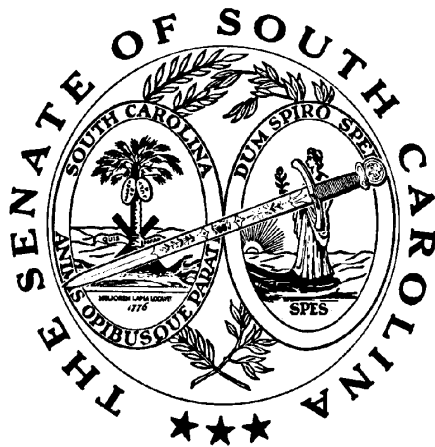


NO. 61

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, APRIL 25, 2023

Tuesday, April 25, 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:

Jonah 2:1

In the Book of Jonah we read: "Then Jonah prayed to the Lord his God from the belly of the fish."

Friends, join me as we bow in prayer: Most merciful God, we honestly believe that not one of us does not realize the absolute power bound up in heartfelt prayer. It doesn't matter what our faith background might have been, nor how active we might be or might not be in organized religion today. Every single one of us has had -- and surely will have -- moments when, like Jonah, we are humbled by our very humanness and know our sole recourse is to turn to You in prayer. Especially in a world like ours today, we thank You for walking along with us, Lord, for assuring us that You are ever ready to hear our pleas for assurance, as well as our prayers of praise. And may it be that every South Carolinian always finds comfort and hope in knowing that these leaders indeed pray. In Your loving name we ask this, Lord. Amen.

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

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	Campsen	Cash
Climer	Cromer	Davis
Grooms	Gustafson	Hembree
Hutto	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens	Talley	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, 2023, and to expire January 1, 2027

1st Congressional District:

Charles Samuel Bennett II, 31 Governors Road, Hilton Head, SC 29928-3028 *VICE* William A. Finn

Referred to the Committee on Judiciary.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2024, and to expire January 1, 2028

6th Congressional District:

Alyssa Richardson, 1049 Buist Avenue, North Charleston, SC 29405-4909 *VICE* John Calhoun Land IV

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

Four-Year Institutions:

Oran P. Smith, 466 East Columbia Ave., Leesville, SC 29070-7317 *VICE* Linda L. Dolny

Referred to the Committee on Education.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

General Public:

Robert J. Wolff, 104 Cyclamen Court, Columbia, SC 29212-2052

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Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2019, and to expire June 30, 2023

2nd Congressional District:

Nathaniel Barber, 401 Centeridge Drive, Columbia, SC 29229-6566
VICE Kent T. Washington

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2023, and to expire June 30, 2027

2nd Congressional District:

Nathaniel Barber, 401 Centeridge Drive, Columbia, SC 29229-6566

Referred to the Committee on Judiciary.

REGULATION WITHDRAWN

The following was received:

Document No. 5167

Agency: State Election Commission

Chapter: 45

Statutory Authority: 1976 Code Sections 7-13-1490 and 7-13-1655

SUBJECT: Voting Systems

Received by President of the Senate January 24, 2023

Referred to Committee Judiciary

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 21, 2023

Doctor of the Day

Senator MARTIN introduced Dr. Tanya Tang of Spartanburg, S.C.,
Doctor of the Day.

