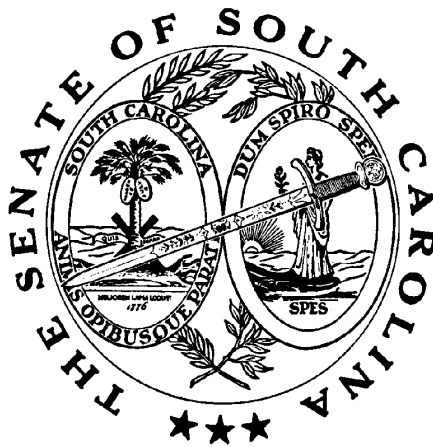


NO. 29

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

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TUESDAY, FEBRUARY 28, 2023

**Tuesday, February 28, 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 27:1

Bless us all as today we hear in Psalm 27 that: “The Lord is my light and my salvation; whom shall I fear? The Lord is the stronghold of my life; of whom shall I be afraid?”

Let us pray: O Loving Lord, it has now been one year, one year since the horrors of modern warfare brought havoc and destruction upon the people of Ukraine. One entire year of unrelenting terror and death. We pray, dear God, that Your hand of mercy will be with those who survive and who struggle to overcome the forces of darkness. We pray further for those who are striving to bring about peace, to provide medical aid, to assist Ukraine as yet another year of unimaginable fear gets underway. Also, Lord, as this Senate yearns for peace everywhere, we ask You to keep our our own troops safe, wherever they happen to serve. And in addition, embrace in Your love and care Senator Hutto and his family in the death yesterday of the Senator’s father. O Lord, we pray all of this in Your blessed name. 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 | Allen     |
| Bennett | Cash      | Climer    |
| Corbin  | Cromer    | Davis     |
| Fanning | Grooms    | Gustafson |

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|             |                       |                         |
|-------------|-----------------------|-------------------------|
| Hembree     | <i>Johnson, Kevin</i> | <i>Johnson, Michael</i> |
| Kimpson     | Loftis                | Malloy                  |
| Martin      | Massey                | Peeler                  |
| Reichenbach | Rice                  | Sabb                    |
| Senn        | Setzler               | Shealy                  |
| Stephens    | Talley                | Turner                  |
| Verdin      | Young                 |                         |

A quorum being present, the Senate resumed.

**Motion to Ratify Adopted**

At 12:11 P.M., Senator MARTIN moved to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

**Doctor of the Day**

Senator DAVIS introduced Dr. James Gigante of Hilton Head, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator SETZLER, at 12:04 P.M., Senator HUTTO was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SETZLER, at 12:04 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SETZLER, at 12:04 P.M., Senator GARRETT was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator GAMBRELL, at 12:52 P.M., Senator GOLDFINCH was granted a leave of absence for today.

**CO-SPONSORS ADDED**

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

S. 92    Sen. Malloy  
S. 123    Sens. Talley, Sabb, Setzler and Scott

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S. 125 Sens. Fanning and Climer  
S. 137 Sens. Young and Senn  
S. 138 Sens. Senn, Cromer and Loftis  
S. 259 Sen. Malloy  
S. 285 Sen. Climer  
S. 392 Sen. Gustafson  
S. 500 Sens. Campsen and Rankin  
S. 552 Sen. M. Johnson  
S. 557 Sen. Young

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 570 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE NONPROFIT AND PHILANTHROPIC ORGANIZATIONS OF SOUTH CAROLINA AND THEIR MANY VOLUNTEERS, DONORS, BOARD MEMBERS, AND PROFESSIONAL LEADERS FOR THEIR SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0291km-hw23.docx : 7798a2c0-e87c-4ce2-9991-973c5b6b6efe

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

S. 571 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MARCH 2023 AS "SOCIAL WORK MONTH" IN SOUTH CAROLINA.

sr-0299km-vc23.docx : 28b509bd-5074-4410-83d8-44bc847d3605

The Senate Resolution was adopted.

S. 572 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO CORPORATE SELF-REPRESENTATION AT HEARINGS BEFORE THE DEPARTMENT'S PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5152, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0244wab-dbs23.docx : fab3f306-5cc9-4944-8ac7-1c99a30faa14

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

S. 573 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-STATE ATHLETIC COMMISSION, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5153, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0245wab-dbs23.docx : 8865a830-459f-40b6-89dd-3d652c3028c9

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

S. 574 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS, RELATING TO BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5133, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0243wab-rt23.docx : eb52825e-f206-426b-b9ac-0002df22c3da

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

S. 575 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MS. CAROLYN DAVIS ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION.

sr-0307km-hw23.docx : ef455377-9c85-40fb-bb12-d8ae6225eaa1

The Senate Resolution was adopted.

S. 576 -- Senators Massey, Garrett, Peeler, Climer, Cash, Bennett, Turner, Gustafson, Rice, Verdin, Young, Kimbrell, Corbin, Cromer, McElveen and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-13-30, RELATING TO LIMITATION ON ALIEN LAND OWNERSHIP, SO AS TO PROVIDE THAT CORPORATIONS CONTROLLED BY A

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FOREIGN ADVERSARY CANNOT ACQUIRE AN INTEREST IN REAL PROPERTY IN THIS STATE; TO DEFINE NECESSARY TERMS; AND TO REDUCE THE AMOUNT OF REAL PROPERTY THAT AN ALIEN OR CORPORATION MAY ACQUIRE AN INTEREST IN FROM FIVE HUNDRED THOUSAND ACRES TO ONE THOUSAND ACRES.

sr-0287km23.docx : 08440dec-c88d-4206-abca-8d39d7899d45

Senator MASSEY spoke on the Bill.

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

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

lc-0175dg23.docx : b5affca5-d749-42d1-9a8e-026c54e91926

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

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

lc-0174dg23.docx : e697b48c-3966-419c-a386-9b8ba8653b34

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

S. 579 -- Senator Loftis: A SENATE RESOLUTION TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN WITH THE SENATE IN RECOGNIZING THE POSITIVE IMPACT OF STEM EDUCATION AND STEM EDUCATORS ON THE QUALITY OF LIFE FOR RESIDENTS OF THE PALMETTO STATE AND TO DECLARE APRIL 12, 2023, AS STEM EDUCATION DAY THROUGHOUT THE STATE OF SOUTH CAROLINA.

lc-0194ph-jn23.docx : d53310b8-0bcd-453f-af8a-4b4050ebd1e2

The Senate Resolution was introduced and referred to the Committee on Education.

