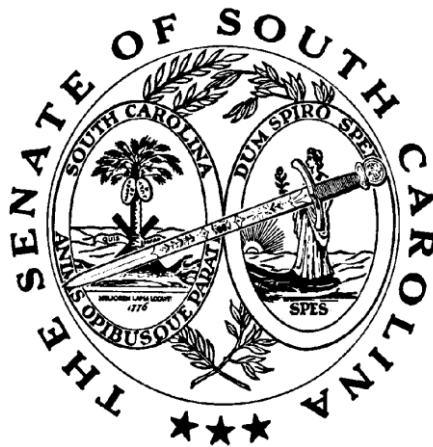


NO. 27

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

---

THURSDAY, FEBRUARY 22, 2024

**Thursday, February 22, 2024**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., 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:

2 Chronicles 1:10a

We remember that Solomon implored the Lord God to: “ ‘Give me wisdom and knowledge, that I may lead this people.’ ”

Bow in prayer with me, please: O Wondrous God, our world cries out for wise, well-informed and truly caring leaders. The demands of modern-day life require such, of course. But even moreso, our citizens also expect every Senator and each staff member serving here always to use their gifts wisely and well, to be dedicated to providing the absolute best level of governance possible. Therefore, by Your Spirit’s grace, Lord, empower these talented leaders to work together as they move our State and all of her people ever forward. And bless us -- as well as all of our women and men in uniform serving around the globe. In Your loving name we humbly pray, dear 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	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens

**THURSDAY, FEBRUARY 22, 2024**

Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

**Leave of Absence**

At 11:07 A.M., Senator GAMBRELL requested a leave of absence for today.

**Leave of Absence**

At 12:35 P.M., Senator DAVIS requested a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 418 Sen. Kimbrell  
S. 1017 Sen. Setzler

**RECALLED AND READ THE SECOND TIME**

S. 912 -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.

Senator RANKIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration today.

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

There was no objection.

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

On motion of Senator RANKIN with unanimous consent, the Resolution was read the second time, passed and ordered to a third reading.

**THURSDAY, FEBRUARY 22, 2024**

**Recorded Vote**

Senators CORBIN, TURNER and CASH desired to be recorded as voting against the second reading of the Resolution.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1082 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT AGAINST THE INCOME TAX LIABILITY OF A TAXPAYER EQUAL TO FIFTY PERCENT OF THE COSTS INCURRED BY THE TAXPAYER FOR HABITAT MANAGEMENT FOR WILD TURKEY; AND BY AMENDING SECTION 50-11-525, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE CERTAIN REGULATIONS, SO AS TO REQUIRE THE DEPARTMENT TO ESTABLISH GUIDELINES FOR HABITAT MANAGEMENT FOR WILD TURKEY.

sfgf-0024bc24.docx

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

S. 1083 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-17-310, RELATING TO THE DEFINITION OF MOBILE HOME, SO AS TO PROVIDE A DEFINITION; AND BY AMENDING SECTION 31-17-320, RELATING TO LICENSE REQUIREMENTS FOR MOBILE HOMES, SO AS TO PROVIDE SEPARATE REQUIREMENTS FOR THE ISSUING OF A LICENSE FOR A MOBILE HOME TO A LICENSED DEALER.

sr-0593km24.docx

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

S. 1084 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 43-21-210 SO AS TO ESTABLISH THE SENIOR CALL-CHECK SERVICE AND NOTIFICATION PROGRAM WITHIN THE DEPARTMENT ON AGING.

lc-0386hdb24.docx

**THURSDAY, FEBRUARY 22, 2024**

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

S. 1085 -- Senators Jackson and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-41-30, RELATING TO PROPERTY EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO PROVIDE THAT A DEBTOR'S INTEREST IN REAL PROPERTY USED AS A PRIMARY RESIDENCE MAY NOT BE SOLD IF THE ACTION WAS INSTITUTED BY A HOMEOWNERS ASSOCIATION ATTEMPTING TO COLLECT UNPAID DUES, FEES, OR FINES; BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF A HOMEOWNERS ASSOCIATION'S GOVERNING DOCUMENTS, SO AS TO PROHIBIT THE ENFORCEABILITY OF A PROVISION GRANTING A HOMEOWNERS ASSOCIATION THE AUTHORITY TO FORECLOSE ON PROPERTY; AND BY ADDING SECTION 29-3-810 SO AS TO PROHIBIT A FORECLOSURE ACTION NOT AUTHORIZED BY STATUTE.

smin-0119aa24.docx

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

S. 1086 -- Senator Jackson: A SENATE RESOLUTION TO HONOR JACKIE J. WHITMORE FOR THE CONTRIBUTIONS HE HAS MADE TO THIS GREAT STATE AS A HISTORIAN AND TO CONGRATULATE HIM FOR BEING FEATURED IN THE 2024 SOUTH CAROLINA AFRICAN AMERICAN HISTORY CALENDAR.

lc-0383dg-bl24.docx

The Senate Resolution was adopted.

S. 1087 -- Senators Jackson and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIFE OF MR. BISHOP ELVIN CLEVELAND OF WALHALLA AND CELEBRATE HIS ACHIEVEMENT AS THE FIRST BLACK MAN TO DRIVE A CAR IN THE TOWN OF WALHALLA.

lc-0620wab-ar24.docx

The Senate Resolution was adopted.

