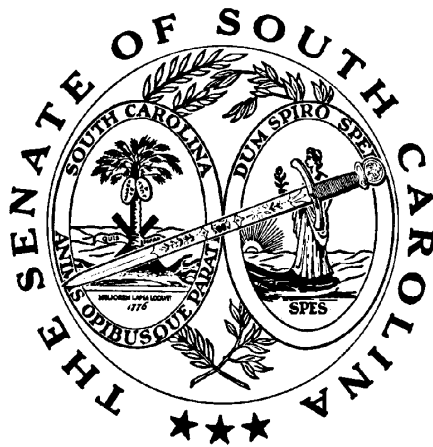


NO. 37

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, MARCH 14, 2023

Tuesday, March 14, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 98:1a

We hear the Psalmist declare: "Sing to the Lord a new song, for he has done marvelous things."

Bow with me as we pray, please: O glorious Lord, it is inevitable that now and then we might compare the life we happen to lead to that experienced by others around the globe. And of course, as we do so, we can't help but see how richly blessed all of us truly are here in our Nation and in our State. And although there is still so much to be done here at home, there is likely no other place on our planet where we would really choose to live. Therefore, O God, we pray today that You will bless and guide each of these Senators and their aides as they strive to continue leading us forward toward far more marvelous blessings, working together diligently and faithfully to make life even better for all of our people here in this place we love. In Your holy name we pray, O Lord. Amen.

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

Point of Quorum

At 12:07 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	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Peeler	Reichenbach	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2022, and to expire January 1, 2026

2nd Congressional District:

Stacy K. Taylor, 124 Harding St., Chapin, SC 29036-9458 *VICE* Jack Wolf

Referred to the Committee on Judiciary.

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

7th Congressional District:

Kimberly H. Frederick, 411 6th Avenue North, Surfside Beach, SC 29575

Referred to the Committee on Corrections and Penology.

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

2nd Congressional District:

Mollie D. Taylor, 2640 Pine Lake Drive, West Columbia, SC 29169-3742

Referred to the Committee on Corrections and Penology.

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Local Appointment

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5170

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Board of Accountancy

Received by President of the Senate January 10, 2023

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 10, 2023

Withdrawn and Resubmitted March 13, 2023

Doctor of the Day

Senator SETZLER introduced Dr. March Seabrook of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:10 P.M., Senator KIMPSON was granted a leave of absence for Tuesday, March 14, 2023, and Wednesday, March 15, 2023.

Leave of Absence

On motion of Senator TURNER, at 12:10 P.M., Senator TALLEY was granted a leave of absence for Tuesday, March 14, 2023, and Wednesday, March 15, 2023.

Leave of Absence

On motion of Senator GAMBRELL, at 12:10 P.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 12:51 P.M., Senator McELVEEN was granted a leave of absence until 1:25 P.M.

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Leave of Absence

On motion of Senator SHEALY, at 12:51 P.M., Senator CROMER was granted a leave of absence for today.

Leave of Absence

On motion of Senator FANNING, at 12:51 P.M., Senator McLEOD was granted a leave of absence until 1:20 P.M.

Leave of Absence

On motion of Senator CORBIN, at 5:03 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 138	Sen. Campsen
S. 142	Sen. Garrett
S. 145	Sen. Stephens
S. 284	Sen. Turner
S. 298	Sen. Turner
S. 330	Sen. Garrett
S. 343	Sen. Sabb
S. 440	Sen. Garrett
S. 521	Sen. Turner
S. 569	Sens. Turner, Sabb, Matthews, Campsen, Setzler and Malloy
S. 583	Sen. Rice
S. 594	Sen. Hutto
S. 634	Sen. M. Johnson

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 440	Sen. Shealy
S. 518	Sen. Gambrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 618 -- Senators Scott, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning,

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Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE PASTOR EDDIE W. DAVIS UPON THE OCCASION OF HIS FORTIETH ANNIVERSARY AS PASTOR OF LITTLE ZION BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND TO THE BLYTHEWOOD COMMUNITY.

sr-0303km-vc23.docx : 53e4ca1e-9d94-4779-b00a-f7148e8d1313

The Senate Resolution was adopted.

S. 619 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE NAOMI "RUTH" MYERS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0332km-hw23.docx : a349a7c5-572d-4a17-a4f1-70c504ff74b1

The Senate Resolution was adopted.