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H. 3505 -- Rep. J. E. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-640, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO LIMIT THE APPLICABLE WATERWAYS.

lc-0095ph23.docx : 00315d96-88cc-4235-8f13-50e7a759cf3c

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

H. 3594 -- Reps. B. J. Cox, G. M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A. M. Morgan, T. A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M. M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B. L. Cox, Vaughan, White, Collins, J. E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR

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DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL



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CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

lc-0126cm23.docx : 89916e7c-57e3-4cdf-a81f-65fbae2ead41

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

#### **REPORTS OF STANDING COMMITTEE**

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 311 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT

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OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; BY AMENDING SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; BY AMENDING SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; BY AMENDING SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD-PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE; AND BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 436 -- Senators Scott, Jackson, Sabb, Malloy, Allen, Hutto, Adams, McElveen, McLeod, K. Johnson, M. Johnson, Kimbrell, Davis, Rice, Williams and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 31-1-900, SO AS TO

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ESTABLISH THE HEIRS' PROPERTY COMMISSION TO ADDRESS THE LEGAL AND ECONOMIC ISSUES ASSOCIATED WITH HEIRS' PROPERTY, TO PROVIDE FOR MEMBERSHIP OF THE COMMISSION, TO PROVIDE FOR REPORTING REQUIREMENTS OF THE COMMISSION, AND TO PROVIDE FOR THE EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUTHORITY TO CHAIR THE COMMISSION AND FOR THE AGENCY TO PROVIDE ADMINISTRATIVE SUPPORT TO THE COMMISSION.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

**Statewide Appointments**

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

At-Large:

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

Received as information.

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

At-Large:

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

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

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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. 304 -- Senators Turner, Climer, Verdin, Kimbrell and Cromer: 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.

**Recorded Vote**

Senator CORBIN desired to be recorded as voting against the third reading of the Bill.

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.

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.

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**OBJECTION**

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.

Senator PEELER objected to consideration of the Bill.

**RECOMMITTED**

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.

The Senate proceeded to the consideration of the Resolution.

Senator TALLEY explained the Resolution.

On motion of Senator TALLEY, the Resolution was recommitted to the Committee on Family and Veterans' Services.

**RECOMMITTED**

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 TALLEY explained the Resolution.

On motion of Senator TALLEY, the Resolution was recommitted to the Committee on Family and Veterans' Services.

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**RECOMMITTED**

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 TALLEY explained the Resolution.

On motion of Senator TALLEY, the Resolution was recommitted to the Committee on Family and Veterans' Services.

**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 A 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

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ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Senator PEELER objected to consideration of the Bill.

**OBJECTION**

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

Senator LOFTIS objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

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The Committee on Finance proposed the following amendment (SF-31.CH0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking 5-7-240 and inserting:

(A) The council of each municipality having total recurring revenues at or above the threshold in Section 5-7-240(D) shall provide for an independent annual audit of all financial records and transactions of the municipality and any agency funded in whole by municipal funds and may provide for more frequent audits as it deems necessary. Special audits may be provided for any agency receiving municipal funds as the municipality deems necessary. Such audits shall be made by a certified public accountant or public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the municipal government or any of its officers financial statements. The council may, without requiring competitive bids, designate a certified public such accountant or public accounting firm annually or for a period not exceeding four years, provided, that the designation for any particular fiscal year shall be made no later than thirty days after the beginning of such fiscal year. The report of the audit shall be made available for public inspection. The council may in its discretion accept independent audits of municipal agencies and departments and include such audits in its general report of the audit of the municipality.

—Amend the bill further, SECTION 1, by striking Section 5-7-240(B) and (C) and inserting:

(B) The council of each municipality having total recurring revenues below the threshold in Section 5-7-240(D) may elect to provide for either an audit of financial statements or a compilation of financial statements in lieu of an audit as follows:

(1) annually for municipalities that have a court system; or

(2) at least once every three years for municipalities that do not have a court system.

(C) The audit or compilation must be performed by an independent certified public accountant or a firm of certified public accountants. The report of the audit or compilation shall be made available for public inspection. Financial statements of municipalities with a court system must include the requirements of Section 14-1-208.

Amend the bill further, SECTION 1, by striking Section 5-7-240(D) and inserting:

(D) Beginning with the municipality fiscal year which begins after January 1, 2024, the reporting threshold is \$500,000 of the total recurring revenue of a municipality. As soon as practicable at the beginning of



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each subsequent calendar year, the Revenue and Fiscal Affairs Office must determine the increase or decrease in the ratio of the Consumer Price Index to the index as of December 31 of the previous year and the threshold must be increased accordingly. If the average of the twelve-month consumer price index experiences a negative percentage, the average is deemed to be zero. For purposes of this subsection, "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

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

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

**Ayes 40; Nays 0**

**AYES**

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

**Total--40**

**NAYS**

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**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 92 -- Senators Campsen, Senn, Garrett and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-17-110 SO AS TO PROVIDE FOR THE EXTENSION OF AN ELECTION PROTEST FILING DEADLINE WHICH FALLS ON A LEGAL HOLIDAY.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-92.PB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 7-17-110 and inserting:

Section 7-17-110. If the deadline for filing an election protest provided in this chapter falls on a legal holiday, then the deadline extends to the next regular business day that is not a legal holiday. For purposes of this section, "next regular business day" means a day that is not a Saturday, Sunday, or legal holiday.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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

**READ THE SECOND TIME**

S. 123 -- Senators Hembree, Turner, Malloy, Talley, Sabb, Setzler and Scott: A JOINT RESOLUTION TO CREATE THE "PERMANENT AUTHORIZATION JOINT RESOLUTION OF THE SOUTH CAROLINA FIRST STEPS TO SCHOOL READINESS ACT"; AND PERMANENTLY AUTHORIZE THE ACT AND REPEAL FORMER SECTIONS AS IT RELATES TO THE REPEAL AND REAUTHORIZATION OF THE ACT.

The Senate proceeded to the consideration of the Resolution.

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Senator HEMBREE explained the Joint Resolution.

The question then being second reading of the Resolution.

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 124 -- Senators Hembree and Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM THAT WILL PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION AND EXPERIENCE REQUIREMENTS, TO FURTHER PROVIDE

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FOR ANNUAL PROGRAM REPORTING AND NONCERTIFIED  
TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE proposed the following amendment (SEDU-124.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-18-1115(E)(2) and inserting:

(2) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher. If a noncertified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education, then the State Board of Education is authorized to revoke the non-certified teacher's registration.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

#### **Motion Adopted**

Senator HEMBREE 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.