Leave of Absence

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

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

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

S. 590 Sen. Senn
S. 634 Sen. Turner
S. 695 Sen. Gustafson
S. 717 Roll of the Senate
S. 739 Sens. Alexander and Peeler

RECALLED

S. 639 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-530, RELATING TO DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator CLIMER asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3952 -- Reps. G.M. Smith, Bannister, Bradley, Crawford, Herbkersman, W. Newton, Felder, Alexander, Wetmore, Hyde, Sessions, Guffey, Connell, Hager, Atkinson, Moss, Stavrinakis, Yow, Mitchell, Ligon, B. Newton, Williams, T. Moore, Robbins, Brewer, Murphy, Wooten, Cromer, Magnuson, Pope, Hixon, Forrest, M.M. Smith, Davis, Ballentine, Erickson, Guest, Ott, Willis, Sandifer, White, Lawson, Hardee and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 37-1-102, RELATING TO THE PURPOSES OF THE CONSUMER PROTECTION CODE, SO AS TO INCLUDE THE PROMOTION OF EDUCATION FOR CONSUMERS, BEST PRACTICES FOR BUSINESSES, AND TO MEDIATE COMPLAINTS; BY AMENDING SECTION 37-6-106, RELATING TO INVESTIGATORY POWERS OF THE ADMINISTRATOR, SO AS TO REQUIRE THE PRESENTATION OF PROBABLE CAUSE BEFORE BEGINNING AN INVESTIGATION; BY AMENDING SECTION 37-6-108, RELATING TO ENFORCEMENT ORDERS OF THE ADMINISTRATOR, SO AS TO REQUIRE CERTAIN INFORMATION BE PROVIDED BEFORE A CEASE AND DESIST

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IS ISSUED TO A BUSINESS; AND BY AMENDING SECTION 37-2-307, RELATING TO MOTOR VEHICLE SALES CONTRACT CLOSING FEES, SO AS TO REQUIRE THE CLOSING FEE TO BE PROMINENTLY DISPLAYED WITH THE ADVERTISED PRICE.

Senator CROMER asked unanimous consent to make a motion to recall the Bill from the Committee on Banking and Insurance.

The Bill was recalled from the Committee on Banking and Insurance and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

lc-0310sa23.docx : b7b5ff2f-d01c-4e78-8229-ece3dc70896c

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

S. 747 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ASBESTOS BANKRUPTCY TRUST CLAIMS TRANSPARENCY AND CLAIMS LEGITIMACY ACT" BY ADDING CHAPTER 83 TO TITLE 15 SO AS TO ESTABLISH REQUIRED DISCLOSURES BY PLAINTIFFS IN ASBESTOS ACTIONS, TO ESTABLISH RELATED DISCOVERY PROVISIONS, TO ESTABLISH THAT COURTS MAY STAY SUCH ACTIONS, TO ESTABLISH THAT DEFENDANTS IN SUCH ACTIONS MAY IDENTIFY ADDITIONAL OR ALTERNATIVE ASBESTOS TRUSTS, TO ESTABLISH THE VALUATION OF ASBESTOS TRUST CLAIMS IN ASBESTOS ACTIONS, TO ESTABLISH SETOFF PROVISIONS, AND TO DEFINE NECESSARY TERMS.

lc-0220hdb23.docx : 5b2f114e-315e-4fdf-a1f4-81024dddf4b7

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

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S. 748 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-335(A), RELATING TO ASSESSING THE PROPERTY OF MERCHANTS AND OTHER RELATED BUSINESSES, SO AS TO REQUIRE THE DEPARTMENT OF REVENUE TO FOLLOW CERTAIN NORTH AMERICAN CLASSIFICATION SYSTEM MANUAL PROVISIONS; AND BY REPEALING SECTION 12-39-70 RELATING TO CLASSIFICATIONS FOR PURPOSES OF APPRAISING AND ASSESSING PERSONAL PROPERTY.

sr-0091jg23.docx : 73998710-738d-4d34-83dd-37a601201ac2

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

S. 749 -- Senators Alexander and Rankin: A JOINT RESOLUTION TO AUTHORIZE THE GENERAL ASSEMBLY TO CONDUCT SCREENING AND ELECTIONS FOR MEMBERS OF THE PUBLIC SERVICE COMMISSION DURING THE 125TH SESSION OF THE SOUTH CAROLINA GENERAL ASSEMBLY.

sj-0038pb23.docx : feed49f5-5a2d-45c3-96f3-0e7598da9fea

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

S. 750 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. MARILYN MYERS BAKER ON HER FORTIETH ANNIVERSARY WORKING FOR THE TOWN OF MONCKS CORNER

sr-0378km-hw23.docx : 7ce649c0-dee2-4cba-955a-56af0bfde321

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

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

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lc-0083ph23.docx : 2c6a9fbf-5af1-49af-8d9a-bf1a26949a24