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

sr-0328km23.docx : 9f7b17a7-2b70-4544-8bfb-e52a8d6f3180

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

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

lc-0267sa23.docx : 741cf356-58d1-4788-a776-43b0f0092b4d

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

S. 622 -- Senators Bennett, Hembree, Massey, Adams, Kimbrell, M. Johnson, Turner and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 9-1-5 SO AS TO CLOSE THE SOUTH CAROLINA RETIREMENT SYSTEM; BY ADDING CHAPTER 22 TO TITLE 9 SO AS TO ESTABLISH THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED BENEFIT RETIREMENT PLAN AND TO PROVIDE DETAILS OF THE PLAN; BY ADDING CHAPTER 24 TO TITLE 9 SO AS TO ESTABLISH THE "SOUTH CAROLINA WEALTHBUILDER-PRIMARY RETIREMENT SAVINGS PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED CONTRIBUTION RETIREMENT PLAN AND TO PROVIDE DETAILS OF THE PLAN; BY AMENDING SECTION 9-1-310, RELATING TO ADMINISTRATIVE COSTS, SO AS TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; BY AMENDING SECTION 9-1-1340, RELATING TO CERTAIN CONFLICTS OF INTEREST, SO AS TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; BY AMENDING SECTION 9-11-40, RELATING TO DEFINITIONS, SO AS TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION OF "CORRELATED SYSTEM"; BY AMENDING SECTION 9-16-10, RELATING TO DEFINITIONS, SO AS TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION OF "RETIREMENT SYSTEM"; BY AMENDING SECTION 9-16-335, RELATING TO THE ASSUMED ANNUAL RATE OF RETURN ON THE INVESTMENTS OF THE SYSTEM, SO AS TO PROVIDE THAT THE ASSUMED ANNUAL RATE OF RETURN ON INVESTMENTS OF THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN MAY NOT EXCEED THE LESSER OF SIX PERCENT OR THREE HUNDRED BASIS POINTS ABOVE THE THREE-YEAR AVERAGE OF TWENTY-YEAR TREASURY YIELDS; BY REPEALING CHAPTER 20, TITLE 9, RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CHANGES.

sr-0310km23.docx : 2eda7b6b-a846-47f6-8b6d-7c6131900729

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

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S. 623 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-100, RELATING TO THE PROCESS THROUGH WHICH A PERSON MAY MAKE CHANGES TO HIS BIRTH CERTIFICATE, SO AS TO PROVIDE THAT GENDER CHANGES TO A PERSON'S BIRTH CERTIFICATE MAY ONLY BE TO CHANGE FROM MALE TO FEMALE OR FROM FEMALE TO MALE AND TO PROVIDE FOR AFFIDAVITS THAT MUST ACCOMPANY A PETITION TO MAKE A GENDER CHANGE TO A PERSON'S BIRTH CERTIFICATE.

sr-0066jg23.docx : 817a10a0-2692-4946-8018-97c8766b9b2d

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

S. 624 -- Senator Verdin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, BY ADDING SECTION 16 TO PROVIDE THAT A PERSON'S BIOLOGICAL SEX AT BIRTH CONSTITUTES THAT PERSON'S GENDER FOR THE PURPOSES OF THE STATE CONSTITUTION AND LAWS.

sr-0065jg23.docx : 00e22cab-47d3-47b8-a373-49262128604f

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

S. 625 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ANDERSON COUNTY EMS DIRECTOR STEVE KELLY FOR HIS EXCELLENT WORK IN LEADING ANDERSON EMS AND TO CONGRATULATE HIM UPON RECEIVING EMS DIRECTOR OF THE YEAR.

lc-0190dg-gm23.docx : 9ada21e0-8dde-4af6-8f4b-8baa44dce1df

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

S. 626 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ANDERSON COUNTY EMS FOR ITS EXCELLENT WORK TO SAVE LIVES AND RESCUE THOSE IN DISTRESS COUNTYWIDE AND TO CONGRATULATE THE EMS RESPONDERS UPON RECEIVING SYSTEM OF THE YEAR.

lc-0100ha-gm23.docx : 72e85eeb-00c4-43ef-936f-f955f0b91035

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

S. 627 -- Senators Verdin, Cash, Martin, Climer, Bennett, Campsen, Hembree, Peeler, Loftis, Goldfinch, Cromer, Grooms, Kimbrell, Adams, Young, Gambrell, Gustafson, Talley, Rice, Shealy, Turner, Alexander,

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Garrett, Corbin, Reichenbach and Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-47-300 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS; BY ADDING SECTION 40-47-310 SO AS TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE; BY ADDING SECTION 40-47-320 SO AS TO PROVIDE EXCEPTIONS; BY ADDING SECTION 40-47-330 SO AS TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES; BY ADDING SECTION 40-47-340 SO AS TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS.

sr-0261km23.docx : 8b4caac8-df49-4844-8a50-a7d21fe929f8

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

S. 628 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 11 FROM ITS JUNCTION WITH TUGALOO AND SMITH ROADS TO THE INTERSECTION WITH SOUTH CAROLINA HIGHWAY 14 IN GREENVILLE COUNTY "DEAN STUART CAMPBELL, SQUIRE OF THE DARK CORNER SCENIC MEMORIAL BYWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0323km-vc23.docx : 4cbaeea7-e281-40da-9a15-990243cd2181

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

S. 629 -- Senators Shealy and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM, TO HONOR THE IMPORTANT WORK BEING DONE TO COMBAT CHILD ABUSE, AND TO DECLARE APRIL 4, 2023, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

sr-0333km-vc23.docx : 3d82a777-2878-4361-80a2-88ab073ac98a

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

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S. 630 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE FRANK TAYLOR OF THE NINETY SIX HIGH SCHOOL WRESTLING TEAM ON A TREMENDOUS SEASON AND TO HONOR HIM FOR WINNING THE 2022-2023 SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS A/AA INDIVIDUAL STATE CHAMPIONSHIP TITLE IN HIS WEIGHT CLASS.

lc-0218vr-rm23.docx : b2af9ab2-cd5c-41f4-97d5-2d0be1b89cd0

The Senate Resolution was adopted.