**THURSDAY, FEBRUARY 22, 2024**

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.  
sj-0014bj24.docx

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

S. 1089 -- Senators Kimbrell, M. Johnson, Loftis, Talley, Adams and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-1-1, RELATING TO THE DIVISION OF AERONAUTICS, SO AS TO TRANSFER THE DIVISION FROM THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO BE GOVERNED BY THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 55-1-5, RELATING TO AERONAUTICS GENERALLY, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DIVISION OF AERONAUTICS IS APPOINTED BY THE SECRETARY OF TRANSPORTATION UPON THE ADVICE AND CONSENT OF THE SENATE AND TO MAKE OTHER CONFORMING CHANGES; BY AMENDING SECTIONS 55-11-10, 55-15-10, 13-1-10, 1-30-25, 2-13-240, 11-35-1550, 12-36-1710, 23-33-20, AND 46-13-60, ALL RELATING TO THE DIVISION OF AERONAUTICS, SO AS TO MAKE A CONFORMING CHANGE; AND BY REPEALING ARTICLES 6 AND 7 OF CHAPTER 1, TITLE 13 RELATING TO THE AERONAUTICS COMMISSION AND DIVISION OF AERONAUTICS.

lc-0350dg24.docx

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

S. 1090 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO LICENSE PLATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5227, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0636wab-dbs24.docx

**THURSDAY, FEBRUARY 22, 2024**

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

S. 1091 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO SELF-INSURERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5228, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0637wab-rt24.docx

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

S. 1092 -- Senators Jackson, Sabb, Stephens, Devine, K. Johnson and McElveen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PAUL MITCHELL, CHAIRMAN OF OPTUS BANK, AND TO EXPRESS DEEP APPRECIATION TO HIM FOR THE POSITIVE IMPACT HIS LEADERSHIP HAS PROVIDED TO OPTUS BANK AND TO ECONOMIC DEVELOPMENT IN THE PALMETTO STATE.

lc-0635wab-gm24.docx

S. 1093 -- Senators Campsen, Goldfinch, Turner, Senn, Kimbrell and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-39-165 SO AS TO REQUIRE AN APPEALS PROCESS FOR AN ALLEGED RULE VIOLATION OF A VOLUNTARY ASSOCIATION THAT ESTABLISHES AND ENFORCES BYLAWS OR RULES FOR INTERSCHOLASTIC SPORTS COMPETITION FOR PUBLIC SECONDARY SCHOOLS IN THE STATE MUST INCLUDE THE PROCEDURAL DUE PROCESS PROTECTIONS OF THE FOURTEENTH AMENDMENT INCLUDING, BUT NOT LIMITED TO, THE RIGHT OF AN ALLEGED RULE VIOLATOR TO CROSS-EXAMINE TESTIMONY MADE AGAINST THE ALLEGED RULE VIOLATOR; AND TO PROVIDE A DECISION OF A VOLUNTARY ASSOCIATION THAT ESTABLISHES AND ENFORCES BYLAWS OR RULES FOR INTERSCHOLASTIC SPORTS COMPETITION FOR PUBLIC SECONDARY SCHOOLS IN THE STATE, OR AN APPELLATE PANEL OF THE ASSOCIATION, THAT PENALIZES A HIGH SCHOOL ATHLETICS TEAM DUE TO AN ALLEGED RULE VIOLATION THAT OCCURRED IN JANUARY 2024 IS VOID.

**THURSDAY, FEBRUARY 22, 2024**

sfgf-0027bc24.docx

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

S. 1094 -- Senator McElveen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16010 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "SOUTH CAROLINA BEEKEEPERS ASSOCIATION" SPECIAL LICENSE PLATES.

smin-0111aa24.docx

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

S. 1095 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN IMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

sr-0598km24.docx

Read the first time and referred to the Committee on Corrections and Penology.

**REPORTS OF STANDING COMMITTEES**

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

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A



**THURSDAY, FEBRUARY 22, 2024**

FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Sherri Rees, 157 Regent Avenue, Bluffton, SC 29910-8841 *VICE*  
Jennifer Griffith

Received as information.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Nina Spinelli, 727 Dawsons Park Way, Lexington, SC 29072-1906

Received as information.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

6th Congressional District:

Douglas D. Elliott, City of Columbia Parks and Recreation Department, Columbia, SC 29203-6411 *VICE* Steven K. Dean

Received as information.

**THURSDAY, FEBRUARY 22, 2024**

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

**SECOND READING BILL**

H. 4868 -- Reps. Kirby, Lowe, Jordan and Williams: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, TO REAPPORTION THE FIVE SINGLE-MEMBER DISTRICTS AND THE TWO MULTIMEMBER DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator SABB.

**H. 4868--Ordered to a Third Reading**

On motion of Senator SABB, H. 4868 was ordered to receive a third reading on Friday, February 23, 2023.

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

The following Bill was read the third time and ordered sent to the House:

S. 944 -- Senators Gambrell, Bennett, Turner, Fanning and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

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

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY

**THURSDAY, FEBRUARY 22, 2024**

AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (SR-946.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-1210(A)(4) and inserting:

(4) One member appointed shall represent the business community of the State. ~~Nominees for membership pursuant to this item must be made from lists furnished the Governor by the South Carolina Chamber of Commerce.~~

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

There being no further amendments, the Bill, as amended, 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. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

**THURSDAY, FEBRUARY 22, 2024**

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

**CARRIED OVER**

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN

**THURSDAY, FEBRUARY 22, 2024**

NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

The Senate proceeded to a consideration of the Bill.

**Motion Failed**

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

Senator MATTHEWS objected.

The motion failed.

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

**THURSDAY, FEBRUARY 22, 2024**

**CARRIED OVER**

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION

**THURSDAY, FEBRUARY 22, 2024**

40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

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

**THURSDAY, FEBRUARY 22, 2024**

**OBJECTION**

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

Senator MALLOY objected to consideration of the Bill.

**RECOMMITTED**

S. 1026 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5241, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator BENNETT, the Resolution was recommitted to Committee on Banking and Insurance.

**RECOMMITTED**

S. 1027 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY BENEFITS MANAGERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5240, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator BENNETT, the Resolution was recommitted to Committee on Banking and Insurance.

**CARRIED OVER**

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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



**THURSDAY, FEBRUARY 22, 2024**

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (LC-4002.CM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 24-3-980(C).