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

#### **READ THE SECOND TIME**

S. 125 -- Senators Hembree, Turner, Young, Setzler, Fanning and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO ADDITIONAL LIFE SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE THE COMMISSION ON HIGHER EDUCATION PROMULGATE REGULATIONS TO DEFINE

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EDUCATION MAJOR; BY AMENDING SECTION 59-104-25, RELATING TO ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE FOR THE PROMULGATION OF REGULATIONS; BY AMENDING SECTION 59-149-50, RELATING TO A NUMERICAL ACT EQUIVALENT, SO AS TO SET THE EQUIVALENT SCORE OF THE ACT TO 22; AND BY AMENDING SECTION 59-104-20, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, SO AS TO ALLOW A STUDENT WHO USES A PALMETTO FELLOWS SCHOLARSHIP TO ATTEND A TWO-YEAR INSTITUTION SHALL RECEIVE A MAXIMUM OF FOUR CONTINUOUS SEMESTERS.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-125.DB0002S):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-149-15(B) and inserting:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, science education, math education, and health care and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. The Commission on Higher Education shall by regulation define what constitutes an education major and shall set forth eligibility criteria that the student must meet to receive a LIFE Scholarship stipend but must include a contractual requirement, including a default provision, that the education student recipient must upon graduation work in a South Carolina public school for one year for every year the stipend is received. Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors.

Amend the bill further, SECTION 2, by striking Section 59-104-25(B) and inserting:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major but at a minimum shall include majors in science or mathematics disciplines, computer science or informational technology, engineering, science education, math education, and health care and related disciplines including medicine and

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dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. The Commission on Higher Education shall by regulation define what constitutes an education major and shall set forth eligibility criteria that the student must meet to receive a Palmetto Fellows Scholarship stipend but must include a contractual requirement, including a default provision, that the education student recipient must upon graduation work in a South Carolina public school for one year for every year the stipend is received. Additionally, the Commission on Higher Education annually shall communicate with high school guidance counselors regarding the list of qualifying majors.

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the amendment.

The question then being 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. 138 -- Senators McElveen, Senn, Cromer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-50, RELATING TO GRADE POINT AVERAGE REQUIREMENTS FOR LIFE SCHOLARSHIP ELIGIBILITY AND RETENTION, SO AS TO PROVIDE A STUDENT WHO BECOMES ELIGIBLE FOR A LIFE SCHOLARSHIP MAY NOT SUBSEQUENTLY BECOME INELIGIBLE FOR RETENTION OF THE SCHOLARSHIP BASED ON A GRADE IN A DUAL ENROLLMENT CLASS.

The Senate proceeded to the consideration of the Bill.

Senator TURNER explained the Bill.

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Senator MALLOY spoke on the Bill.

Senator McELVEEN spoke on the Bill.

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

**CARRIED OVER**

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

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

**CARRIED OVER**

S. 143 -- Senators Shealy, Goldfinch, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS, SO AS TO DEFINE A HOUSEHOLD MEMBER AND TO DEFINE A DATING RELATIONSHIP; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITION FOR ORDER OF PROTECTION, SO AS TO DESIGNATE PEOPLE WHO CAN APPLY FOR AN ORDER OF PROTECTION ON BEHALF OF A MINOR.

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

**CARRIED OVER**

S. 145 -- Senators Shealy, Goldfinch, Hutto, Jackson, Campsen and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, LEWDNESS, ASSIGNATION, AND PROSTITUTION GENERALLY, SO AS TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION, TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING, AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION IF THE PROSTITUTE HAS A MENTAL DISABILITY; AND BY REPEALING SECTION 16-15-100, RELATING TO PROSTITUTION, FURTHER UNLAWFUL ACTS.

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

**CARRIED OVER**

S. 147 -- Senators Shealy, Gustafson, Senn, Goldfinch and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-25-130 SO AS TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WHEREBY A VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, OR SEXUAL OFFENSES MAY USE A DESIGNATED ADDRESS RATHER THAN HIS RESIDENTIAL ADDRESS TO CONCEAL HIS PLACE OF RESIDENCE FROM HIS ASSAILANTS OR PROBABLE ASSAILANTS, TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE PROCESS THROUGH WHICH A PERSON MAY PARTICIPATE IN THE PROGRAM, AND TO DEFINE NECESSARY TERMS; BY ADDING SECTION 16-3-1656 SO AS TO REQUIRE NONPROFIT VICTIM ASSISTANCE ORGANIZATIONS THAT SERVE VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, OR SEXUAL OFFENSES TO PROTECT THE CONFIDENTIALITY AND PRIVACY OF CLIENTS, WITH EXCEPTIONS; AND BY ADDING SECTION 19-11-110 SO AS TO



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PROHIBIT EMPLOYEES, AGENTS, OR VOLUNTEERS OF SUCH ORGANIZATIONS FROM TESTIFYING IN ACTIONS OR PROCEEDINGS ABOUT COMMUNICATIONS MADE BY A CLIENT OR RECORDS KEPT DURING THE COURSE OF PROVIDING SERVICES TO THE CLIENT, WITH EXCEPTIONS, AND FOR OTHER PURPOSES.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 203 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-910, RELATING TO REQUIRED PUBLIC SCHOOL DRILLS, SO AS TO PROVIDE EACH SEMESTER ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS WHOSE INSTRUCTION IS NOT PRIMARILY DELIVERED ONLINE, SHALL CONDUCT ONE FIRE DRILL, ONE ACTIVE SHOOTER/INTRUDER DRILL, AND ONE SEVERE WEATHER/EARTHQUAKE DRILL.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-203.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-910(A) and inserting:

(A) ~~All public schools, including charter schools whose instruction is not primarily delivered online, shall conduct fire, active shooter/intruder, and severe weather/earthquake drills. Within each school year, schools must conduct at least two fire drills, two active shooter/intruder drills, and two severe weather/earthquake drills, with at least one of each drill conducted each semester.~~ Notwithstanding any other law, regulation, codes or standards which are based upon nationally recognized codes or standards, all public schools, including charter schools whose instruction is not primarily delivered online, shall conduct one fire drill, one active shooter/intruder drill and one severe weather/earthquake drill each semester, all of which must be conducted within the first 15 days of each semester. In addition to these requirements, all elementary schools shall conduct one additional fire drill each semester.

For purpose of this subsection, elementary school includes any public school, including charter schools whose instruction is not primarily delivered online, that contains grades K-5.

Renumber sections to conform.

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Amend title to conform.

Senator TURNER explained the amendment.

The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**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. 208 -- Senators Goldfinch, Fanning and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR

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VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED; SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES; LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE; TEMPORARY LICENSE PLATES; TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

The Senate proceeded to the consideration of the Bill.