S. 631 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR KIRBY ELIZABETH SELF FOR HER EXCEPTIONAL POISE AND BEAUTY AND TO CONGRATULATE HER ON BEING NAMED MISS SOUTH CAROLINA USA 2023.

lc-0275wab-rm23.docx : 2cad0bf4-985d-4a50-baa7-cfc263b0fcd6

The Senate Resolution was adopted.

S. 632 -- Senators Matthews and McLeod: A SENATE RESOLUTION TO RECOGNIZE MARCH 14, 2023, AS "EQUAL PAY DAY" IN SOUTH CAROLINA.

sr-0331km-vc23.docx : dd29598f-686a-4abf-8c19-237b2976024d

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

S. 633 -- Senator Verdin: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 2 AND FRIDAY, NOVEMBER 3 AND MONDAY, NOVEMBER 13, 2023. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

lc-0171hdb-jn23.docx : e2cbdd31-d117-41f6-9920-d564b3e8d9c6

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

S. 634 -- Senators Kimbrell, Rice, Climer, Loftis, Corbin, M. Johnson and Peeler: A SENATE RESOLUTION TO EXPRESS THE SENSE OF THE SENATE THAT PUBLIC FUNDS SHOULD NOT BE DEDICATED TO ECONOMIC DEVELOPMENT PROJECTS THAT

TUESDAY, MARCH 14, 2023

BENEFIT A CORPORATION THAT IS ACTIVELY ENGAGED IN PROMOTING ENVIRONMENTAL, SOCIAL, OR POLITICAL GOALS, OBJECTIVES, OR OUTCOMES.

sr-0335km-km23.docx : ddef5af0-4645-4899-b262-d6f3f69f0569

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

H. 3014 -- Reps. Gilliard, Henegan, Ott, Collins, Carter, Murphy, Robbins, Brewer, Gatch, Kirby, Anderson, Rivers, Howard, King, McDaniel, Hosey, Clyburn, Cobb-Hunter, Bamberg, Williams, Bernstein, W. Newton, Herbkersman, Hyde, Brittain, Guest, Erickson, Bradley, Hager, Connell, Hewitt, Rutherford, Thigpen, B. Newton, McGinnis, Hardee, Hixon, Taylor, Sandifer, M. M. Smith, Wetmore, Bustos, Landing, Elliott, Pope, Felder, Stavrinakis, Rose, Neese, Davis, Wooten, Bannister, Wheeler, Bailey, Schuessler, Blackwell, W. Jones, Dillard, Bauer, Sessions, T. Moore, J. L. Johnson, Jefferson, B. J. Cox, Garvin, B. L. Cox, Tedder and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CLEMENTA C. PINCKNEY HATE CRIMES ACT"; BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

lc-0003ahb23.docx : e0eaed1c-510b-4665-a1e1-9d0a68ca6313

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

H. 3360 -- Reps. Pope, Gilliam, Wooten, McCravy, Felder, Williams, Erickson, Bradley, Mitchell, Forrest, B. Newton and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 17 TO CHAPTER 23, TITLE 23 SO AS TO ESTABLISH THE CENTER FOR SCHOOL SAFETY AND TARGETED VIOLENCE WITHIN THE STATE LAW ENFORCEMENT DIVISION.

lc-0056cm23.docx : cd4400bc-736f-48d6-aeb3-b076089fc9a7

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

TUESDAY, MARCH 14, 2023

H. 3726 -- Reps. G. M. Smith, West, Ballentine, Davis, Hager, Hewitt, Kirby, Long, B. Newton, Ott, M. M. Smith, Stavrinakis, Tedder, Robbins, Brewer, Murphy, Taylor, Leber, Sandifer, Ligon, Williams, Anderson, Blackwell, Nutt, McCravy, Mitchell, Yow, W. Newton, Weeks, Alexander, Pope, Hixon, Forrest and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "STATEWIDE EDUCATION AND WORKFORCE DEVELOPMENT ACT" BY ADDING CHAPTER 30 TO TITLE 41 SO AS TO CREATE THE OFFICE OF STATEWIDE WORKFORCE DEVELOPMENT COORDINATION IN THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO CENTRALIZE OVERSIGHT OF CERTAIN PUBLICLY FUNDED WORKFORCE DEVELOPMENT SERVICES IN THE OFFICE, TO PROVIDE FOR THE MANAGEMENT AND FUNCTIONS OF THE OFFICE, TO TRANSFER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT TO THE DEPARTMENT AND PROVIDE FOR THE COMPOSITION AND FUNCTIONS OF THE COUNCIL, TO CREATE AN EXECUTIVE COMMITTEE OF THE COORDINATING COUNCIL AND PROVIDE FOR THE COMPOSITION AND FUNCTIONS OF THE COMMITTEE, TO PROVIDE FOR THE OVERSIGHT OF REGIONAL EDUCATION CENTERS BY THE DEPARTMENT, TO PROVIDE REGIONAL EDUCATION CENTERS MUST CONFORM TO CERTAIN GEOGRAPHIC CONFIGURATIONS, AND TO PROVIDE A MULTIAGENCY COLLABORATIVE EFFORT TO PROMOTE CERTAIN OFFERINGS OF REGIONAL EDUCATION CENTERS; AND BY REPEALING ARTICLE 13 OF CHAPTER 1, TITLE 13 RELATING TO OVERSIGHT OF REGIONAL EDUCATION CENTERS BY THE DEPARTMENT OF COMMERCE, AND ARTICLE 15 OF CHAPTER 1, TITLE 13 RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT.