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

H. 3769 -- Reps. Ligon, B. Newton, O'Neal, Chumley, Haddon, Magnuson, Harris, Sandifer and Neese: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 5-31-1525 SO AS TO PROHIBIT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM DENYING THE REPAIR, REPLACEMENT, OR CONSTRUCTION OF WELLS AND SEPTIC TANKS ON CERTAIN RURAL LANDS REGARDLESS OF THE AVAILABILITY OF MUNICIPAL WATER AND SEWER SERVICE.

lc-0146vr23.docx : 78969e5f-29f4-4039-be15-539b706350f5

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

H. 3799 -- Reps. Hyde and Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DECLARE THE FIRST MONDAY OF MARCH OF EACH YEAR AS "WATER PROFESSIONALS DAY".

lc-0183sa23.docx : 79790689-d685-4e58-8c99-3f4de5da6358

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4049 -- Reps. Sandifer, Anderson, West, McGinnis, Hardee, Brittain, Neese, W. Newton and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 33-7-101 AND 33-31-701, BOTH RELATING TO MEETINGS, SO AS TO ALLOW FOR REMOTE PARTICIPATION.

lc-0209ph23.docx : 6ec38c30-3531-441b-a759-9ff1bc4784ec

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

H. 4332 -- Reps. Ott, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon,

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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, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE MAY 2023 AS "NF AWARENESS MONTH" AND FURTHER TO DECLARE MAY 17, 2023, AS "NF AWARENESS DAY" IN THE STATE OF SOUTH CAROLINA.

lc-0121ha-rm23.docx : 8f4b73de-db71-472c-b29f-7b446a722ee5

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

H. 4346 -- Reps. Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, 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 COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR EXTRAORDINARY EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE AND TO CONGRATULATE JUSTIN K. MCNAIR OF THE BOYS AND GIRLS CLUBS OF THE PEE DEE AREA ON BEING NAMED 2023

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TRADITIONAL YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS.

lc-0304cm-rm23.docx : 5ea4c2b9-d3bf-4924-95cb-9769c592a4a0

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

H. 4357 -- Reps. Jordan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, 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 RECOGNIZE MICHAEL THREADGILL OF FLORENCE COUNTY ON HIS ELECTION AS PRESIDENT OF THE CAROLINAS INDEPENDENT AUTO DEALERS ASSOCIATION AND TO COMMEND HIM ON HIS OUTSTANDING SERVICE TO THAT BODY DURING HIS TERM OF OFFICE.

lc-0245vr-rm23.docx : a8803625-aaf8-404e-8f8e-8d06a5023890

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, May 2, 2023 - 5:30 p.m. - 7:30 p.m.

Members, Reception, Savage Craft, 430 Center Street, West Columbia, by the **SOUTH CAROLINA BOATING AND FISHING ALLIANCE**

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Wednesday, May 3, 2023 - 8:00 a.m. - 10:00 a.m.

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

Wednesday, May 3, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, Palmetto Club, by **SUSTAIN SC**

Wednesday, May 3, 11:30 a.m. - 1:30 p.m.

Members, Luncheon, State House Grounds, by the **CONGRESSIONAL SPORTSMEN'S FOUNDATION**

Wednesday, May 3, 2023 - 5:30 p.m. - 8:30 p.m.

Members, Staff and Families, Riverbanks Family Night, 500 Wildlife Parkway, Columbia, by **RIVERBANKS ZOO AND GARDENS**

Thursday, May 4, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA SCHOOL NUTRITION ASSOCIATION**

Tuesday, May 9, 2023 - 6:00 p.m. - 8:00 p.m.

Members and their families, Reception, EdVenture, by the **SOUTH CAROLINA COALITION FOR MATH AND SCIENCE**

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

Members and Staff, Breakfast, 112 Blatt Building, by **AMI KIDS, INC.**

Thursday, May 11, 2023 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, by the **NATIONAL CONFERENCE OF STATE LEGISLATURES**

Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Reappointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large:

Kathleen Love, 105 Tryon Drive, Summerville, SC 29485-8430

Received as information.

