE MIDWIFE TO OBTAIN AN APRN LICENSE, TO DEFINE FULL PRACTICE AUTHORITY, TO DEFINE GRADUATE REGISTERED NURSE-MIDWIFE, TO PROVIDE CONFORMING CHANGES; BY **SECTION** 40-33-34, **AMENDING RELATING** TO THE PERFORMANCE OF MEDICAL ACTS, QUALIFICATIONS, PRACTICE AGREEMENTS, PRESCRIPTIVE AUTHORIZATION, ANESTHESIA CARE, AND DEFINITIONS, SO AS TO PROVIDE FOR SCOPE OF PRACTICE TO INCLUDE PRESCRIBING MEDICATIONS AND CONTROLLED SUBSTANCES AND TO PROVIDE CONFORMING DEFINITIONS; BY AMENDING SECTION 40-33-42, RELATING TO THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL, SO AS TO PROVIDE FOR THE ADMINISTRATION OF MEDICATIONS AS THE RESPONSIBILITY OF A LICENSED NURSE AS PRESCRIBED BY THE ADVANCED PRACTICE REGISTERED NURSE; BY AMENDING SECTION 40-33-110, RELATING TO GROUNDS FOR DISCIPLINE OF LICENSEES, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-47-10, RELATING TO MEMBERSHIP OF THE STATE BOARD OF MEDICAL EXAMINERS, SO AS TO ADD TWO PHYSICIAN ASSISTANTS TO THE BOARD AND TO PROVIDE FOR THEIR APPOINTMENT; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS **PHYSICIANS** AND RELATED **HEALTHCARE** PROFESSIONALS, SO AS TO PROVIDE FOR A DIFFERENT DEFINITION FOR APPROVED WRITTEN SCOPE OF PRACTICE GUIDELINES FOR PHYSICIAN ASSISTANTS, TO PHYSICIAN ASSISTANTS TO THE DEFINITION OF "MEDICAL STAFF". AND TO INCLUDE PHYSICIAN ASSISTANTS IN THE DEFINITION OF "PRACTICE OF MEDICINE"; BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE AND REQUIREMENTS, SO AS TO PROVIDE FOR THE SCOPE OF PRACTICE OF AN APRN TO INCLUDE BYAMENDING SECTION TELEMEDICINE: 40-47-110.

RELATING TO MISCONDUCT CONSTITUTING GROUNDS FOR DISCIPLINARY ACTION, TEMPORARY SUSPENSIONS, REVIEW OF FINAL ACTIONS, CONDUCT SUBVERTING SECURITY OR OF MEDICAL LICENSING EXAMINATION PROCESS, SO AS TO MAKE CONFORMING CHANGES; BY SECTION 40-47-113, RELATING ESTABLISHMENT OF A PHYSICIAN-PATIENT RELATIONSHIP AS A PREREQUISITE TO PRESCRIBING DRUGS, SO AS TO EXPAND THE PHYSICIAN-PATIENT RELATIONSHIP INCLUDE OTHER HEALTH CARE PROFESSIONS AND TO CHANGE THE TERMINOLOGY TO "PRACTITIONER-PATIENT RELATIONSHIP": BY AMENDING SECTION 40-47-196. RELATING TO DELEGATION OF TASKS AMONG CERTAIN PROFESSIONALS. SO AS HEALTHCARE TO CONFORMING CHANGES; BY AMENDING SECTION 40-47-195, RELATING TO SUPERVISING PHYSICIANS AND SCOPE OF PRACTICE GUIDELINES, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIANS ASSISTANT PRACTICE ACT , SO AS TO DEFINE "ATTESTATION STATEMENT" AND TO REVISE DEFINITIONS FOR "NCCPA", "SUPERVISING", AND "PHYSICIAN ASSISTANT"; BY AMENDING SECTION 40-47-915, RELATING TO THE APPLICATION OF THE PHYSICIAN ASSISTANT PRACTICE ACT, SO AS TO EXCLUDE CERTAIN PHYSICIAN ASSISTANTS FROM THE SCOPE OF THE PHYSICIAN ASSISTANT PRACTICE ACT; BY AMENDING SECTION 40-47-935, RELATING TO ACTS AND DUTIES PHYSICIAN ASSISTANTS ARE AUTHORIZED TO PERFORM, SO AS TO REVISE THE ACTS AND DUTIES THAT PHYSICIAN ASSISTANTS MAY PERFORM; BY ADDING SECTION 40-47-937 SO AS TO PROVIDE A DIFFERENT SCOPE OF PRACTICE FOR CERTAIN EXPERIENCED PHYSICIAN ASSISTANTS AND TO PROVIDE FOR PROTECTIONS FROM LIABILITY FOR PHYSICIAN ASSISTANTS PROVIDING MEDICAL ASSISTANCE IN CERTAIN EMERGENCY SITUATIONS; BY AMENDING SECTION 40-47-965, RELATING TO REQUIREMENTS FOR WRITING PRESCRIPTIONS FOR DRUGS, CONTROLLED SUBSTANCES, AND MEDICAL DEVICES, SO AS TO REVISE THE CIRCUMSTANCES UNDER WHICH A PHYSICIAN ASSISTANT MAY PRESCRIBE DRUGS; BY AMENDING SECTION 40-47-1000, TO UNLICENSED **PERSONS** RELATING HOLDING