lc-0155wab23.docx : 38091ee9-a6ba-47ad-b4ce-35d649926733

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

H. 3868 -- Reps. Bauer, Cobb-Hunter, Hixon, Bernstein, Neese, J. L. Johnson, Forrest, Trantham, J. Moore, Pendarvis, Brewer, Murphy, Robbins and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DECLARE THE SECOND SATURDAY IN NOVEMBER OF EACH

TUESDAY, MARCH 14, 2023

YEAR IS DESIGNATED AS "WOMEN IN HUNTING AND FISHING AWARENESS DAY".

lc-0197sa23.docx : d908aa50-9f43-4a1b-bc2a-400d14eff3fd

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

H. 4088 -- Reps. G. M. Smith, Bannister, Hiott, Rutherford, Bernstein, Garvin, Ballentine, McDaniel, Bauer, Howard, J. L. Johnson, Rose, Murphy, Robbins, Gatch, Hart, Thigpen, Erickson, Bradley, Hager, Connell, Herbkersman, Pedalino, Anderson and King: A JOINT RESOLUTION TO APPROPRIATE FUNDING FOR CERTAIN INFRASTRUCTURE AND PURPOSES TO FOSTER ECONOMIC DEVELOPMENT AND PRESCRIBE THE APPROPRIATE PURPOSES, TERMS, AND CONDITIONS.

lc-0186dg23.docx : af4458e7-7971-42c0-8e2c-0628abf0cf5d

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

H. 4140 -- Reps. Gilliam, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE DAY THE LAST UNITED STATES COMBAT TROOPS LEFT VIETNAM, TO RECOGNIZE AND HONOR LUCY CALDWELL FOR HER WORK OF ENCOURAGEMENT TO MEMBERS OF THE UNITED STATES ARMED FORCES DURING THE VIETNAM WAR, AND TO

TUESDAY, MARCH 14, 2023

REMEMBER THOSE WARRIORS WHOSE LIVES WERE TOUCHED BY HER.

lc-0270sa-gm23.docx : 95c3fc07-b08f-4ebe-ace3-5e00cc319ee9

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

H. 4141 -- Rep. Taylor: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF APRIL 2023 AS "DISTRACTED DRIVER AWARENESS MONTH".

lc-0270cm-gt23.docx : 59072ff4-b968-4155-a044-70f68ac74747

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

Appointments Reported

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

Statewide Appointments

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

At-Large:

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

Received as information.

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

At-Large:

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

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

TUESDAY, MARCH 14, 2023

AMENDING VARIOUS SECTIONS WITHIN CHAPTER 1, TITLE 56, TO RESTRUCTURE THE IGNITION INTERLOCK DEVICES PROGRAM. (ABBREVIATED TITLE)

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

CARRIED OVER

S. 138 -- Senators McElveen, Senn, Cromer, Loftis, Stephens and Campsen: 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.

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

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

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

The Senate proceeded to the consideration of the Bill.

Senator MARTIN spoke on the Bill.

The question being third reading of the Bill.

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

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total—0

The Bill was read the third time, passed and ordered sent to the House.

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

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

S. 145 -- Senators Shealy, Goldfinch, Hutto, Jackson, Campsen, McLeod, Senn and Stephens: 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.

S. 101 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-9-525, RELATING TO LICENSES FOR DISABLED RESIDENTS, SO AS TO PROVIDE THE REQUIREMENTS FOR OBTAINING A LIFETIME DISABILITY COMBINATION LICENSE OR A

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LIFETIME DISABILITY FISHING LICENSE FOR CERTAIN PERSONS.

S. 207 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 57-23-1160 SO AS TO CREATE THE PIEDMONT GATEWAY SCENIC BYWAY AND TO IDENTIFY THE THREE SEGMENTS THAT COMPRISE THE BYWAY.

S. 343 -- Senators Shealy, Jackson, Hutto and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO DEFINITIONS IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO INCLUDE ALL SHORT-TERM RESIDENTIAL STABILIZATION AND INTENSIVE CRISIS SERVICES IN THE DEFINITION OF CRISIS STABILIZATION UNIT FACILITIES AND TO CHANGE THE AGE OF THE INDIVIDUALS SERVED IN SAME.

S. 397 -- Senators Shealy, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND BY ADDING ARTICLE 11, CHAPTER 47, TITLE 40, SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS.