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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

Received as information.

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

Received as information.

Message from the House

Columbia, S.C., April 25, 2023

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 120 -- Senators Hembree, Campsen and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-580, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL; TO MAKE TECHNICAL CHANGES; TO PROVIDE THE PURCHASE OR ACQUISITION OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE; TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM ALL STATE LICENSING PROCESSES AND

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REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY; TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING, MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED IN THE ADMINISTRATION OF THE DEATH PENALTY; AND TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE ABSOLUTE CONFIDENTIALITY OF IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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

CARRIED OVER

S. 640 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER CLASSIFICATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5119, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

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OBJECTION

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis and Garrett: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

The Senate proceeded to the consideration of the Resolution.

Senator MALLOY moved to carry over the Resolution.

Senator MARTIN moved to lay the motion to carry over the Resolution on the table.

Senator MALLOY objected to further consideration of the Resolution.

CARRIED OVER

S. 710 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE: PURCHASE OF GOODS OR SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5141, 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 GAMBRELL explained the Resolution.

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

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CARRIED OVER

S. 711 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5140, 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 GAMBRELL explained the Resolution.

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

CARRIED OVER

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

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

CARRIED OVER

H. 3951 -- Reps. Haddon, G.M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoon, Pope, Davis and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "WORKING AGRICULTURAL LANDS PRESERVATION ACT" BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO DEFINE TERMS, ESTABLISH A COMMITTEE, AND OUTLINE PROGRAM CRITERIA, AMONG OTHER THINGS.

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 542 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH

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CAROLINA COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY AND RESILIENCE ACT”; AND BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO PROVIDE DEFINITIONS, CREATE AND ESTABLISH THE PROGRAM, PROVIDE FOR APPLICATION AND ADMINISTRATION, ESTABLISH A PROCESS FOR ASSESSING AND COLLECTING LIENS, PROVIDE FINANCING, AND TO DEVELOP STANDARDS, AMONG OTHER THINGS.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-542.PH0002S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 6-39-20(3)(d) and inserting:

(d) a financial institution, as defined in 18 U.S.C Section 20, as amended;

Amend the bill further, SECTION 2, by striking Sections 6-39-100, 6-39-110, 6-39-120, and 6-39-130 and inserting:

Section 6-39-100. Qualified improvements must meet all applicable safety, performance, interconnection, and reliability standards established by the Public Service Commission of South Carolina, the National Electrical Code as adopted and modified by the South Carolina Building Codes Council, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any other governing authorities with jurisdiction prior to qualifying for financing.

Section 6-39-110. (A) The provisions of this chapter may not be used to implement qualified improvements that result in the replacement of natural gas appliances or equipment with electric appliances or equipment or that result in the replacement of electric appliances or equipment with natural gas appliances or equipment unless the customer who seeks to install the energy efficiency or conservation measure is being provided electric and natural gas service by the same provider.

(B) Nothing in this section may allow the resale of electricity.

Section 6-39-120. Nothing contained in this chapter shall be construed to conflict with Article 23, Chapter 27, Title 58 or Chapters 37, 39, and 40, Title 58.

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	Davis
Gambrell	Garrett	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
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.

Statement by Senator GUSTAFSON

On this busy day of the South Carolina Senate, I found myself away from my desk briefly and missed a roll call vote for S. 542. I support this Bill, and I would have voted "Aye".