The Committee on Finance proposed the following amendment (SR-208.KM0002S):

Amend the bill, as and if amended, SECTION 1, by striking Section 4-10-1120(A) and inserting:

(A) Upon receipt of the ordinance or the petition from county council, the county election commission shall conduct a referendum on the question of imposing an additional driver's license and motor vehicle licensing and registration fees. A referendum for this purpose must be held at the next general election for representatives. Two weeks before the referendum, the election commission shall publish in a newspaper of general circulation the question that is to appear on the ballot. This notice is in lieu of any other notice otherwise required by law.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(C) and inserting:

(C) Upon receipt of the returns of the referendum, the county council, by resolution, shall declare the results thereof. The county council shall transmit a copy of the resolution to the executive director of the Department of Motor Vehicles within seven days of its adoption. The results of the referendum may not be questioned except by a suit or proceeding instituted within thirty days from the date the resolution is adopted.

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Amend the bill further, SECTION 1, Section 4-10-1120, by striking the first undesignated paragraph and inserting:

“Must an additional two hundred fifty-dollar fee be collected on driver’s licenses issued to those people establishing a residence in \_\_\_\_\_ County from another state or country, the proceeds of which shall be expended in the following manner?

Amend the bill further, SECTION 2, by striking Section 56-1-20(A) and inserting:

(A) No person, except those expressly exempted in this article shall drive any motor vehicle upon a highway in this State unless such person has a valid motor vehicle driver's license issued to him under the provisions of this article. No person shall receive a motor vehicle driver's license unless and until he surrenders to the Department of Motor Vehicles all valid operator's licenses in his possession issued to him by any other state within forty-five days of becoming a resident of this state, unless specifically exempted by law. All surrendered licenses shall be returned by the Department to the issuing department, agency or political subdivision. No person shall be permitted to have more than one valid motor vehicle driver's license or operator's license at any time.

Amend the bill further, SECTION 2, by striking Section 56-1-20(C) and inserting:

(C) A person being issued a license pursuant to this article who surrenders a valid operator’s license in his possession issued to him by any other state as required in subsection (A) and who is establishing residence in a county in which a successful referendum has been held pursuant to Section 4-10-1120, must pay a one-time fee of two hundred fifty dollars in addition to all other applicable fees and charges before he may be issued a motor vehicle driver’s license or operator’s license in this State. The department may not issue a driver's license pursuant to this subsection until the person provides proof that any associated property tax and fees for motor vehicles and driver’s licenses have been satisfied.

Amend the bill further, SECTION 3, by striking Section 56-3-210(C)(2) and inserting:

(2) When the owner of a foreign vehicle being moved to this State is licensed and registered pursuant to item (1) in a county in which a successful referendum has been held pursuant to 4-10-1120, the owner must pay a one-time fee of two hundred and fifty dollars in addition to any other fees or costs assessed for licensing and registration. The department may not issue a license plate pursuant to this subsection until

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the person provides proof that any associated property tax and fees for motor vehicles and driver's licenses have been satisfied.

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

SECTION X. After the first county adopts a resolution pursuant to this act, the fees required pursuant to this act shall not begin to be collected for six months. The provisions contained in this section only apply to the first county in which a successful referendum pursuant to this act is held.

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

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 245 -- Senators Kimbrell and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE TREASURER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE TREASURER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE TO A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

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The Committee on Education proposed the following amendment (SEDU-245.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-17-170(A)(2) and inserting:

(2) "Financial officer" means a person or persons who maintains custody of a booster club's financial records and/or who has signatory authority on all of the booster club's transactions, accounts, contracts, checks, or other instruments or undertakings of any kind.

Amend the bill further, SECTION 1, by striking Section 59-17-170(B)(1) and (2) and inserting:

(B)(1) A person who was convicted of, or pled guilty or nolo contendere to, a felony, a violation of Chapter 13 of Title 16, or a violation of Chapter 14 of Title 16 is prohibited from serving as a financial officer of a booster club.

(2) A financial officer who was convicted of, or who pled guilty or nolo contendere to, a crime identified in item (1) must immediately resign, and a new person must be assigned to that role within the booster club. A booster club is prohibited from disbursing funds for any purpose until a new person is designated as the financial officer.

Amend the bill further, SECTION 1, by striking Section 59-17-170(C)(1) and inserting:

(C)(1) Each booster club within a school district must annually register with the school district board of trustees no later than August first. The registration shall include the name of the booster club, its purpose, the name of each of the booster club's officers, including its designated financial officer, and other information required by the school district board of trustees.

Amend the bill further, SECTION 1, by striking Section 59-17-170(D)(1) and inserting:

(D)(1) Upon the receipt of a booster club's registration, a school district board of trustees shall request a state criminal records check, including fingerprints, from the South Carolina Law Enforcement Division of the financial officer. The school district board of trustees shall immediately notify a booster club if the criminal records check reveals that its financial officer is prohibited from serving in that role for the booster club pursuant to subsection (B).

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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The amendment was adopted.

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

**Motion Adopted**

Senator YOUNG 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.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 256 -- Senators M. Johnson and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-85 SO AS TO PROVIDE PUBLIC SCHOOLS MAY ALLOW STUDENTS TO POSSESS AND USE CERTAIN SUNSCREEN ON SCHOOL PROPERTY AND AT SCHOOL SPONSORED EVENTS WITH PARENTAL CONSENT, TO DEFINE NECESSARY TERMS, TO PROVIDE PUBLIC SCHOOLS MAY ADOPT POLICIES ALLOWING STUDENTS TO USE ARTICLES OF SUN PROTECTIVE CLOTHING, TO PROVIDE SCHOOL DISTRICTS MAY ALLOW SCHOOL PERSONNEL TO ASSIST STUDENTS IN APPLYING SUNSCREEN WITH WRITTEN PARENTAL CONSENT, TO PROVIDE CIVIL LIABILITY PROTECTIONS FOR GOOD FAITH COMPLIANCE WITH THE PROVISIONS OF THIS ACT, TO PROVIDE FOR THE CONSTRUCTION OF THIS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN RELATED ASSISTANCE AND GUIDANCE TO SCHOOLS CONCERNING THE ADMINISTRATION OF APPLICABLE PROVISIONS OF THIS ACT; AND BY ADDING SECTION 63-13-220 SO AS TO PROVIDE DAY CAMPS REGULATED BY THE DEPARTMENT OF SOCIAL SERVICES MAY ALLOW CAMPERS TO POSSESS AND USE CERTAIN SUNSCREEN ON SCHOOL PROPERTY OR AT SCHOOL SPONSORED EVENTS WITH PARENTAL CONSENT, TO DEFINE NECESSARY TERMS, TO PROVIDE THESE DAY CAMPS MAY ADOPT POLICIES ALLOWING CAMPERS TO USE ARTICLES OF

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SUN PROTECTIVE CLOTHING, TO PROVIDE THESE DAY CAMPS MAY ALLOW THEIR PERSONNEL TO ASSIST CAMPERS IN APPLYING SUNSCREEN WITH WRITTEN PARENTAL CONSENT, TO PROVIDE CIVIL LIABILITY PROTECTIONS FOR GOOD FAITH COMPLIANCE WITH THE PROVISIONS OF THIS ACT, TO PROVIDE FOR THE CONSTRUCTION OF THIS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF SOCIAL SERVICES SHALL PROVIDE CERTAIN RELATED ASSISTANCE AND GUIDANCE TO DAY CAMPS CONCERNING THE ADMINISTRATION OF APPLICABLE PROVISIONS OF THIS ACT.