S. 455 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-29-230, RELATING TO TESTING REQUIRED WHEN A HEALTH CARE WORKER IS EXPOSED TO BLOODBORNE DISEASE, SO AS TO REPLACE REFERENCES TO PHYSICIAN WITH HEALTH CARE PROFESSIONALS, TO INCLUDE DENTISTS IN THE DEFINITION OF HEALTH CARE PROFESSIONALS, AND TO ADD HEPATITIS C TO THE LIST OF BLOODBORNE DISEASES.

CARRIED OVER

S. 165 -- Senators Climer and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING TITLE 1, CHAPTER 40, RELATING TO BOARD REGULATION OF

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PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75, SO AS TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT; BY ADDING SECTION 40-1-77 SO AS TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS; AND TO REPEAL SECTION 40-1-140, RELATING TO THE EFFECT OF PRIOR CONVICTIONS ON LICENSE APPLICATIONS FOR PROFESSIONS AND OCCUPATIONS.

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

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 HEMBREE objected to consideration of the Bill.

AMENDED, CARRIED OVER

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: 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.

The Senate proceeded to the consideration of the Bill.

Senator CASH proposed the following amendment (SR-142.JG0012S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 16-3-2020(F) and (G) and inserting:

(F) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of, ~~or incidental or related to,~~ trafficking. A victim of trafficking in persons convicted of a violation of this article, ~~or prostitution, or any other nonviolent offense~~ may motion the court to vacate the conviction and expunge the record of the

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conviction for a nonviolent offense committed by a minor as a direct result of trafficking. The court may grant the motion on a finding by a preponderance of the evidence that the person's participation was a direct result of being a victim being a victim of trafficking. An alleged victim of trafficking who files a motion to vacate a conviction and expunge the record pursuant to this subsection must file reasonable notice of the motion with the original prosecuting agency for the underlying offense and reasonable notice must be given or attempted to be given to any victims pursuant to the Victim's Bill of Rights. For purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60. The affirmative defense may be raised only in cases where the victim was a minor at the time he committed the offense.

(G) If the victim was a minor under the age of eighteen at the time of the offense, the victim of trafficking in persons may not be prosecuted in court pursuant to or have a delinquency petition filed against him for a violation of this article, a prostitution offense, or for any other nonviolent offense if it is determined after investigation that the victim committed the offense as a direct result of, or incidental or related to, trafficking. For purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 330 -- Senators Rankin, Alexander, Verdin and Garrett: 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.

The Senate proceeded to the consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (SJ-330.BJ0010S):

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

SECTION X. Section 16-11-740 of the S.C. Code is amended to read:

Section 16-11-740. (A) For purposes of this section only, “electric utility system” means all plants, facilities, assets, and equipment owned, leased, or operated for the generation, transmission, distribution, or storage of electricity, regardless of generation source, and all natural gas facilities, including natural gas pipeline infrastructure.

(B)(1) It is unlawful for a person, without the consent of the owner, to wilfully and maliciously:

—(1) (a) destroy, damage, or in any way injure a telegraph, telephone, electric utility system, satellite dish, or cable television system, including poles, cables, wires, fixtures, antennas, amplifiers, or other apparatus, equipment, or appliances;

—(2) (b) obstruct, impede, or impair their services or transmissions; or;

—(3) (c) aid, agree with, employ, or conspire with a person to do or cause to be done any of the acts mentioned in this section subsection.

(2) A person who violates the provisions of this section subsection is guilty of a felony and, upon conviction;

(a) if the amount of the damage or loss is less than ten thousand dollars, must be fined in the discretion of the court or imprisoned not more than ten years, or both;

(b) if the amount of the damage or loss is ten thousand dollars or more but less than twenty-five thousand dollars, must be fined in the discretion of the court or imprisoned not more than fifteen years, or both;

(c) if the amount of the damage or loss is twenty-five thousand dollars or more, must be fined in the discretion of the court or imprisoned not more than twenty years, or both; or

(d) if the destruction or damage results in the death or bodily injury of a person, or an imminent danger to the life, health, or safety of a person, must be fined in the discretion of the court or imprisoned for not more than twenty-five years, or both.

(3) Evidence of the amount of damages or loss shall be calculated to include the cost of the repair or replacement of equipment, buildings, or structures damaged, the estimated lost revenue caused by the destructive acts, and any related damages than can reasonably be associated with the interruption of service to affected, dedicated utility customers.

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(C)(1) It is unlawful for a person, without consent of the owner, to wilfully and maliciously by means of or use of a firearm or destructive device as defined by Section 16-23-710, to:

(a) destroy, damage, or in any way injure:

(i) an electric utility system; or

(ii) a gasoline, natural gas, or propane utility system, including poles, cables, wires, pipelines, storage containers, fixtures, or other apparatus, equipment, or appliances; or

(iii) a telegraph, telephone, satellite dish, or cable television system, including poles, cables, wires, fixtures, antennas, amplifiers, or other apparatus, equipment, or appliances;

(b) obstruct, impede, or impair their services or transmissions; or

(c) aid, employ, or conspire with a person to do or cause to be done any of the acts mentioned in subitems (a) and (b).