THEMSELVES OUT AS PHYSICIAN ASSISTANTS, SO AS TO REVISE THE PENALTY FOR VIOLATIONS; BY AMENDING 40-47-1005, **RELATING** TO MISCONDUCT MANDATING REVOCATION OR DENIAL OF LICENSE FOR A PHYSICIAN ASSISTANT, SO AS TO PROVIDE THAT THE BOARD MAY DISCIPLINE PHYSICIAN ASSISTANTS FOR MISCONDUCT, REVISE WHAT CONSTITUTES MISCONDUCT, AND REVISE THE ACTIONS THAT MAY BE TAKEN BY THE BOARD; BY AMENDING SECTION 40-47-1020, RELATING TO THIRD PARTY REIMBURSEMENT TO PHYSICIAN ASSISTANTS, SO AS TO PROVIDE THAT PHYSICIAN ASSISTANTS MAY BE REIMBURSED BY THIRD PARTY PAYORS; BY AMENDING SECTION 44-80-120. RELATING TO PERMISSION FOR PHYSICIAN ASSISTANTS TO CREATE, EXECUTE, AND SIGN POST FORMS UNDER CERTAIN CIRCUMSTANCES, SO AS TO REVISE THE CIRCUMSTANCES UNDER WHICH A PHYSICIAN ASSISTANT MAY CREATE, EXECUTE, AND SIGN A POST; BY AMENDING SECTION 44-99-10, RELATING TO DEFINITIONS FOR THE INSECT STING EMERGENCY ACT, SO AS TO REVISE THE DEFINITION OF "HEALTH CARE PRACTITIONER"; BY AMENDING SECTION 59-63-75, RELATING TO CONCUSSION PROTOCOL FOR STUDENT ATHLETES, SO AS TO EXPAND PHYSICIAN ASSISTANTS' ROLES IN REGARD TO THE CONCUSSION PROTOCOL; AND BY AMENDING SECTION 59-63-95, RELATING TO EPINEPHRINE AUTO-INJECTORS, SO AS TO REVISE THE DEFINITION OF "PHYSICIAN ASSISTANT" AND TO MAKE CONFORMING CHANGES...

sr-0285km23.docx : d18d0d59-babb-48a6-8617-9401a96e88ed Read the first time and referred to the Committee on Medical Affairs.

S. 554 -- Senators Davis and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-29-20, RELATING TO THE APPOINTMENT OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S EXECUTIVE DIRECTOR, HIS APPOINTMENT, REMOVAL FROM OFFICE, AND COMPENSATION, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 41-29-35, RELATING TO APPOINTMENT OF THE EXECUTIVE DIRECTOR, SO AS TO PROVIDE OUALIFICATIONS FOR OFFICE: AND BY REPEALING ARTICLE

7, CHAPTER 27, TITLE 41, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE REVIEW COMMITTEE. lc-0161dg23.docx : b94fecb8-1f00-469a-8560-3a9e60938b21