The Senate proceeded to the consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-256.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-85(A)(2) and inserting:

(2) "Sunscreen" means a topical, non-aerosol product regulated by the United States Food and Drug Administration for over-the-counter use for the purpose of limiting ultraviolet light induced skin damage. Sunscreen does not include prescription medication.

Amend the bill further, SECTION 1, by striking Section 59-63-85(B) and inserting:

(B) Public schools shall not prohibit the possession or personal use of sunscreen.

Amend the bill further, by deleting SECTION 2.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|         |           |        |
|---------|-----------|--------|
| Adams   | Alexander | Allen  |
| Bennett | Campsen   | Cash   |
| Climer  | Corbin    | Cromer |



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|          |                       |                         |
|----------|-----------------------|-------------------------|
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 259 -- Senators Rankin, Young, Hutto, Sabb and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-50-20, RELATING TO DEFINITIONS, SO AS TO ADD SEVERAL DEFINITIONS TO THE CHAPTER; BY ADDING SECTION 15-50-25 SO AS TO PROVIDE A LIST OF ACTS IN WHICH A STRUCTURED SETTLEMENT PURCHASE COMPANY CANNOT ENGAGE; BY AMENDING SECTION 15-50-30, RELATING TO DISCLOSURE STATEMENTS, SO AS TO ADD TO THE LIST OF ITEMS WHICH MUST BE DISCLOSED TO THE PAYEE BY THE STRUCTURED SETTLEMENT PURCHASE COMPANY; BY AMENDING SECTION 15-50-40, RELATING TO APPROVAL BY FINAL COURT ORDER, SO AS TO ADD FACTORS WHICH THE COURT MUST CONSIDER IN DETERMINING IF THE TRANSFER OF THE STRUCTURED SETTLEMENT PAYMENT RIGHTS IS IN THE BEST INTEREST OF THE PAYEE; BY AMENDING SECTION 15-50-50, RELATING TO RIGHTS AND OBLIGATIONS OF A STRUCTURED SETTLEMENT OBLIGOR, ANNUITY ISSUER, AND TRANSFEREE, SO AS TO

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PROVIDE WHEN CERTAIN PARTIES WILL BE DISCHARGED FROM LIABILITY; BY AMENDING SECTION 15-50-60, RELATING TO THE NOTICE OF AN APPROVAL HEARING, SO AS TO PROVIDE THAT A HEARING MUST BE HELD IN A COURT OF COMPETENT JURISDICTION IN A COUNTY IN WHICH THE PAYEE RESIDES, WITH CERTAIN EXCEPTIONS, AND TO FURTHER REQUIRE THAT THE PAYEE MUST ATTEND THE HEARING IN PERSON UNLESS GOOD CAUSE EXISTS TO EXCUSE THE IN-PERSON ATTENDANCE; BY AMENDING SECTION 15-50-70, RELATING TO THE SCOPE OF THE TRANSFER AGREEMENT, SO AS TO MAKE CHANGES THAT CONFORM TO THE REST OF THE CHAPTER; BY ADDING SECTION 15-50-80 SO AS TO PROVIDE THAT THE COURT APPOINT AN ATTORNEY TO ADVISE THE COURT IN CERTAIN CASES; BY ADDING SECTION 15-50-90 SO AS TO PROVIDE THAT A STRUCTURED SETTLEMENT PURCHASE COMPANY WHO WANTS TO DO BUSINESS IN THIS STATE MUST REGISTER WITH THE SECRETARY OF STATE; BY ADDING SECTION 15-50-100 SO AS TO PROVIDE THAT REGISTRATION IS VALID FOR ONE YEAR AND A RENEWED APPLICATION MUST BE FILED EVERY YEAR THEREAFTER; BY ADDING SECTION 15-50-110 SO AS TO PROVIDE THAT A STRUCTURED SETTLEMENT PURCHASE COMPANY MUST POST A BOND WITH THE SECRETARY OF STATE OR PAY A CASH BOND IN THE AMOUNT OF FIFTY THOUSAND DOLLARS; BY ADDING SECTION 15-50-120 SO AS TO PROVIDE THAT A STRUCTURED SETTLEMENT PURCHASE COMPANY MUST FILE A NOTICE OF JUDGMENT WITH THE SECRETARY OF STATE AND PROVIDE A COPY OF THE JUDGMENT SECURED AGAINST THE COMPANY; BY ADDING SECTION 15-50-130 SO AS TO PROVIDE THAT LIABILITY IS NOT AFFECTED BY A BREACH OF CONTRACT, BREACH OF WARRANTY, OR ANY OTHER ACT OR OMISSION OF THE BONDED STRUCTURED SETTLEMENT PURCHASE COMPANY; BY ADDING SECTION 15-50-140 SO AS TO PROVIDE THAT THE SECRETARY OF STATE MUST RECEIVE WRITTEN NOTICE OF THE CANCELLATION OR MODIFICATION OF A SURETY BOND WITHIN TWENTY DAYS PRIOR TO THE CANCELLATION OR MODIFICATION; BY ADDING SECTION 15-50-150 SO AS TO PROVIDE THAT AN ASSIGNEE IS NOT REQUIRED TO REGISTER AS A STRUCTURED SETTLEMENT PURCHASE COMPANY TO

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ACQUIRE STRUCTURED SETTLEMENT PAYMENT RIGHTS; BY ADDING SECTION 15-50-160 SO AS TO PROVIDE THAT THE SECRETARY OF STATE MAY ASSESS AN ADMINISTRATIVE FINE IF A PERSON WHO IS REQUIRED TO REGISTER DOES NOT DO SO WITHIN FIFTEEN DAYS AFTER RECEIPT OF NOTICE TO REGISTER; AND BY ADDING SECTION 15-50-170 SO AS TO PROVIDE THAT A TRANSFER ORDER DOES NOT CONSTITUTE A QUALIFIED ORDER PURSUANT TO FEDERAL LAW IF THE TRANSFEREE IS NOT REGISTERED AS A STRUCTURED SETTLEMENT PURCHASE COMPANY PURSUANT TO THIS ACT AT THE TIME THE ORDER IS SIGNED.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-259.SW0010S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-50-20~~(12)~~(16) and inserting:

~~(12)~~(16) “Structured settlement” means an arrangement for periodic payment of damages for personal injuries or sickness established by settlement or judgment in resolution of a tort claim. Notwithstanding another provision of law, a structured settlement is not a consumer loan or otherwise subject to Title 37.