(2) A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be imprisoned for not more than twenty-five years and may be fined in the discretion of the court.

SECTION X. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

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

CARRIED OVER

S. 445 -- Senator Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 49, TITLE 44 SO AS TO REQUIRE THE DEPARTMENT

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OF ALCOHOL AND OTHER DRUG ABUSE SERVICES TO APPROVE A CREDENTIALING ENTITY TO DEVELOP AND ADMINISTER A VOLUNTARY CERTIFICATION PROGRAM FOR RECOVERY HOUSING; TO REQUIRE THE APPROVED CREDENTIALING ENTITY TO ESTABLISH RECOVERY HOUSING CERTIFICATION REQUIREMENTS AND PROCEDURES BASED UPON NATIONALLY RECOGNIZED QUALITY STANDARDS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 49 AS ARTICLE 1, ENTITLED “GENERAL PROVISIONS”.

The Senate proceeded to the consideration of the Bill.

Senator GARRETT proposed the following amendment (SR-445.JG0001S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-49-320(3) and inserting:

(3) “Recovery housing” means recovery residences, recovery homes, sober living homes, work-rehab homes, three-quarter houses, and other similar dwellings that provide individuals recovering from alcohol and substance use disorders with a living environment free from alcohol and illicit substance use and centered on peer support and connection to services that promote sustained recovery, including continued sobriety, improved individual health, residential stability, and positive community involvement. Recovery housing does not include treatment facilities as defined in Section 44-52-10.

Amend the bill further, SECTION 1, by striking Section 44-49-330(C)(5) and inserting:

(5) have safeguards in place to uphold residents’ rights;

(6) assist residents in finding suitable employment; and

(7) assist residents who desire to relocate upon completion of the recovery program with relocation assistance services.

Amend the bill further, SECTION 1, by adding:

Section 44-49-370. It is unlawful for an owner or operator of recovery housing that is not certified pursuant to this article to advertise or otherwise represent that such recovery housing is certified pursuant to this article. An owner or operator of recovery housing who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars nor more than five hundred dollars or imprisoned not more than thirty days.

Renumber sections to conform.

Amend title to conform.

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Senator GARRETT explained the amendment.

The amendment was withdrawn.

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 459 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 55-9-235, SO AS TO PROVIDE FOR THE SALE AND CONSUMPTION OF LIQUOR BY THE DRINK THROUGHOUT THE TRANSPORTATION SECURITY ADMINISTRATION SCREENED PORTION OF QUALIFYING SOUTH CAROLINA AIRPORTS.

The Senate proceeded to the consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-459.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 55-9-235(A) and (B) and inserting:

(A) During the hours of airport operation, any business establishment or concessionaire operating in the Transportation Security Administration-screened portion of Charleston International Airport, Columbia Metropolitan Airport, Florence Regional Airport, Greenville-Spartanburg Airport, Hilton Head Island Airport, or Myrtle Beach International Airport may, upon the written approval of the respective airport authority, sell alcoholic liquor by the drink to a person twenty-one years of age or older for consumption throughout the Transportation Security Administration-screened portion of the establishment's or concessionaire's respective airport terminal, provided that the establishment or concessionaire is licensed in South Carolina to sell alcoholic liquor by the drink for on-premise consumption.

(B) A person twenty-one years of age or older may purchase and consume alcoholic liquor by the drink throughout the interior of the Transportation Security Administration-screened portion of the respective airport terminal, provided that the purchase is from an approved business establishment or concessionaire licensed in South Carolina to sell alcoholic liquor by the drink for on-premise consumption.

Renumber sections to conform.

Amend title to conform.

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Senator BENNETT 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 28; Nays 12; Present 1

AYES

Adams	Allen	Bennett
Climer	Davis	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Martin	Matthews
McElveen	McLeod	Reichenbach
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Williams		

Total--28

NAYS

Alexander	Campsen	Cash
Corbin	Garrett	Loftis
Massey	Peeler	Rice
Senn	Verdin	Young

Total--12

PRESENT

Malloy

Total--1

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

H. 3605 -- Reps. G.M. Smith, Sandifer, Carter, Kirby, Oremus, Magnuson, Pace, Long, Elliott, Burns, May, Beach, Forrest, Blackwell, B. Newton, Caskey and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-1-80, RELATING TO INVESTIGATIONS OF LICENSEES, SO AS TO REQUIRE THE DIRECTOR TO SEND INFORMATION REGARDING AN INVESTIGATION TO THE LICENSEE; BY ADDING SECTION 40-1-85 SO AS TO ESTABLISH INFORMAL CONFERENCES; BY AMENDING SECTION 40-1-90, RELATING TO DISCIPLINARY ACTION PROCEEDINGS, SO AS TO ALLOW A LICENSEE TO REQUEST CERTIFICATION OF AN INVESTIGATION FROM THE DIRECTOR; AND BY AMENDING SECTION 40-1-140, RELATING TO EFFECT OF PRIOR CRIMINAL CONVICTIONS OF APPLICANTS, SO AS TO PROHIBIT THE DENIAL OF A LICENSE BASED SOLELY OR IN PART ON A PRIOR CRIMINAL CONVICTION IN CERTAIN CIRCUMSTANCES.