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 601 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1,

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CHAPTER 73, TITLE 39 SO AS TO TRANSFER THE AUTHORITY TO EXECUTE THE STATE COMMODITY CODE TO THE SOUTH CAROLINA ATTORNEY GENERAL; BY AMENDING SECTION 39-73-310, RELATING TO THE AUTHORITY OF THE ADMINISTRATOR TO INVESTIGATE, THE PUBLICATION OF INFORMATION, POWERS AND PROCEDURES, AND COURT ORDERS TO COMPEL COMPLIANCE, SO AS TO PROVIDE GUIDELINES FOR THE ENFORCEMENT OF COMPLIANCE; BY AMENDING SECTION 39-73-315, RELATING TO ACTION BY THE ADMINISTRATOR TO PREVENT VIOLATION OR IMMINENT VIOLATION, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY ISSUE CEASE AND DESIST ORDERS AND TO PROVIDE GUIDELINES FOR THE ISSUANCE AND ENFORCEMENT; BY AMENDING SECTION 39-73-320, RELATING TO LEGAL, EQUITABLE, AND SPECIAL REMEDIES AVAILABLE TO A COURT FOR ENFORCEMENT, AND SECTION 39-73-325, RELATING TO PENALTIES FOR WILFUL VIOLATION, SO AS TO PROVIDE GUIDELINES FOR ACTIONS TAKEN UPON VIOLATION OF THIS CHAPTER; BY AMENDING SECTION 39-73-350, RELATING TO APPLICABILITY OF SECTIONS 39-73-20, 39-73-50, AND 39-73-60 TO PERSONS WHO SELL, BUY, OR OFFER TO SELL OR BUY COMMODITIES IN THIS STATE, SO AS TO PROVIDE GUIDELINES FOR APPLICABLE RADIO AND TELEVISION COMMUNICATIONS; BY AMENDING SECTION 39-73-360, RELATING TO JUDICIAL REVIEW, SO AS TO PROVIDE GUIDELINES; BY ADDING SECTION 39-73-375 SO AS TO PROVIDE THAT THE OFFICE OF THE ATTORNEY GENERAL MAY RETAIN ALL FINES AND PENALTIES COLLECTED PURSUANT TO THIS CHAPTER; BY ADDING SECTION 39-73-400 SO AS TO PROVIDE A SEVERABILITY CLAUSE; AND BY REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS, NOTICE, HEARING, AND ORDER.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-601.SA0001S), which was adopted:

Amend the bill, as and if amended, SECTION 13, by striking Section 39-73-375 and inserting:

Section 39-73-375. The Office of the Attorney General may retain the first seven hundred and fifty thousand dollars in fines and penalties

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received in a fiscal year in settlement of litigation enforcement actions and reimbursements of expenses arising from violations under this chapter to offset investigative, prosecutorial, and administrative costs of enforcing this chapter, after which any excess fines and penalties received in a fiscal year must be deposited into the General Fund. The Attorney General shall issue an annual report to the President of the Senate, the Speaker of the House, the chairman of the Senate Finance Committee, the chairman of the House Ways and Means Committee, the chairman of the Senate Labor, Commerce and Industry Committee, and the chairman of the House Labor, Commerce and Industry Committee. This report shall include: the total amount of civil penalties collected by the Attorney General's Office for violations of the Commodities Code, the amount of restitution and disgorgement ordered to be paid for violations of the Commodities Code, the amount of fines and penalties retained by the Attorney General's Office pursuant to this section, and the amount of excess fines and penalties that were deposited into the General Fund pursuant to this section.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY 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 42; Nays 0; Abstain 1

AYES

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

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Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

ABSTAIN

Climer

Total--1

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. 610 -- Senators Cromer, Shealy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT.

The Senate proceeded to the consideration of the Bill.

Senator CLIMER explained the Bill.

The question then being second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto

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Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

CARRIED OVER

S. 744 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF STATE FIRE MARSHAL, RELATING TO OFFICE OF STATE FIRE MARSHAL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5161, 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 CLIMER explained the Resolution.

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

CARRIED OVER

S. 745 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF BARBER EXAMINERS, RELATING TO BARBER SCHOOLS, MANAGERS, TEACHERS AND INSTRUCTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5154,

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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 MASSEY explained the Resolution.

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

ADOPTED

S. 717 -- Senators Williams, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Young: A SENATE RESOLUTION TO PROCLAIM SEPTEMBER 2023 AS “CHILDHOOD CANCER AWARENESS MONTH” IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT THIS CAUSE THAT SO DEEPLY IMPACTS FAMILIES IN EVERY COMMUNITY ACROSS THE STATE AND NATION.