Amend the bill further, SECTION 1, by striking Section 15-50-20~~(16)~~ and inserting:

~~(16)~~(22) “Terms of the structured settlement” include the terms of the structured settlement agreement, the annuity contract, a qualified assignment agreement, and an order or other approval of a court that approved a structured settlement agreement.

Amend the bill further, SECTION 3, by striking Section 15-50-30~~(10)~~ and inserting:

(10) that the payee has the right to seek and receive independent professional advice regarding the proposed transfer and should consider doing so before agreeing to the transfer of any structured settlement payment rights. The notice must also contain: “It is prohibited for us to refer you to a specific independent professional adviser. We may refer you to a state or local referral service, bar association, legal aid, or any other entity unrelated to us which assists people with locating independent professional advice, if requested”; and

Amend the bill further, SECTION 4, by striking Section 15-50-40~~(B)~~ and ~~(C)~~ and inserting:

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(B) In determining whether a proposed transfer is in the best interests of the payee pursuant to (A)(1), the courts must take into consideration the welfare and support of the payee and the payee's dependents, if any. The court must also consider,

(1) the reasonable preference of the payee, in light of the payee's age, mental capacity, maturity level, understanding of the terms of the agreement, and stated purpose for the transfer;

(2) if the periodic payments were intended to cover future income or losses or future medical expenses, whether the payee has means of support aside from the structured settlement to meet these obligations;

(3) whether the payee can meet the financial needs of, and obligations to, the payee's dependents if the transfer is allowed to proceed, including child support and spousal maintenance;

(4) whether the payee completed previous transactions involving the payee's structured settlement payment rights, and the timing, amount, stated purpose, and actual use of the proceeds;

(5) the impact of the proposed transfer on current or future eligibility of the payee or the payee's dependents for public benefits; and

(6) any other factors or facts the court determines to be relevant.

(C) No direct or indirect transfer of a payee's structured settlement payment rights by a payee's conservator, if a conservator has been appointed, shall be effective and no structured settlement obligor or annuity issuer shall be required to make a payment directly or indirectly to a transferee or assignee of structured settlement payment rights unless, in addition to the findings required under this section, the court also finds that the proceeds of the proposed transfer would be applied solely for the benefit of the payee.

(D) No direct or indirect transfer of a minor's structured settlement payment rights by a parent, conservator, or guardian shall be effective and no structured settlement obligor or annuity issuer shall be required to make a payment directly or indirectly to a transferee or assignee of structured settlement payment rights unless, in addition to the findings required under this section, the court also finds that:

(1) the proceeds of the proposed transfer would be applied solely for support, care, education, health, and welfare of the minor payee; and

(2) any excess proceeds would be preserved for the future support, care, education, health, and welfare of the minor payee and transferred to the minor payee upon emancipation.

(E) The final court order must expressly state that the best interest factors enumerated in subsection (B) have been considered, and if the court approves the transfer of payment rights, the order must state that

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the court finds that it is in the best interest of the payee to approve the transfer.

Amend the bill further, SECTION 5, by striking Section 15-50-50(1) and inserting:

(1) the structured settlement obligor and the annuity issuer; may rely on the court order approving the transfer in redirecting periodic payments to an assignee or transferee in accordance with the order approving the transfer and shall, as to all parties except the transferee, are or an assignee designated by the transferee, be discharged and released from liability for the transferred redirected payments; and. Such discharge and release shall not be affected by the failure of any party to the transfer to comply with this chapter or with the court order approving the transfer.

Amend the bill further, SECTION 5, by striking Section 15-50-50(2)(b) and inserting:

(b) for other liabilities or costs, including reasonable costs and attorney's fees, arising from compliance by the parties with the requirements of this chapter, with the order of the court, or for costs arising as a consequence of the transferee's failure to comply with this chapter;

Amend the bill further, SECTION 6, by striking Section 15-50-60(A) and inserting:

(A) An application pursuant to this chapter for approval of a transfer of structured settlement payment rights may be made by the transferee and ~~may~~must be brought in ~~a court of competent jurisdiction, including the probate court if the transferee is a minor or the original settlement was approved by the probate court, the circuit court~~ in the county in which the payee resides; ~~in the county in which the structured settlement obligor or the annuity issuer maintains its principal place of business, or . If the payee is not a resident of this State the application must be brought in any the circuit court in the county in which approved~~ the structured settlement agreement was approved.

Amend the bill further, SECTION 7, by striking Section 15-50-70(B) and inserting:

(B) A transfer agreement entered into ~~on or after the effective date of this chapter~~ by a payee who resides in this State must provide that disputes under the transfer agreement, including a claim that the payee has breached the agreement, must be determined pursuant to the laws of this State. A transfer agreement ~~may~~ shall not authorize the transferee or another party to confess judgment or consent to entry of judgment against the payee.

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Amend the bill further, SECTION 8, by striking Section 15-50-80(A), (B), and (C) and inserting:

(A) The court may appoint an attorney to serve as a guardian ad litem, to make an independent assessment, and to advise the court whether the proposed transfer is in the best interest of the payee, taking into consideration the factors enumerated in Section 15-50-40(B). The guardian ad litem may consult with a certified public accountant, actuary, or other licensed professional for independent professional advice, if necessary. All costs and reasonable fees for the guardian ad litem shall be borne by the transferee in an amount determined by the court.

(B) The court must appoint an attorney to serve as a guardian ad litem in any case involving:

(1) a proposed transfer of a minor's structured settlement payments rights by a conservator or by a parent or guardian if a conservator has not been appointed. The guardian ad litem must advise the court on whether the proposed transfer is of direct benefit to the minor; or

(2) a proposed transfer of structured settlement payment rights involving a payee who appears to the court to suffer from a mental or cognitive impairment.

(C) The transferee must file a motion for the appointment of an attorney to serve as a guardian ad litem prior to a hearing on the proposed transfer if the transferee is aware that:

(1) the underlying structured settlement arose from a case in which a finding was made in a court record of a mental or cognitive impairment on the part of the payee;

(2) a conservator or guardian has been appointed for the payee; or

(3) a finding has been made in a court record, other than that of the underlying structured settlement case, of a mental or cognitive impairment on the part of the payee.