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

**Objection**

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

Senator MATTHEWS objected.

The motion failed.

The question being the second reading of the Bill.

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

**Ayes 45; Nays 0**

**AYES**

Adams

Alexander

Allen

**THURSDAY, FEBRUARY 22, 2024**

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	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	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

**Total--45**

**NAYS**

**Total--0**

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

**CARRIED OVER**

S. 1064 -- Senator Turner: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

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

**THURSDAY, FEBRUARY 22, 2024**

**POINT OF ORDER**

S. 235 -- Senators Adams, Gustafson, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 250 -- Senators M. Johnson and Malloy: A BILL TO AMEND SECTION 42-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, SO AS TO PROVIDE FOR QUALIFICATIONS TO SERVE AS A COMMISSIONER; TO AMEND SECTION 42-3-40, RELATING TO COMMISSIONERS' SALARIES, SO AS TO PROVIDE THAT COMMISSIONERS ARE ENTITLED TO JUDICIAL RETIREMENT AS PROVIDED UNDER THE PROVISIONS OF CHAPTER 8 OF TITLE 9; TO AMEND SECTION 9-8-10(16), RELATING TO THE DEFINITION OF "JUDGE", TO INCLUDE COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION; AND TO AMEND SECTION 9-8-40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO PROVIDE FOR THE MEMBERSHIP OF

**THURSDAY, FEBRUARY 22, 2024**

**COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION.**

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 251 -- Senators M. Johnson, Adams and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 42-9-50 SO AS TO PROVIDE BENEFITS TO FIRST RESPONDERS MEDICALLY DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER ARISING FROM A SIGNIFICANT TRAUMATIC EXPERIENCE OR SITUATION IN THE COURSE AND SCOPE OF EMPLOYMENT, THE FIRST RESPONDER HAS AN INCAPACITY TO WORK AS DETERMINED BY THE TREATING PHYSICIAN, AND THE FIRST RESPONDER IS PARTICIPATING IN AND RECEIVING CLINICAL CARE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 615 -- Senators Hutto, Setzler, Jackson, Allen, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-2410 SO AS TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**THURSDAY, FEBRUARY 22, 2024**

**POINT OF ORDER**

S. 755 -- Senators Young, Malloy, Massey, Campsen, Bennett, Rankin, Hembree, Matthews, Corbin, Talley, M. Johnson, Garrett, McLeod, Hutto, McElveen, Senn, Harpootlian, Sabb and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING PART 4 TO ARTICLE 6, CHAPTER 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; BY AMENDING SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATE OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-70, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-130, RELATING TO TRANSFER OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-290, RELATING TO CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-420, RELATING TO DEPARTMENT OF MOTOR VEHICLE FEES TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND BY AMENDING SECTION 62-6-101, RELATING TO DEFINITIONS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**THURSDAY, FEBRUARY 22, 2024**

**POINT OF ORDER**

S. 839 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 845 -- Senators Rankin, Sabb, Talley and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS FOR AN ESTATE OF AN INDIVIDUAL REGARDLESS OF THE DATE OF DEATH, TO ALLOW APPOINTMENT PROCEEDINGS FOR THE PURPOSE OF ALLOWING A CLAIM PURSUANT TO THE "HONORING OUR PACT ACT OF 2022".

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 877 -- Senators Senn, Shealy, Gustafson and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

**THURSDAY, FEBRUARY 22, 2024**

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 881 -- Senators M. Johnson and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 947 -- Senators Hembree, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 954 -- Senators Hembree and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY

**THURSDAY, FEBRUARY 22, 2024**

GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.



**THURSDAY, FEBRUARY 22, 2024**

**POINT OF ORDER**

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**THURSDAY, FEBRUARY 22, 2024**

**ADOPTED**

S. 479 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME CHALK STREET IN THE RICHLAND COUNTY TOWN OF EASTOVER FROM POULTRY LANE TO MAIN STREET "FREDDIE E. CAMPBELL, SR. MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

H. 4319 -- Rep. Erickson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE NEW HARBOR ISLAND BRIDGE IN BEAUFORT COUNTY THE "GEORGE J. 'GEORDIE' MADLINGER III BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4833 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE STATE-MAINTAINED ROAD ENTRANCES TO THE TOWN OF SLATER-MARRIETTA IN GREENVILLE COUNTY CONTAINING THE WORDS "HOME OF THE SLATER-MARIETTA HIGH SCHOOL GREEN WAVE FIVE-TIME SOUTH CAROLINA BOYS STATE BASKETBALL CHAMPIONS: 1953, 1962, 1964, 1966, AND 1971".

The Resolution was adopted, ordered returned to the House.

**Expression of Personal Interest**

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

**Remarks by Senator HARPOOTLIAN**

Thank you, Mr. PRESIDENT. Earlier I was talking to Senator KIMBRELL about a matter of international interest. It reminded me that I have been enthralled with a new television series called "The Masters of the Air". It is the story of the 8<sup>th</sup> Air Force B-17 bomber group that bombed Germany into submission -- in the sense that they had to pull their fighters back to cover Germany and left the channel open which led to D-Day. My dad was a member of the 8<sup>th</sup> Air Force B-17s out of a town near Cambridge. He went on thirty missions and bombed Berlin three or four times. As I watched the show it made me realize and remember

## **THURSDAY, FEBRUARY 22, 2024**

these were teenagers. My dad was twenty-four -- the old man; thousands of them died. Thousands of them died. I pulled out something I hadn't pulled out in a long time, that is his diary that he kept on every mission. I want to share just one entry from January 6, 1944. This was his third mission, "We had no fighter cover over the target and on the way home boy was it rough. The fighters peppered us at will. A twenty-millimeter shell went off in the cockpit and wounded my co-pilot, Clements, in the leg. He was sitting in my seat. He says, 'The pathetic part about it is we lost two ships in our squadron, Born and Powell.' That is ten boys per ship that went down, twenty men dead. Born's brother had come over to visit him the day before the raid. They had not seen each other for over two years. The kid stayed here overnight and the next day Born went down. And so it goes, killed, damn, I hate it." How did we get there? In 1939, Hitler annexed and invaded countries that he considered part of Germany -- the Sudetenland, Austria, and that is how it began. From 1939 to 1941, until the Japanese bombed Pearl Harbor, we stayed out of it. Now we did win these, but we said not our problem. And as a result, World War II ended in hundreds of thousands of American men and women dead. He lived through it. Many did not. We refuse to confront a tyrant, a thug, a murderer, and as a result World War II -- millions dead internationally.