The Resolution was adopted.

S. 714 -- Senators Bennett and Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE JULY 22, 2023, AS “FRAGILE X DAY” IN SOUTH CAROLINA IN ORDER TO HELP RAISE AWARENESS OF THE CONDITION AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS AND FAMILIES LIVING WITH FRAGILE X.

The Resolution was adopted, ordered sent to the House.

S. 695 -- Senators McElveen and Gustafson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE NEW BRIDGE OVER PINE TREE CREEK JUST SOUTH OF CAMDEN IN KERSHAW COUNTY “PINE TREE HILL BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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S. 713 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME PINCKNEY STREET IN THE CITY OF YORK IN YORK COUNTY "DR. MARTIN LUTHER KING, JR. BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 49/SOUTH CONGRESS STREET AND ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 1:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE SECOND TIME

H. 3774 -- Reps. McCravy, G.M. Smith, Hiott, W. Newton, Pope, Yow, M.M. Smith, Hardee, J.E. Johnson, Hixon, Bustos, Erickson, Landing, Davis, Crawford, B.L. Cox, Connell, Vaughan, Ligon, T. Moore, Moss, Lawson, Hyde, Leber, B.J. Cox, Wooten, Whitmire, Long, Gagnon, Bradley, Herbkersman, Nutt, Mitchell, B. Newton, Jordan, Brewer, Murphy, Gilliam, Willis, Blackwell, Elliott, Guest, Oremus, Felder, Chapman, Haddon, S. Jones, Pace, Gibson, Robbins, Burns, Chumley and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HUMAN LIFE PROTECTION ACT"; BY ADDING ARTICLE 7 TO CHAPTER 41, TITLE 44 SO AS TO BAN ABORTIONS IN THIS STATE, TO PROVIDE FOR EXCEPTIONS TO THE BAN ON ABORTIONS, TO PROTECT THE USE OF CONTRACEPTIVES AND ALTERNATIVE REPRODUCTIVE TECHNOLOGIES, TO PROVIDE PENALTIES, TO PROVIDE A CIVIL CAUSE OF ACTION FOR FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE, TO PROVIDE THAT A WOMAN CANNOT BE PROSECUTED FOR HAVING AN ABORTION, TO PROVIDE THAT PHYSICIANS OR OTHER LICENSED PROFESSIONALS SHALL LOSE THEIR LICENSE FOR VIOLATIONS OF THIS ARTICLE, AND TO

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PROVIDE THAT A WOMAN'S NAME MAY REMAIN ANONYMOUS IN PROCEEDINGS INITIATED PURSUANT TO THIS ARTICLE; BY ADDING SECTION 44-41-90 SO AS TO PROVIDE THAT THE STATE HEALTH INSURANCE PROGRAM MAY NOT PAY FOR ABORTIONS, TO PROHIBIT STATE FUNDS FROM BEING USED FOR THE PURCHASE OF FETAL TISSUE OR FETAL REMAINS OBTAINED FROM AN ABORTION, AND TO DEFUND PLANNED PARENTHOOD; BY ADDING SECTION 63-17-325 SO AS TO REQUIRE A BIOLOGICAL FATHER TO PAY CHILD SUPPORT BEGINNING AT CONCEPTION; BY ADDING SECTION 38-71-146 SO AS TO REQUIRE ALL INDIVIDUAL AND GROUP HEALTH INSURANCE AND HMO POLICIES TO COVER CONTRACEPTIVES; BY REQUIRING THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TO COVER PRESCRIBED CONTRACEPTIVES FOR DEPENDENTS; BY AMENDING SECTION 44-41-710, RELATING TO CONSTRUCTION AND APPLICATION OF THIS ARTICLE, SO AS TO REMOVE LANGUAGE RELATED TO IMPLICIT REPEAL; BY AMENDING SECTION 44-41-480, RELATING TO CONSTRUCTION AGAINST IMPLICIT REPEAL OF EXISTING LAW, SO AS TO REMOVE LANGUAGE RELATED TO IMPLICIT REPEAL; BY REPEALING SECTION 44-41-20 RELATING TO LEGAL ABORTIONS; BY AMENDING SECTION 44-41-70, RELATING TO PROMULGATION OF RULES AND REGULATIONS FOR CERTIFICATION OF HOSPITALS AND OTHER FACILITIES, SO AS TO DELETE A REFERENCE TO SECTION 44-41-20; AND BY PROVIDING AN UNCONDITIONAL RIGHT TO INTERVENE IN CHALLENGES TO THIS ACT BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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