Senator HARPOOTLIAN objected to consideration of the Bill.

OBJECTION

S. 440 -- Senators Corbin, Talley, Gambrell, Goldfinch, Climer, Loftis, Gustafson, Cromer, Cash, Rice, Adams, Verdin and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SECOND AMENDMENT PROTECTION ACT"; AND BY ADDING SECTION 25-1-80 SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UNORGANIZED MILITIA.

Senator SHEALY objected to consideration of the Bill.

READ THE SECOND TIME

S. 569 -- Senators Shealy, Alexander, Peeler, Garrett, Gambrell, Kimbrell, Young, M. Johnson, Turner, Sabb, Matthews, Campsen, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-36-320, RELATING TO THE DUTIES OF THE ALZHEIMER'S DISEASE AND RELATED DISORDERS RESOURCE COORDINATION CENTER SO AS TO ADD TO THE CENTER'S DUTIES CONCERNING THE STATEWIDE PLAN TO ADDRESS ALZHEIMER'S DISEASE AND RELATED DEMENTIAS; BY AMENDING SECTION 44-36-330, RELATING TO THE ADVISORY COUNCIL TO THE

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ALZHEIMER'S DISEASE AND RELATED DISORDERS
RESOURCE COORDINATION CENTER SO AS TO PROVIDE
THAT THE ADVISORY COUNCIL MUST DEVELOP A
STATEWIDE PLAN TO ADDRESS ALZHEIMER'S DISEASE AND
RELATED DEMENTIAS AND TO PROVIDE THAT THE
STATEWIDE PLAN MUST BE UPDATED EVERY FIVE YEARS;
AND TO PROVIDE THAT THE STATEWIDE PLAN MUST BE
UPDATED IN 2028 AND EVERY FIVE YEARS THEREAFTER.

The Senate proceeded to the consideration of the Bill.

Senator KIMBRELL explained on the Bill.

The question then being second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total—42

NAYS

Total—0

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

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OBJECTION

S. 604 -- Senators Peeler, Alexander, Setzler, Malloy and Scott: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

The Senate proceeded to the consideration of the Resolution.

Senator GAMBRELL explained the Resolution.

The question then being second reading of the Resolution.

Senators CLIMER and MATTHEWS objected to further consideration of the Resolution.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3604 -- Reps. Bannister, G.M. Smith and Murphy: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS FROM THE CONTINGENCY RESERVE FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (SF-3604.CH0025S), which was adopted:

Amend the Joint Resolution, as and if amended, by striking all and inserting:

**A JOINT RESOLUTION
TO APPROPRIATE FUNDING FOR CERTAIN INFRASTRUCTURE
AND OTHER PURPOSES TO FOSTER ECONOMIC
DEVELOPMENT AND PRESCRIBE THE APPROPRIATE
PURPOSES, TERMS, AND CONDITIONS.**

Whereas, the General Assembly has through prior enactments determined that the construction of certain infrastructure, including in certain circumstances infrastructure constructed for use by private parties, enhances the recruitment of businesses to and the expansion of businesses within the State; that such infrastructure facilitates the operation and growth of businesses in the State, and thereby provides

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significant and substantial direct and indirect benefits to the State and its residents, including employment and other opportunities; that such benefits outweigh the costs of such infrastructure; that for such reasons it is in the best interest of the State to provide funding that serves a public purpose in fostering economic development and increasing employment in the State; and that the primary beneficiaries of such funding and the construction of such infrastructure are the State of South Carolina and its residents; and

Whereas, the General Assembly further finds that under certain circumstances it is appropriate for the State to undertake construction of infrastructure and to make other improvements that promote or improve state readiness for further economic development; and

Whereas, the General Assembly further finds that public confidence may be enhanced by identification of the amounts and purposes for which funding may be made available, for specific projects and for state readiness for further economic development; and

Whereas, the General Assembly further finds that processes of review, approval, and oversight, are appropriate and warranted for public funds designated for purposes of economic development; and

Whereas, the General Assembly further finds that sufficient unobligated funds are presently available and the interest of the State will be served by their appropriation for the purposes and subject to the terms and conditions described herein.

Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) The sources of revenue appropriated in this joint resolution are: (1) \$1,204,834,516 from the Fiscal Year 2021-2022 Contingency Reserve Fund as recognized by the Board of Economic Advisors; and (2) \$86,248,470 from the Fiscal Year 2022-2023 Projected General Fund Surplus as forecast by the Board of Economic Advisors.

(B) The Department of Commerce is appropriated \$1,091,082,986 as set forth in this section to provide funding to Project Connect for the following purposes:

- (1) bridge to support rail spur construction;
- (2) land acquisition;
- (3) required site improvements and mitigation;
- (4) road access and improvements;
- (5) soil stabilization;
- (6) training center;
- (7) water and wastewater infrastructure; and

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(8) any such other purpose as is necessary and recommended by the Department of Commerce for Project Connect. Such other purpose is subject to review and comment by the Joint Bond Review Committee.