Now, why am I talking about this today? Because we have another thug, a dictator killing thousands of people under the guise that Ukraine is a Russian territory. His goal is to expand and take countries to expand to the old USSR boundaries. He is a thug and a murderer. His political opponents, he throws out of windows, or poisons them, or most recently this week, Navalny was killed in a prison. This man's crime was speaking out for democracy against a dictator. We have supported Ukraine, but we are now floundering in that process. We are not living up to our commitments. If we continue our current path, that democracy will be taken by a thug dictator who will subjugate them and do away with democracy in that part of the world. I visit that part of the world. As you all know my wife is an ambassador in that part of the world. They are scared that we will fail to keep our commitments. So, talking to Senator KIMBRELL a while ago, who has relatives -- I believe his wife is from Ukraine. He understands that we as a country must support democracies like Ukraine. This is not some third world country. This is a democracy in the middle of Europe. If we do not support them with money and arms, your children or grandchildren may end up doing what my father had to do. Thank you.

**THURSDAY, FEBRUARY 22, 2024**

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator HARPOOTLIAN were ordered printed in the Journal.

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

**MOTION ADOPTED**

At 12:05 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**HOUSE AMENDMENTS AMENDED  
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 418 -- Senators Hembree, Turner, Gustafson, Loftis and Kimbrell: 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 House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

The Committee on Education proposed the following amendment (SEDU-418.KG0012S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 59-155-110 of the S.C. Code is amended to read:

Section 59-155-110. ~~There is established within the~~ The South Carolina Department of Education ~~the South Carolina Read to Succeed Office to~~ shall implement a comprehensive, systemic approach to reading which will ensure ~~that~~:

(1) classroom teachers use ~~evidence-based~~ scientifically-based reading instruction in prekindergarten through grade ~~twelve~~ five, to include oral

## THURSDAY, FEBRUARY 22, 2024

language, phonological awareness, phonics, fluency, vocabulary, and comprehension; administer and interpret valid and reliable assessments; analyze data to inform reading instruction; and provide ~~evidence-based~~scientifically-based interventions as needed so that all students develop proficiency with literacy skills and comprehension;

(2) ~~classroom teachers~~each district, in consultation with classroom teachers, periodically reassess ~~their~~ curriculum and ~~instructional~~ instructional materials for alignment with foundational literacy skills and exclusion of materials that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual cues to determine if they are helping each student progress as a proficient reader and make modifications as appropriate;

(3) each student who cannot yet comprehend grade-level text is identified and served as early as possible and at all stages of his or her educational process;

(4) each student receives targeted, effective, ~~comprehension~~comprehensive support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade-level texts;

(5) after each administration of a universal reading screener or formative assessment as defined in this chapter, each student and his parent or guardian ~~is continuously~~are informed in writing of:

(a) the student's reading proficiency needs, progress, and ability to comprehend ~~and write~~ grade-level texts;

(b) specific actions the classroom teacher and other reading professionals have taken and will take to help the student comprehend ~~and write grade level~~ texts; and

(c) specific actions that the parent or guardian can take to help the student comprehend grade-level texts ~~by providing access to books, assuring time for the student to read independently, reading to students, and talking with the student about books;~~

(6) classroom teachers receive pre-service and in-service coursework based in the science of reading, structured literacy, and foundational literacy skills ~~which prepares them to help all students comprehend grade level texts;~~

(7) all students develop reading and writing proficiency to prepare them to graduate and to succeed in their career and post-secondary education; ~~and~~

## THURSDAY, FEBRUARY 22, 2024

(8) each school district publishes annually a comprehensive ~~research-based~~scientifically-based reading plan that includes intervention options available to students and funding for these services; ~~and:~~

(9) all programs focused on early childhood literacy development promote parental involvement in children's literacy and development of foundational literacy skills.

SECTION 2. Section 59-155-120 of the S.C. Code is amended to read:

Section 59-155-120. As used in this chapter:

(1) "Board" means the State Board of Education.

(2) "Department" means the State Department of Education.

~~(3) "Discipline specific literacy" means the ability to read, write, listen, and speak across various disciplines and content areas including, but not limited to, English/language arts, science, mathematics, social studies, physical education, health, the arts, and career and technology education.~~

(3) "Foundational literacy skills" means phonological and phonemic awareness, phonics, fluency, vocabulary, and reading comprehension and excludes models based on meaning, structure, syntax, and visual cues.

(4) "Formative Assessment" means nationally – normed, formative - assessments approved by the board and aligned with state standards used during the school year to analyze general strengths and weaknesses in learning and instruction, to include reading comprehension, of students individually as to adapt instruction, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.

(5) "Literacy" means the mastery of foundational literacy skills and the use of those skills to comprehend texts and write proficiently to meet grade-level English/Language Arts standards.

~~(4)(6) "Readiness assessment" means an assessments-assessment used to analyze students' literacy, mathematical, physical, social, and emotional behavioral competencies competency in prekindergarten or kindergarten.~~

~~(5)(7)~~ (7) "Reading interventions" means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and an add-on literacy endorsement or reading/literacy coaches who meet the minimum qualifications

## THURSDAY, FEBRUARY 22, 2024

established in guidelines published by the ~~Department of Education~~ department.