Senator MASSEY explained the Bill.

Amendment No. 1

Senators HEMBREE, RANKIN, SABB, SENN, DAVIS and SETZLER proposed the following amendment (SR-3774.KM0052S), which was ruled out of order:

Amend the bill, as and if amended, by deleting SECTIONS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

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

SECTION X. It is proposed that the Section 1, Article III of the Constitution of the State be amended to read:

Section 1. The legislative power of this State shall be vested in two distinct branches, the one to be styled the "Senate" and the other the "House of Representatives," and both together the "General Assembly of the State of South Carolina."

Nothing in this constitution secures or protects a right to an abortion or requires the funding of an abortion. The people retain the right through their elected state senators and state representatives to enact, amend, or repeal statutes regarding abortion.

SECTION X. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 1, Article III of the Constitution of this State, relating to the General Assembly's authority to enact laws, be amended so as to provide that that the South Carolina Constitution does not provide a right to an abortion or the requirement that the State fund abortions?"

Yes o

No o

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

Amend the bill further, by deleting SECTIONS 17 and 18.

Renumber sections to conform.

Amend title to conform.

Point of Order

Senator GROOMS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HEMBREE spoke on the Point of Order.

Senator GROOMS spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

Senator HEMBREE spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Senator HEMBREE explained the amendment.

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The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Appeal of the Ruling by the PRESIDENT Failed

Senator SENN appealed the Ruling by the PRESIDENT.

ACTING PRESIDENT PRESIDES

At 2:47 P.M., Senator SETZLER assumed the Chair.

The question then was, "Shall the Ruling by the PRESIDENT be overridden?"

The Acting PRESIDENT stated that Rule 7 provided for debate of fifteen minutes each for proponents and opponents.

Senator HUTTO spoke in favor of overriding the Ruling by the PRESIDENT.

Senator SENN spoke in favor of overriding the Ruling by the PRESIDENT.

Senator CASH argued contra to overriding the Ruling by the PRESIDENT.

Senator MASSEY argued contra to overriding the Ruling by the PRESIDENT.

Objection

Senator MALLOY asked unanimous consent to add an additional 30 minutes of debate to the provisions of Rule 7.

Senator GROOMS objected.

Senator GROOMS argued contra to overriding the Ruling by the PRESIDENT.

Senator MARTIN argued contra to overriding the Ruling by the PRESIDENT.

Senator CAMPSEN argued contra to overriding the Ruling by the PRESIDENT.

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Senator MATTHEWS spoke in favor of overriding the Ruling by the PRESIDENT.

Senator SENN spoke in favor of overriding the Ruling by the PRESIDENT.

The question then was, "Shall the Ruling by the PRESIDENT be overridden?"

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

Ayes 5; Nays 39

AYES

Fanning	Hutto	Matthews
McLeod	Senn	

Total--5

NAYS

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

Total--39

The Senate refused to override the Ruling by the PRESIDENT.

The amendment was ruled out of order.

PRESIDENT PRESIDES

At 3:28 P.M., the PRESIDENT assumed the Chair.

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Amendment No. 2

Senator CAMPSSEN proposed the following amendment (SR-3774.JG0056S), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 2.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The question then was second reading of the Bill.

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

Ayes 22; Nays 21

AYES

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

Total--22

NAYS

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

Total--21

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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Motion Adopted

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

ADJOURNMENT

At 3:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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