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 555 -- Senators Young and Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-3-20, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THAT A HAND-COUNT AUDIT BE CONDUCTED PUBLICLY. sj-0026pb23.docx: a5378701-6388-4332-bed5-ad4d3ca3582d

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

S. 556 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT" BY ADDING SECTION 59-63-33 SO AS TO PROVIDE PUBLIC SCHOOL PUPILS COMPLY WITH SCHOOL ENROLLMENT REQUIREMENTS IF THEIR PARENTS ARE TRANSFERRED TO OR ARE PENDING TRANSFER TO MILITARY INSTALLATIONS IN THIS STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO OFFICIAL MILITARY ORDERS, TO PROVIDE SCHOOL DISTRICTS SHALL ACCEPT APPLICATIONS FOR ENROLLMENT AND COURSE REGISTRATION FROM SUCH PUPILS BY ELECTRONIC MEANS, TO PROVIDE PARENTS OF SUCH STUDENTS SHALL PROVIDE CERTAIN PROOF OF RESIDENCE WITHIN TEN DAYS AFTER THE ARRIVAL DATE, TO PROVIDE THE PROVISIONS OF THIS ACT APPLY NOTWITHSTANDING ANOTHER PROVISION OF LAW, TO PROVIDE AMBIGUITIES IN CONSTRUING THE PROVISIONS OF THIS ACT MUST BE RESOLVED IN FAVOR OF ENROLLMENT, AND TO DEFINE NECESSARY TERMINOLOGY.

lc-0239wab23.docx : d3268090-08c9-4687-8b97-64fb4db3ea4a Read the first time and referred to the Committee on Education.

H. 3961 -- Reps. Murphy, Brewer, Gatch, Jefferson and Robbins: A BILL TO AMEND ACT 535 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF THE SEVEN MEMBERS OF THE BOARD OF TRUSTEES OF SUMMERVILLE SCHOOL DISTRICT 2 OF DORCHESTER COUNTY, SO AS TO CHANGE THE METHOD OF

ELECTING FROM AT-LARGE TO SINGLE-MEMBER DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO CHANGE THE CANDIDATE FILING METHOD, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THE NEWLY DRAWN ELECTION DISTRICTS.

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

H. 3972 -- Reps. Erickson, McGinnis, 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, 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, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND EXPRESS DEEP APPRECIATION TO THE SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM ON "SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM DAY" ON MARCH 29, 2023, FOR ITS OUTSTANDING CONTRIBUTIONS IN EDUCATING AND **TRAINING** SOUTH CAROLINA'S WORKFORCE COMPETITIVE, HIGH-DEMAND JOBS IN OUR STATE.

lc-0232wab-wab23.docx : 016509b7-68fd-450b-ac37-4ceaa4c2fd44

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

H. 3973 -- Rep. Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE MARCH 2023 AS "CHRONIC KIDNEY DISEASE AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO

RAISE AWARENESS FOR THE NEED FOR RESEARCH, SCREENING PROGRAMS, AND ACCESS TO CARE FOR INDIVIDUALS WHO SUFFER FROM CHRONIC KIDNEY DISEASE.

lc-0232sa-gm23.docx: 7cb4992e-e519-4e09-bd22-3fb8696fa385

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

H. 3975 -- Reps. Sessions, King, West, Felder, Hewitt, Pedalino, W. Newton, O'Neal, Hiott, Lawson, A. M. Morgan, B. Newton, Ligon, Harris, Guffey, Murphy, Williams, Chapman, Mitchell, Connell, Schuessler, Brewer, Wetmore, B. J. Cox, Vaughan, T. A. Morgan, J. L. Johnson, Moss, Robbins and Thayer: A CONCURRENT RESOLUTION TO RECOGNIZE THE RIGHTS OF CITIZENS WITH DOWN SYNDROME, TO PROMOTE THEIR INCLUSION AND WELL-BEING, AND TO DECLARE MARCH 21, 2023, AS "DOWN SYNDROME DAY" IN SOUTH CAROLINA.

lc-0073ha-rm23.docx : 29070fab-2b2a-43e8-91da-059cd317e243

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

H. 3999 -- Reps. Forrest, 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, 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 CELEBRATE THE THIRTY-SEVENTH ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 11 THROUGH 13, 2023,

IN BATESBURG-LEESVILLE AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.

lc-0239cm-rm23.docx : b6065e58-3184-4194-86b5-9ca96fe67a3c

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, March 1, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the SC HUMAN SERVICE PROVIDERS

Wednesday, March 1, 2023 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, 112 Blatt Building, by **SOUTH CAROLINA BIO**

Wednesday, March 1, 2023 - 5:30 p.m. - 7:00 p.m.