~~—(6) “Reading portfolio” means an organized collection of evidence and assessments documenting that the student has demonstrated mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment.~~

~~(7)~~(8) “Reading proficiency” means the ability of students to meet state reading standards in kindergarten through grade ~~twelve~~five, demonstrated by readiness, formative, or summative assessments.

~~(8)~~(9) “Reading proficiency skills” means the ability to understand how written language works at the word, sentence, paragraph, and text level and mastery of the skills, strategies, and oral and written language needed to comprehend grade-level texts.

~~—(9) “Research-based formative assessment” means assessments used within the school year to analyze strengths and weaknesses in reading comprehension of students individually to adapt instruction to meet student needs, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.~~

(10) “Science of reading” means the comprehensive body of scientific research on how proficient reading develops, why some students have difficulty learning to read, and the scientifically-based approaches to effectively, explicitly, and systematically teach students to read, including foundational literacy skills. The science of reading also addresses the developmental stages of reading, effective instructional strategies, the identification and support of diverse learners to include those with reading difficulties such as dyslexia, and the application of these research findings in an educational setting to ensure effective reading instruction and literacy develops for all students.

(11) “Scientifically based” means reading instruction, interventions, programs, and other reading services provided to students that are aligned with the science of reading. These approaches and methods must be grounded in systematic and objective research conforming to established scientific principles.

~~(10)~~(12) “Substantially fails to demonstrate third-grade reading proficiency” means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations or at the lowest achievement level on the statewide summative reading assessment, ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS).~~

~~(11)~~(13) “Summative assessment” means state-approved assessments administered in grades three through eight and any statewide assessment

## THURSDAY, FEBRUARY 22, 2024

used in grades nine through twelve to determine student mastery of grade-level or content standards.

~~(12)~~(14) “Summer reading camp” means an educational program offered ~~in the summer~~ by each local school district or consortia of school districts for students who are unable to comprehend grade-level texts and who qualify for mandatory retention.

~~(13)~~(15) “Third-grade reading proficiency” means the ability to read grade-level texts by the end of a student's third grade year as demonstrated by scoring Meets or Exceeds Expectations as a ~~the~~ results of state-approved summative reading assessments administered to third grade students, or through other assessments as noted in this chapter and adopted by the board.

(16) “Universal reading screener” means a nationally normed formative assessment used to screen and monitor the progress of students in foundational literacy skills to identify or predict students at risk of not meeting grade level proficiency and determine effectiveness of instruction and intervention. All universal reading screeners must be aligned with state standards to English/Language Arts, meet the criteria of a nationally normed formative assessment, and be recommended by the department and approved by the board.

~~—(14) “Writing proficiency skills” means the ability to communicate information, analysis, and persuasive points of view effectively in writing.~~

SECTION 3. Section 59-155-130 of the S.C. Code is amended to read:

Section 59-155-130. (A) ~~The Read to Succeed Office~~department ~~must shall~~ guide and support districts and collaborate with university teacher training educator preparation programs to increase reading proficiency through the following functions; including, but not limited to:

— (1) providing professional development to teachers, school principals, and other administrative staff ~~on reading and writing instruction and reading assessment that informs instruction based in the science of reading, structured literacy, and foundational literacy skills;~~

~~—(2) providing professional development to teachers, school principals, and other administrative staff on reading and writing in content areas;~~

— ~~(3)~~(2) working collaboratively with institutions of higher learning offering courses in reading and writing for initial certification in early childhood, elementary, and special education, and those institutions of higher education offering accredited master's degrees in reading-literacy



**THURSDAY, FEBRUARY 22, 2024**

to design coursework leading to a literacy teacher ~~add-on~~ endorsement by the State;

— ~~(4)~~(3) providing ~~professional development in reading and coaching~~ for already certified reading/literacy coaches and literacy teachers based in the science of reading, structured literacy, and foundational literacy skills;

— ~~(5)~~(4) developing information and resources that school districts can use to provide workshops for parents about how they can support their children as readers and writers;

— ~~(6)~~(5) assisting school districts in the development and implementation of their district reading proficiency plans ~~for research-based reading instruction programs and assisting each of their schools to develop its own implementation plan aligned with the district and state plans as provided for in Section 59-155-140~~;

— ~~(7)~~(6) annually ~~designing content and questions for and reviewing~~ reviewing and ~~approve~~ approving the reading proficiency plan of each district;

— ~~(8)~~(7) ~~monitor~~ monitoring and ~~report~~ reporting to the ~~State Board of Education~~ board the yearly success rate of summer reading camps. Districts must provide the department with ~~statistical~~ data to include the:

— (a) number of students enrolled in camps;

— (b) number of students by grade level who successfully complete the camps;

— (c) number of third graders promoted to fourth grade;

— (d) number of third graders retained; ~~and~~

— (e) total expenditures ~~made on operating to operate~~ the camps ~~by to include source of funds to and include~~ in-kind donations;

— (f) number of third graders promoted using a good cause exemption as provided in this chapter;

— (g) number of first and second graders who are projected to score Does Not Meet and Approaches Expectations or at the lowest levels of the statewide summative reading assessment; and

— ~~(9)~~(8) ~~provide~~ providing an annual report to the General Assembly regarding the implementation of the South Carolina Read to Succeed Act ~~and to include the State and the district's progress toward ensuring that~~ at least ninety-five percent of all students are reading at grade level.

(B) Districts failing to provide reports on summer reading camps pursuant to Section 59-155-130 are ineligible to receive state funding for summer reading camps for the following fiscal year; however, districts must continue to operate summer reading camps as defined in this act.