(C) The Department of Commerce is appropriated \$200,000,000 to loan the Project Connect sponsor for additional soil stabilization to be paid back in full in a manner prescribed by the sponsor and the Department of Commerce. All payments and interest shall be returned to the general fund of the State upon receipt. This loan is not eligible for forgiveness.

SECTION 2. Funds appropriated pursuant to SECTION 1 may be carried forward into subsequent fiscal years for the same purpose as originally awarded, committed, or authorized. Earnings and interest on accounts created pursuant to this joint resolution must be credited to the general fund of the State.

SECTION 3. This joint resolution applies solely to the funds subject to this authorization and has no effect on any provision of permanent law. The expenditure authorizations contained in this joint resolution are supplemental to the expenditure authorizations for receiving entities as contained in Act 239 of 2022, the General Appropriations Act for Fiscal Year 2022-2023, and future expenditure authorizations enacted by the General Assembly. The provisions of this joint resolution terminate on fulfillment of their terms.

SECTION 4. On a quarterly basis, the Department of Commerce shall send a project status report to the Joint Bond Review Committee until all funds are expended and upon certification by the Secretary of Commerce that all project obligations have been met.

SECTION 5. The State Treasurer shall disburse the funds pursuant to SECTION 1 from Fiscal Year 2021-2022 Contingency Reserve Fund within five days of the effective date of this joint resolution. The State Treasurer shall further disburse all funds available, up to the amount set forth in SECTION 1 from the Fiscal Year 2022-2023 Projected General Fund Surplus within five days of the close of the state's books for Fiscal Year 2022-2023 by the Comptroller General or by November 1, 2023, whichever occurs first.

SECTION 6. Any funds remaining after the completion of Project Connect must be remitted to the general fund.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this joint resolution 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 joint resolution, the General Assembly hereby declaring that it would have

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passed this joint resolution, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. This joint resolution takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the amendment.

Remarks to be Printed

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

Senator SETZLER spoke on the amendment.

Remarks to be Printed

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

Senator SCOTT spoke on the amendment.

Remarks to be Printed

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

Senator MARTIN spoke on the amendment.

Remarks to be Printed

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

Senator HARPOOTLIAN spoke on the amendment.

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Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Senators SETZLER, WILLIAMS, CORBIN, SHEALY and GAMBRELL were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Remarks to be Printed

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

Senator CASH spoke on the amendment.

Senator MALLOY spoke on the amendment.

Remarks to be Printed

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

Motion Adopted

On motion of Senator DAVIS, with unanimous consent, Senators DAVIS, SCOTT, CORBIN, K. JOHNSON and TURNER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator K. JOHNSON spoke on the amendment.

The amendment was adopted.

Statement by Senator REICHENBACH

As the owner of a Volkswagen franchise, Project Connect creates the possibility of a conflict of interest therefore, out of an abundance of caution, I abstained from voting on H. 3604.

Senator MASSEY proposed the following amendment (SR-3604.KM0026S), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered SECTION to read:
SECTION X. The Department of Commerce and the Project Connect sponsor have agreed that the sponsor will meet certain employment

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thresholds. Of the employees employed by the Project Connect sponsor at its facility in this State pursuant to their agreement with the Department of Commerce, eighty percent must have been residents of South Carolina for at least three years prior to the date the employee is hired.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator PEELER moved to lay the amendment on the table.

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

Ayes 29; Nays 10; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Climer	Davis
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner
Williams	Young	

Total--29

NAYS

Campsen	Cash	Corbin
Garrett	Grooms	Loftis
Martin	Massey	Rice
Verdin		

Total--10

ABSTAIN

Reichenbach

Total--1

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The amendment was laid on the table.

Statement by Senator REICHENBACH

As the owner of a Volkswagen franchise, Project Connect creates the possibility of a conflict of interest therefore, out of an abundance of caution, I abstained from voting on H. 3604.

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

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

Ayes 36; Nays 4; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Davis	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Williams	Young

Total--36

NAYS

Cash	Corbin	Martin
Verdin		

Total--4

ABSTAIN

Reichenbach

Total--1

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

Statement by Senator REICHENBACH

As the owner of a Volkswagen franchise, Project Connect creates the possibility of a conflict of interest therefore, out of an abundance of caution, I abstained from voting on H. 3604.

H. 3604 -- Ordered to a Third Reading

On motion of Senator PEELER, H. 3604 was ordered to receive a third reading on Wednesday, March 15, 2023.

Motion to Ratify Adopted

At 5:22 P.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 10:00 A.M. tomorrow.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Marion County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Kelik Fling, 2715 East Highway 76, Suite B, Mullins, SC 29574-6015

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Alphonzo Delaney “Al” Gaines, Sr. of Seneca, S.C. Dr. Gaines was the first African American principal in Oconee County following desegregation at Seneca Junior High School. He was also the first African American elected to the Seneca City Council where he faithfully served for twenty-eight years. Dr. Gaines was a dedicated educator and devoted community member who cared deeply about the citizens of Seneca. Dr. Gaines was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 5:22 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

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