Members, Reception, Palmetto Club, by the **SOUTH CAROLINA RETAIL ASSOCIATION**

Wednesday, March 1, 2023 - 6:00 p.m. - 8:00 p.m.

Members, Reception, Columbia Convention Center, by the TRANSPORTATION ASSOCIATION OF SOUTH CAROLINA

Thursday, March 2, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION**

Tuesday, March 7, 2023 - 6:00 p.m. - 8:00 p.m.

Members and Staff, Reception, The Hall at Senate's End - 320 Senate Street, by **CLEMSON UNIVERSITY**

Wednesday, March 8, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the **COALITION FOR ACCESS TO HEALTH CARE**

Wednesday, March 8, 2023 - 8:00 a.m. - 9:30 a.m.

Members, Breakfast, Marriott Hotel - 1200 Hampton Street, by **TOGETHER SC**

Wednesday, March 8, 2023 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, by the

MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

Wednesday, March 8, 2023 - 11:45 a.m. - 1:00 p.m.

Members, Luncheon, SC Public Radio's 50th Anniversary Luncheon - 1041 George Rogers Boulevard, by **SC PUBLIC RADIO**

Wednesday, March 8, 2023 - 5:30 p.m. - 7:00 p.m.

Members and Staff, Reception, Columbia Museum of Art, by TOGETHER SC

Thursday, March 9, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS

Tuesday, March 28, 2023 - 6:00 p.m. - 8:00 p.m.

Members, Staff and Families, Reception, Museum Family Night - SC State Museum, by the **SOUTH CAROLINA STATE MUSEUM FOUNDATION**

Tuesday, March 28, 2023 - 5:00 p.m. - 7:00 p.m.

Members, Reception, Columbia Hilton - 924 Senate Street, by the **PUBLIC CHARTER SCHOOL ALLIANCE**

Wednesday, March 29, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by **STATE FARM INSURANCE**

Wednesday, March 29, 2023 - 11:30 a.m. - 2:00 p.m.

Members, Luncheon, State House Grounds, by the **SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM**

Wednesday, March 29, 2023 – 5:00 p.m. – 8:00 p.m.

Members, Staff and Families, Reception and Legislative Softball Game, Segra Park, by **BLUECROSS BLUESHIELD OF SOUTH CAROLINA**

Thursday, March 30, 2023 – 8:00 a.m. – 10:00 a.m. Members and Staff, Breakfast, 112 Blatt Building, by LEADERSHIP SOUTH CAROLINA

REPORT OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs polled out S. 423 favorable:

S. 423 -- Senators Davis, Hutto, Grooms and Kimpson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR: BY ADDING SECTION 56-5-3910, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

Poll of the Medical Affairs Committee Polled 17; Ayes 9; Nays 8

AYES

Verdin	Hutto	Martın
Scott	Davis	Kimpson
Matthews	Gambrell	McLeod

Total—9

NAYS

Peeler	Alexander	Kevin Johnson
Corbin	Senn	Cash
Loftin	Garrett	

Total--8

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 541 -- Senators Young and Massey: A CONCURRENT RESOLUTION TO CONGRATULATE THE NORTH AUGUSTA HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS 4A STATE CHAMPIONSHIP.

Returned with concurrence.

Received as information.

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

CARRIED OVER

S. 36 -- Senators Hutto, Young, Campsen and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING VARIOUS SECTIONS WITHIN CHAPTER 1, TITLE 56, TO RESTRUCTURE THE IGNITION INTERLOCK DEVICES PROGRAM. (ABBREVIATED TITLE)

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

READ THE THIRD TIME SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

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 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.

Senator CLIMER explained the Bill.