**THURSDAY, FEBRUARY 22, 2024**

SECTION 4. Section 59-155-140 of the S.C. Code is amended to read:

Section 59-155-140. (A)(1) The department, with approval by the ~~State Board of Education~~board, shall develop, implement, evaluate, and continuously refine a comprehensive state plan to improve reading achievement in public schools. The State Reading Proficiency Plan must be approved by the board ~~by February 1, 2015~~annually, and must include, but not be limited to, sections addressing the following components:

- (a) reading process;
- (b) professional development to increase teacher reading expertise;
- (c) professional development to increase reading expertise and literacy leadership of principals and assistant principals;
- (d) reading instruction;
- (e) reading assessment;
- ~~\_\_\_\_\_~~(f) discipline-specific literacy;
- ~~\_\_\_\_\_~~(g) writing;
- ~~(h)~~(f) support for struggling readers;
- ~~(i)~~(g) early childhood interventions;
- ~~(j)~~(h) family support of literacy development;
- ~~(k)~~(i) district guidance and support for reading proficiency;
- ~~(l)~~(j) state guidance and support for reading proficiency;
- ~~(m)~~(k) accountability; and
- ~~(n)~~(l) urgency to improve reading proficiency.

(2) The state plan must be based on ~~reading~~research and ~~proven-effective~~evidence-based practices, aligned to the science of reading, structured literacy, and foundational literacy skills, and applied to the conditions prevailing in reading-literacy education in this State, with special emphasis on addressing instructional and institutional deficiencies that can be remedied through faithful implementation of research-based practices. The plan must ~~provide standards, format, and guidance for districts to use to develop and annually update their plans, as well as to present and explain the research-based~~scientifically-based rationale for state-level actions to be taken. The plan must be updated annually and ~~must~~incorporate a state reading proficiency progress report.

(3) The state plan must include specific details and explanations for all substantial uses of state, local, and federal funds promoting reading-literacy and best judgment estimates of the cost of ~~research-supported, scientifically-based,~~thoroughly analyzed proposals

## THURSDAY, FEBRUARY 22, 2024

for initiation, expansion, or modification of major funding programs addressing reading and writing. Analyses of funding requirements must be prepared by the department for incorporation into the plan.

~~(B)(1) Beginning in Fiscal Year 2015-2016, e~~Each district must prepare a comprehensive annual reading proficiency plan for prekindergarten through ~~twelfth-fifth~~ grade ~~consistent with the plan by responding to questions and presenting specific information and data in a format specified by the Read to Succeed Office. Each district's PK-12 reading proficiency plan must present the rationale and details of its blueprint for action and support at the district, school, and classroom levels. Each district shall develop a comprehensive plan for supporting the progress of students as readers and writers, monitoring the impact of its plan, and using data to make improvements and to inform its plan for the subsequent years. The district plan piloted in school districts in Fiscal Year 2013-2014 and revised based on the input of districts shall be used as the initial district reading plan framework in Fiscal Year 2014-2015 to provide interventions for struggling readers and fully implemented in Fiscal Year 2015-2016 to align with the state plan.~~

(2) Each district PK-12-reading proficiency plan shall:

~~(a) document the how reading and writing assessment and instruction planned for all PK-12-5 students is aligned to the science of reading, structured literacy, and foundational literacy skills and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade-level texts. Supplemental instruction shall be provided by teachers who have a literacy teacher add-on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both;~~

~~(b) document scientifically-based interventions being provided to students who have failed to demonstrate grade-level reading proficiency;~~

~~(b)(c) include a system for helping parents understand how they can support the student as a reader at home;~~

~~(e)(d) provide for the monitoring of reading achievement and growth at the classroom, school, and district levels with decisions about intervention based on all available data; and~~

~~(d) ensure that students are provided with wide selections of texts over a wide range of genres and written on a wide range of reading levels to match the reading levels of students;~~

~~(e)(e) explain how the district will provide teacher training based in the science of reading, structured literacy, and foundational literacy~~

**THURSDAY, FEBRUARY 22, 2024**

skills from an approved list provided by the department, and writing instruction; and

~~\_\_\_\_\_ (f) include strategically planned and developed partnerships with county libraries, state and local arts organizations, volunteers, social service organizations, and school media specialists to promote reading.~~

(3)(a) ~~The Read to Succeed Office~~ department shall develop the format for the plan and the deadline for districts to submit their plans ~~to the office for its approval~~. A school district that does not submit a plan or whose plan is not approved shall not receive any state funds for reading until it submits a plan that is approved. All district reading plans must be reviewed and approved by the ~~Read to Succeed Office~~ department. ~~The office~~ department shall provide written comments to each district on its plan and to all districts on common issues raised in prior or newly submitted district reading plans.

(b) ~~The Read to Succeed Office~~ department shall monitor the district and school plans and use their findings to inform the training and support the office provides to districts and schools.

(c) The department may direct a district that is persistently unable to prepare an acceptable PK-12 reading proficiency plan or to help all students comprehend grade-level texts to enter into a multidistrict or contractual arrangement to develop an effective intervention plan.

(C) Each school serving students in grades kindergarten through fifth grade must prepare, submit to the district, and post on its website prior to the start of each year an implementation plan aligned with the district reading proficiency plan to enable the district to monitor and support implementation at the school level. The school plan must be a component of the school's strategic plan required by Section 59-18-1310. A school implementation plan shall be sufficiently detailed to provide practical guidance for classroom teachers. Proposed strategies for assessment, instruction, and other activities specified in the school plan must be sufficient to provide to classroom teachers and other instructional staff helpful guidance that can be related to the critical reading and writing needs of students in the school. In consultation with the School Improvement Council, each school must include in its implementation plan the training and support that will be provided to parents as needed to maximize their promotion of reading and writing by students at home and in the community.