Amend the bill further, SECTION 8, by striking Section 15-50-80(E) and inserting:

(E) An attorney appointed to serve as a guardian ad litem by the court must report to the court the guardian ad litem's assessment and advice at a time determined by the court.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**NAYS**

**Total--0**

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

**OBJECTION**

S. 285 -- Senators Davis, Rice, Grooms, Goldfinch and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3791 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP-FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE

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PUBLIC, AND TO ALLOW THE STATE TREASURER AND DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT; AND TO REPEAL SECTION 12-6-3790 RELATING TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND.

Senator JACKSON objected to consideration of the Bill.

**CARRIED OVER**

S. 330 -- Senators Rankin, Alexander and Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-740, RELATING TO MALICIOUS INJURY TO TELEGRAPH, TELEPHONE, OR ELECTRIC UTILITY SYSTEM, SO AS TO ADD TIERED PENALTIES FOR DAMAGE TO A UTILITY SYSTEM.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 341 -- Senators Shealy, Jackson and Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101(11), RELATING TO DEFINITIONS AND USE OF TERMS, SO AS TO PROVIDE FOR GUARDIANSHIP PROCEEDINGS FOR A MINOR WITHIN ONE HUNDRED EIGHTY DAYS OF TURNING EIGHTEEN; BY AMENDING SECTION 62-5-201, RELATING TO JURISDICTION, SO AS TO PROVIDE FOR ADDITIONAL LIMITED JURISDICTION OF THE COURT OVER MINORS; AND BY AMENDING SECTION 62-5-303, RELATING TO PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN; SUMMONS AND PETITION, SO AS TO EXTEND THE TIME A GUARDIANSHIP PROCEEDING CAN BY INITIATED TO ONE HUNDRED EIGHTY DAYS BEFORE A MINOR REACHES THE AGE OF EIGHTEEN.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-341.MB0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 62-5-101(11) and inserting:

(11) "Guardianship proceeding" means a formal proceeding to determine if an adult or a minor within one hundred and eighty days of turning eighteen is an incapacitated individual or in which an order for



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the appointment of a guardian for an adult or a minor within one hundred and eighty days of turning eighteen is sought or has been issued.

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**NAYS**

**Total--0**

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

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**OBJECTION**

S. 367 -- Senators Adams, M. Johnson, Kimbrell, Garrett, Rice, Harpootlian, Cash, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-15-20, RELATING TO CONDITIONS OF APPEARANCE, RECOGNIZANCE, OR APPEARANCE BOND; DISCHARGE, VALIDITY, AND RELIEF OF SURETY, SO AS TO PROVIDE THAT AN APPEARANCE BOND SHALL AUTOMATICALLY CONVERT TO A PERSONAL RECOGNIZANCE BOND AFTER THREE YEARS FOR A CIRCUIT COURT OFFENSE AND AFTER EIGHTEEN MONTHS FOR A MAGISTRATE'S OR MUNICIPAL COURT OFFENSE; BY AMENDING SECTION 17-15-30, RELATING TO MATTERS TO BE CONSIDERED IN DETERMINING CONDITIONS OF RELEASE, TO PROVIDE THAT THE COURT MUST CONSIDER A DEFENDANT'S PRIOR CHARGES AND EXISTING BONDS WHEN DETERMINING BOND; BY AMENDING SECTION 38-53-10 TO ESTABLISH A DEFINITION FOR ELECTRONIC MONITORING; BY AMENDING SECTION 38-53-50, RELATING TO SURETY RELIEVED ON BOND, TO PROVIDE THAT FAILURE TO PAY PREMIUM FEES ALONE IS NOT SUFFICIENT REASON TO WARRANT IMMEDIATE INCARCERATION OF THE DEFENDANT; BY AMENDING SECTION 38-53-70, RELATING TO ISSUANCE OF BENCH WARRANT, TO PROVIDE THAT THE COURT MUST NOTIFY THE BONDSMAN WITHIN THIRTY DAYS OF THE ISSUANCE OF A BENCH WARRANT; BY ADDING SECTION 38-53-83 TO PROVIDE THAT ONLY A QUALIFIED AND LICENSED BONDSMAN OR RUNNER MAY ENGAGE IN ELECTRONIC MONITORING OF A DEFENDANT; BY ADDING SECTION 38-53-84 TO PROVIDE THAT A PERSON ENGAGED IN THE ELECTRONIC MONITORING OF A DEFENDANT MUST NOTIFY THE SOLICITOR WITHIN FORTY-EIGHT HOURS OF ANY VIOLATION OF A CONDITION OF THE BOND BY THE DEFENDANT AND TO PROVIDE THAT FAILURE TO PAY THE MONITORING FEES IS A REVOKABLE CONDITION OF THE BOND; BY AMENDING SECTION 38-53-170, RELATING TO UNLAWFUL ACTS BY A BONDSMAN, TO PROVIDE CONDITIONS FOR THE PAYMENT AND COLLECTION OF PREMIUMS, FEES, AND COLLATERAL; AND BY AMENDING SECTION 38-53-310, RELATING TO WRITTEN REPORT TO BE FILED WITH CLERK OF COURT, TO PROVIDE THAT A

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BONDSMAN MUST PROVIDE A WRITTEN REPORT TO THEIR INSURANCE PROVIDER WITHIN THIRTY DAYS OF EACH BOND, AND TO PROVIDE THAT THE REQUIREMENT FOR MONTHLY REPORTS TO THE CLERK OF COURT MAY BE SATISFIED WITH GIVING THE CLERK ACCESS TO AN ELECTRONIC DATABASE THAT CONTAINS THE REQUIRED INFORMATION.

Senator ADAMS objected to consideration of the Bill.

**OBJECTION**

S. 405 -- Senators Campsen, Kimbrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-19-70, RELATING TO CERTIFICATES OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS, SO AS TO REQUIRE THE GOVERNOR TO TRANSMIT TO THE ARCHIVIST OF THE UNITED STATES A CERTIFICATE OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS AT LEAST SIX DAYS BEFORE THE MEETING OF THE ELECTORS; BY AMENDING SECTION 7-19-90, RELATING TO THE MEETING OF ELECTORS, SO AS TO REVISE THE TIME FIXED FOR THE MEETING; AND BY AMENDING SECTION 7-19-100, RELATING TO THE DISPOSITION OF CERTIFICATES OF ASCERTAINMENT OF APPOINTMENT OF ELECTORS, SO AS TO REVISE THE MANNER OF DISPOSITION.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSSEN explained the Bill.