S. 449 -- Senators Climer and Campsen: 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.

AMENDED, CARRIED OVER

S. 304 -- Senators Turner, Climer, Verdin and Kimbrell: 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 LEFTHAND 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 MALLOY proposed the following amendment (SR-304.JG0004S), which was adopted:

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.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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

CARRIED OVER

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

The Senate proceeded to the consideration of the Bill.

Senator BENNETT explained the Bill.

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

RECOMMITTED

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.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

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.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

OBJECTION

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 CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT 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.

Senator PEELER objected to consideration of the Bill.

COMMITTED

S. 282 -- Senators Campsen, Davis, Goldfinch, Hutto and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 25 TO TITLE 51, SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY APPROPRIATE A CERTAIN AMOUNT FOR THE FUND ANNUALLY. TO PROVIDE THAT FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES MUST BE PROVIDED BY THE TRUST FUND; AND TO REPEAL CHAPTER 40 OF TITLE 48, RELATING TO THE **CAROLINA** BEACH RESTORATION IMPROVEMENT TRUST ACT.

On motion of Senator PEELER, the Bill was committed to the Committee on Finance.

CARRIED OVER

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

WATERCRAFT MUST INCLUDE A WATERWAYS PROTECTION FEE OF THREE DOLLARS.

The Senate proceeded to the consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-484.BC0002S):

Amend the bill, as and if amended, SECTION 2, by striking Section 50-9-975(A) and inserting:

(A) The South Carolina Waterways Protection Fund is created for the purpose of receiving the three-dollar waterways protection fee that is attached to each tax notice for a watercraft, as provided in Section 12-37-3215.

Amend the bill further, SECTION 2, by striking Section 50-9-975(B)(2) and inserting:

(2) identification, marking, and lighting of hazards to navigation in accordance with applicable rules governing aids to navigation; and

Amend the bill further, by deleting SECTIONS 3 and 4.

Amend the bill further, SECTION 5, by striking Section 12-37-3215 and inserting:

Section 12-37-3215. A tax notice for a watercraft must include a waterways protection fee of three dollars. The fee must be deposited by the county treasurer into the South Carolina Waterways Protection Fund, as established in Section 50-9-975. The issuance or renewal of a certificate of number by the Department of Natural Resources is not contingent on the payment of the waterways protection fee.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

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

POINT OF ORDER

S. 394 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-37-30, RELATING TO NEONATAL TESTING OF CHILDREN, SO AS TO PROVIDE FOR THE NOTIFICATION OF THE CHILD'S PRIMARY PROVIDER AND A QUALIFIED PEDIATRIC SPECIALIST OF ABNORMAL NEWBORN SCREENING RESULTS IN CERTAIN CIRCUMSTANCES.

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

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

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.

OBJECTION

S. 414 -- Senators Gambrell, Massey, Turner, Bennett, Grooms and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES. E-LIOUID. PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Senator KIMPSON objected to consideration of the Bill.

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

MADE SPECIAL ORDER

S. 120 -- Senators Hembree and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-580, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL; TO MAKE TECHNICAL CHANGES; TO PROVIDE THE PURCHASE OR ACQUISITION OF **DRUGS** AND MEDICAL **SUPPLIES USED** IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE: TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM ALL **STATE** LICENSING **PROCESSES** AND REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY; TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING, MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LICENSING AND REGULATION; TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED ADMINISTRATION OF THE DEATH PENALTY; AND TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE OF ABSOLUTE CONFIDENTIALITY IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE.

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

Senator MASEY explained the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows: Ayes 33; Nays 10

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Johnson, Michael
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Allen	Fanning	Hutto
Johnson, Kevin	Kimpson	Matthews
McLeod	Sabb	Scott
Stephens		

Total--10

The Bill was made a Special Order.

MOTION ADOPTED

At 1:27 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

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, 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 a consideration of the Bill, the question being the second reading of the Bill.