(D) The department shall identify schools serving students in sixth through eighth grade with fifty percent or more of its students scoring at the lowest achievement level on the statewide summative assessment. Each year identified, the school shall prepare, submit to the district, and

**THURSDAY, FEBRUARY 22, 2024**

post on its website prior to the start of the school year a school implementation plan aligned with the district's reading proficiency plan to enable the district to monitor and support implementation at the school level. The school implementation plan shall be sufficiently detailed to provide classroom teachers and instructional staff with strategies based in the science of reading, structured literacy, and foundational literacy skills for assessments, instruction, and other activities related to the critical reading and writing needs of students. In consultation with the School Improvement Council, the implementation plan shall include training and supports provided to parents as needed to maximize the promotion of reading and writing by students at home and in the community.

SECTION 5. Section 59-155-150 of the S.C. Code is amended to read:

Section 59-155-150. ~~(A) With the enactment of this chapter, the~~The State Superintendent of Education shall ensure ~~that~~ every student entering ~~publically~~publicly funded prekindergarten and kindergarten ~~beginning in Fiscal Year 2014 2015~~ will be administered a board-approved readiness assessment within the first forty-five days of school. ~~readiness assessment by the forty-fifth day of the school year. Initially the assessment shall focus on early language and literacy development. Beginning in Fiscal Year 2016 2017, the assessment must assess each child's early language and literacy development, mathematical thinking, physical well-being, and social-emotional development. The assessment may include multiple assessments, all of which must be approved by the board. The approved assessments of academic readiness must be aligned with first and second grade standards for English/language arts and mathematics. The purpose of the assessment is to provide teachers and parents or guardians with information to address the readiness needs of each student; especially by identifying early language and literacy development, physical well-being, and cognitive development, social, emotional, health problems, and concerning to inform and assist appropriate instruction for each child. The results of the assessment and the developmental intervention strategies recommended to address the child's identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language skills are assessed to be below the norm of their peers in the State must be aligned with the district's reading proficiency plan for addressing the readiness needs of each student. The results of each assessment~~ with the date of when the assessment was

**THURSDAY, FEBRUARY 22, 2024**

~~administered—also must be reported to the Read to Succeed Office department.~~

(B) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty-day school attendance requirement for kindergarten and South Carolina Child Early Reading Development and Education Program (CERDEP) students for the purpose of scheduling readiness assessments. Upon approval of the waiver request, the approved school may allow kindergarten and CERDEP students to be administered the assessments during a shortened school day within the first five days of the academic year.

~~—(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teacher observations, must be provided intensive in-class and supplemental reading intervention immediately upon determination. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district's reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in-class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade level independently. In addition, the parent or guardian of the student must be notified, in writing, of the child's inability to read grade level texts, the interventions to be provided, and the child's reading abilities at the end of the planned interventions. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office.~~

~~—(C) Programs that focus on early childhood literacy development in the State are required to promote:~~

~~—(1) parent training and support for parent involvement in developing children's literacy; and~~

~~—(2) development of oral language, print awareness, and emergent writing; and are encouraged to promote community literacy including, but not limited to, primary health care providers, faith-based organizations, county libraries, and service organizations.~~

~~—(D) Districts that fail to provide reports on summer reading camps pursuant to Section 59-155-130(8) are ineligible to receive state funding for summer reading camps for the following fiscal year; however,~~

**THURSDAY, FEBRUARY 22, 2024**

~~districts must continue to operate summer reading camps as defined in this act.~~

SECTION 6. Chapter 155, Title 59 of the S.C. Code is amended by adding:

Section 59-155-155. (A) Beginning with the 2025-2026 school year, the board shall approve no more than five reliable and valid universal reading screeners for selection and use by districts for kindergarten through fifth grade and shall use the same process as required by Section 59-18-310 to ensure the validity and reliability of the instruments and to periodically reevaluate approved instruments. All districts shall use one of the approved universal reading screeners.

(B) Each approved universal reading screener must:

- (1) provide screening and diagnostic capabilities for monitoring student progress in reading;
- (2) measure, at minimum, foundational literacy skills;
- (3) identify students who have a reading deficiency, including identifying students with characteristics of dyslexia; and
- (4) meet the criteria of a nationally normed formative assessment.

(C) In determining which instrument to approve, the board shall consider the following factors:

- (1) the time required to conduct the assessments with the intention of minimizing the impact on instructional time;
- (2) the level of integration of assessment results with instructional supports offered to teachers and students;
- (3) the timeliness in reporting assessment results to teachers, administrators, and parents; and
- (4) the recommendation of the department.

(D) In order to determine student progression in reading, a district shall administer a universal reading screener three times per school year with the first administration occurring within the first forty-five days of school, the second administration occurring at the midpoint of the school year, and the third administration occurring by the end of the school year. Within fifteen days of each administration, the district shall notify the parent or guardian regarding the performance of their student and whether the student may be considered for retention. For each student demonstrating literacy deficiencies and not meeting grade-level proficiencies based on the data received from the administration of the universal reading screeners, the district shall create an individualized reading plan and include a copy in the notification to the parent or guardian.

(E) The department shall:

## THURSDAY, FEBRUARY 22, 2024

(1) provide technical assistance and support to districts and classroom teachers in administering universal reading screeners and in understanding the results so teachers are able to provide appropriate, scientifically-based interventions;

(2) require districts and approved universal reading screeners to annually submit data as requested by the department for purposes of determining whether the screening instruments are accurately identifying students in need;

(3) reimburse districts for the cost of the universal reading screener upon receipt of the data as requested by the department as funding allows;

(4) annually report, on a grade-level basis, data received from districts and approved universal reading screeners; and

(5) implement an online reporting system to monitor the effectiveness of universal reading screeners which must:

(a) track, screen, and monitor the reading progress of students in kindergarten through third grade toward reading proficiency;

(b) create a consistent statewide reporting mechanism to identify students with a reading deficiency to include students with characteristics of dyslexia; and

(c) be used to receive the annual reporting requirements pursuant to Section 59-33-540.

(F) Administration of a universal reading screener may be replaced with an alternative assessment and progress monitoring tool for students who qualify for an alternative assessment based on a cognitive disability in grades kindergarten through third grade.