Senator MARTIN objected to further consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-406.PB0007S), which was adopted:

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

SECTION X. Section 7-15-420(D) and (E) of the S.C. Code are amended to read:

(D) Beginning no earlier than 7:00 a.m. on election day, the absentee ballots may be tabulated, ~~including any absentee ballots received on election day before the polls are closed~~ and the tabulated data collected from those ballots and from the ballots cast during the early voting period may be loaded into the election management system. If any absentee ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the early voting period and absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

SECTION X. Section 7-13-1160 of the S.C. Code is amended to read:

Section 7-13-1160. ~~Within twenty four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein~~ The unofficial election results returned by the managers to the county boards of voter registration and elections must be reported continuously and without undue delay in the manner prescribed by the State Election Commission.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senators YOUNG, MASSEY, CAMPSSEN, CORBIN and ALEXANDER proposed the following amendment (SJ-406.PB0010S), which was adopted:

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

SECTION X. Section 7-3-20(D)(19) of the S.C. Code is amended to read:

(19) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. A hand-count audit must be conducted publicly. Once completed, audit reports must be published on the commission's website.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

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**Total--41**

**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. 448 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-1100, RELATING TO HABITUAL OFFENDER PENALTIES, SO AS TO PROVIDE AN EXCEPTION FOR DRIVING A MOPED FOR A PERSON DECLARED AN HABITUAL OFFENDER, AND TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF MOTOR VEHICLES PROVIDES SPECIFIC NOTICE TO THE ATTORNEY GENERAL OR THE APPROPRIATE SOLICITOR OF ANY VIOLATIONS OF THIS SECTION.

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

**READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Resolution.

Senator SETZLER explained the Resolution.

The question then being second reading of the Resolution.

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

**Ayes 41; Nays 0**

**AYES**

|         |           |          |
|---------|-----------|----------|
| Adams   | Alexander | Allen    |
| Bennett | Campsen   | Cash     |
| Climer  | Corbin    | Cromer   |
| Davis   | Fanning   | Gambrell |
| Grooms  | Gustafson | Hembree  |

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|          |                       |                         |
|----------|-----------------------|-------------------------|
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

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

The Senate proceeded to the consideration of the Bill.

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The Committee on Banking and Insurance proposed the following amendment (LC-500.PH0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-75-485(C)(1)(f)(ii) and inserting:

(ii) Nonmatching grant award amounts will be determined based on the cost of the mitigation project and a percentage of the total adjusted household income of the applicant according to the most recent federal income tax return. Those applicants with a total annual adjusted gross household income of which does not exceed eighty percent of the median annual adjusted gross income for households within the county in which the person or family resides may be eligible for the maximum grant award amount ~~of five thousand dollars~~. Applicants with a higher total annual adjusted household income may be awarded a lower amount. The director or his designee shall issue a bulletin annually that sets forth the maximum grant award amounts based on the total annual adjusted gross household income of the applicant adjusted for family size relative to the county area median income or the state median family income, whichever is higher, as published annually by the United States Department of Housing and Urban Development. If the cost of the mitigation project exceeds the amount of the grant award, the remaining cost is the applicant's responsibility. ~~No grant award may exceed five thousand dollars.~~

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

SECTION X. Section 38-1-20(56) of the S.C. Code is amended to read:

(56) "Surplus lines insurance" means insurance in this State of risks located or to be performed in this State, permitted to be placed through a licensed broker, or a licensed broker as provided in Section 38-45-10(8)(b)(ii), with a nonadmitted insurer eligible to accept the insurance, other than reinsurance, wet marine and transportation insurance, insurance independently procured, and life and health insurance and annuities. Excess and stop-loss insurance coverage upon group life, accident, and health insurance or upon a self-insured's life, accident, and health benefits program, disability insurance in excess of any benefit limit available from an admitted insurer, commercial motor vehicle liability, and international major medical insurance may be approved as surplus lines insurance.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.



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The amendment was adopted.

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

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

**Ayes 41; Nays 0**

**AYES**

|          |                       |                         |
|----------|-----------------------|-------------------------|
| Adams    | Alexander             | Allen                   |
| Bennett  | Campsen               | Cash                    |
| Climer   | Corbin                | Cromer                  |
| Davis    | Fanning               | Gambrell                |
| Grooms   | Gustafson             | Hembree                 |
| 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                  |
| Talley   | Turner                | Verdin                  |
| Williams | Young                 |                         |

**Total--41**

**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. 520 -- Senators Setzler, Cromer, Hembree, Jackson, K. Johnson, Alexander, Senn, Adams, Gustafson, Kimbrell, M. Johnson, Williams, Shealy, Garrett, Gambrell, Campsen, Grooms, Young, Turner, Rice, Talley, Rankin, Verdin, Scott, Sabb, Allen, Davis, Fanning, McElveen, Stephens, Goldfinch and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 18 OF CHAPTER 71, TITLE 38, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO EXPAND THE RIGHTS AND DUTIES OF

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PHARMACIES DURING AUDITS; BY AMENDING ARTICLE 21 OF CHAPTER 71, TITLE 38, RELATING TO PHARMACY BENEFITS MANAGERS, SO AS TO DEFINE TERMS AND MAKE CONFORMING CHANGES; BY ADDING ARTICLE 23 TO CHAPTER 71, TITLE 38 SO AS TO DEFINE TERMS AND OUTLINE RESPONSIBILITIES AND DUTIES OF PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS; AND BY REPEALING SECTION 38-71-147 RELATING TO FREEDOM OF SELECTION AND PARTICIPATION IN HEALTH INSURANCE POLICIES OR HEALTH MAINTENANCE ORGANIZATION PLANS.

The Senate proceeded to the consideration of the Bill.

Senator CROMER explained the Bill.

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

### **OBJECTION**

H. 3741 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 13A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2023.

Senator MARTIN objected to consideration of the Bill.

### **RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 28, 2023, at 2:45 P.M. and the following Acts and Joint Resolutions were ratified:

(R1, S. 381) -- Senators Peeler, Verdin, Alexander, Martin and Malloy: AN ACT TO RATIFY AN AMENDMENT TO SECTION 36(A), ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND; AND TO RATIFY AN AMENDMENT TO SECTION 36(B) OF ARTICLE III, RELATING TO THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR

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REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

(R2, H. 3254) -- Reps. Jefferson, Murphy, Brewer, Robbins, Tedder, Cobb-Hunter and Gatch: AN ACT TO AMEND ACT 593 OF 1992, AS AMENDED, BY REPEALING SECTION 3 RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS.  
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(R3, 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.  
L:\COUNCIL\ACTS\3783PH125.DOCX

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Remarks to be Printed**

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

**Motion Adopted**

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

**ADJOURNMENT**

At 2:59 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

\* \* \*

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