Amendment No. 2

Senator HUTTO proposed the following amendment (SJ-153.BM0010S), which was withdrawn:

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

- () four eight grams or more of any fentanyl or fentanyl-related substance, as described in Section 44-53-190 or 44-53-210, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as "trafficking in fentanyl" and, upon conviction, must be punished as follows if the quantity involved is:
- (a) <u>four eight</u> grams or more, but less than fourteen grams: Amend the bill further, SECTION 3, by striking Section 44-53-370(d)(4) and inserting:
- (4) possession of more than: one gram of cocaine, one hundred milligrams of alpha- or beta-eucaine, four grains of opium, four grains of morphine, two grains of heroin, four grains of fentanyl or a fentanyl-related substance as described in Section 44-53-190 or 44-53-210, one hundred milligrams of isonipecaine, twenty-eight grams or one ounce of marijuana, ten grams of hashish, fifty micrograms of lysergic acid diethylamide (LSD) or its compounds, fifteen tablets, capsules, dosage units, or the equivalent quantity of 3, 4methylenedioxymethamphetamine (MDMA), or twenty milliliters or milligrams of gamma hydroxybutyric acid or a controlled substance analogue of gamma hydroxybutyric acid, is prima facie guilty of violation of subsection (a) of this section. A person who violates this subsection with respect to twenty-eight grams or one ounce or less of marijuana or ten grams or less of hashish is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days or fined not less than one hundred dollars nor more than two hundred dollars. Conditional discharge may be granted in accordance with the provisions of Section 44-53-450 upon approval by the circuit solicitor to the magistrate or municipal judge. As a part of a sentence, a magistrate or municipal judge may require attendance at an approved drug abuse

program. Persons charged with the offense of possession of marijuana or hashish under this item may be permitted to enter the pretrial intervention program under the provisions of Sections 17-22-10 through 17-22-160. For a second or subsequent offense, the offender is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than one year or fined not less than two hundred dollars nor more than one thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits, and good conduct credits.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment. Senator HEMBREE spoke on the amendment. Senator MALLOY spoke on the amendment.

RECESS

At 2:23 P.M., on motion of Senator MALLOY, with unanimous consent and Senator MALLOY retaining the floor, the Senate receded from business until 2:25 P.M.

At 2:24 P.M., the Senate resumed.

On motion of Senator HUTTO, Amendment No. 2 was withdrawn.

Amendment No. 4

Senator MALLOY proposed the following amendment (SJ-153.BM0014S), which was adopted:

Amend the bill, as and if amended, SECTION 2, Section 44-53-370, by striking the third undesignated paragraph, (a)1., and inserting:

1. for a first offense, a term of imprisonment of not less than ten seven years nor more than twenty-five years, no part of which may be suspended or probation granted, and a fine of fifty thousand dollars; or

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CLIMER desired to be recorded as voting against the adoption of the amendment.

Amendment No. 5

Senator GOLDFINCH proposed the following amendment (SEDU-153.DB0013S), which was adopted:

Amend the bill, as and if amended, SECTION 3, after Section 44-53-370(d)(3), by adding an item to read:

() more than two grains of fentanyl or fentanyl-related substance is guilty of a felony and, upon conviction must be imprisoned not more than 5 years or fined not more than five thousand dollars, or both. For a second offense, the offender is guilty of a felony and, upon conviction, must be imprisoned not more than ten years or fined not more than seven thousand five hundred dollars, or both. For a third or subsequent offense, the offender is guilty of a felony and, upon conviction, must be imprisoned not more than 15 years or fined not more than ten thousand dollars, or both. Notwithstanding any other provision of law, a person convicted and sentenced pursuant to this item for a first or second offense may have the sentence suspended and probation granted and is eligible for parole, supervised furlough, community supervision, work release, work credits, education credits and good conduct credits;

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 44; Nays 0

AYES

	11122	
Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson

Johnson, Michael Johnson, Kevin Kimbrell Kimpson Loftis Malloy Martin Massey Matthews McLeod Peeler McElveen Rankin Reichenbach Rice Sabb Scott Senn Setzler Shealy Stephens Talley Turner Verdin Williams Young

Total--44

NAYS

Total--0

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

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

CARRIED OVER

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

On motion of Senator MASSEY, with unanimous consent, the Senate proceeded to S. 1.

Having voted on the prevailing side, Senator MASSEY moved to reconsider the vote whereby Amendment No. 2 (SJ-1. BM0004S) was not adopted on February 14, 2023.

Senator MASSEY moved to carry over the motion to reconsider.

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

Motion Adopted

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

ADJOURNMENT

At 2:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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