SECTION 7. Section 59-155-160 of the S.C. Code is amended to read:

Section 59-155-160. (A) Beginning with the ~~2017-2018~~ 2024-2025 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations or at the lowest achievement level on the state summative reading assessment ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;



## THURSDAY, FEBRUARY 22, 2024

(2) with disabilities whose ~~Individual eEducation pPlan~~ Individualized Education Program indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose ~~Individual Individualized Education Plan Program~~ or Section 504 Plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

~~\_\_\_\_\_~~ (3) who successfully participate in a summer reading camp at the conclusion of third grade and demonstrate reading proficiency by achieving Approaches Expectations, or at least a level above the lowest level, on the state summative reading assessment.

~~(3)(4)~~ (4) who demonstrate third-grade reading proficiency by scoring the equivalent of Approaches Expectations, or the level above the lowest level, on the statewide summative assessment on ~~an~~ a norm-referenced alternative assessment approved by the board for use in summer reading camps and which teachers may administer following the administration of the state assessment of reading; or

~~(4)(5)~~ (5) who have received two years of reading intervention and were previously retained;

~~\_\_\_\_\_~~ (5) who through a reading portfolio document, the student's mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student's mastery of the state English/language arts standards that are assessed by the grade three state reading assessment. The Read to Succeed Office shall develop the assessment tool for the student portfolio; however, the student portfolio must meet the following minimum criteria:

~~\_\_\_\_\_~~ (a) be selected by the student's English/language arts teacher or summer reading camp instructor;

~~\_\_\_\_\_~~ (b) be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;

~~\_\_\_\_\_~~ (c) include evidence that the benchmarks assessed by the grade three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school's adopted core reading curriculum that are aligned with the state English/language arts standards or teacher prepared assessments;

~~\_\_\_\_\_~~ (d) be an organized collection of evidence of the student's mastery of the English/language arts state standards that are assessed by

## THURSDAY, FEBRUARY 22, 2024

~~the grade three state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and~~

~~—— (e) be signed by the teacher and the principal as an accurate assessment of the required reading skills; and~~

~~—— (6) who successfully participate in a summer reading camp at the conclusion of the third grade year and demonstrate through either a reading portfolio or through a norm referenced, alternative assessment, selected from a list of norm referenced, alternative assessments approved by the Read to Succeed Office for use in the summer reading camps, that the student's mastery of the state standards in reading is equal to at least a level above the lowest level on the state reading assessment.~~

(B) The superintendent of the local school district ~~must~~ may determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for ~~exemption-retention~~ must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student's academic record. This evidence must be limited to the student's ~~individual education program~~ Individualized Education Program, performance on the statewide summative assessment, or performance on an alternative assessment, s, or student reading portfolio. ~~The Read to Succeed Office must provide districts with a standardized form to use in the process.~~

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written recommendation for promotion, to include an individualized reading plan providing additional supports to be offered to the student to ensure reading proficiency is achieved, to the district superintendent for final determination.

(3) The district superintendent's acceptance or rejection of the recommendation, as well as the individualized reading plan provided by the principal, must be in writing and a copy must be provided to the parent or guardian of the child.

(4) A parent or legal guardian may appeal the decision to retain a student to the district superintendent if there is a compelling reason why the student should not be retained. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district

## THURSDAY, FEBRUARY 22, 2024

superintendent shall render a decision in writing ~~and provide copies to~~ the parent or legal guardian and the principal.

~~—(C)(1) Students eligible for retention under the provisions in Section 59-155-160(A) may enroll in a summer reading camp provided by their school district or a summer reading camp consortium to which their district belongs prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. The camps must be taught by compensated teachers who have at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts also may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student's participation in the summer reading camp.~~

~~—(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and do not meet the good cause exemption. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first, second, or third grade and does not meet the good cause exemption.~~

~~—(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and writing instruction, supplemental text-based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student's individual reading proficiency skills through small group instruction, reduced teacher student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year~~

## THURSDAY, FEBRUARY 22, 2024

~~reading support. The school must report to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.~~

~~(E)(C)~~ Prior to the decision for a student to be retained, ~~if~~ the student is not demonstrating third-grade reading proficiency by the end of the second grading period of the third grade:

(1)(a) his parent or guardian timely must be notified, in writing, that the student is being considered for retention and a conference with the parent or guardian must be held prior to a determination regarding retention is made, and conferences must be documented;

(b) within two weeks following the parent/teacher conference, copies of the conference form must be provided to the principal, parent or guardian, teacher and other school personnel who are working with the child on literacy, and summary statements must be sent to parents or legal guardians who do not attend the conference; and

(c) following the parent/teacher retention conference, the principal, classroom teacher, and other school personnel who are working with the child on literacy must review the recommendation for retention and provide suggestions for supplemental instruction; ~~and~~

~~— (d) recommendations and observations of the principal, teacher, parent or legal guardian, and other school personnel who are working with the child on literacy must be considered when determining whether to retain the student.~~

(2) The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the child. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in ~~evidenced-based~~ scientifically-based services outside the instructional day.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading instruction, supplemental foundational literacy skill instruction, and other strategies grounded in the science of reading prescribed by the district. These strategies may include, but are not limited to, instruction directly focused on improving the student's individual foundational literacy skills through small group instruction, reduced teacher-student ratios, more frequent student progress monitoring, high dose low ratio tutoring or mentoring as prescribed by the department, transition classes containing students in multiple grade spans, and extended school day.

## **THURSDAY, FEBRUARY 22, 2024**

week, or year reading support. The delivery of additional supports and interventions shall not result in a student losing access to regular instruction in subject areas identified in the defined program for grades K-5 as established by the board. The school must report to the department on the progress of students in the class at the end of the school year and at other times as required by the department based on the reading progression monitoring requirements of these students.

(E)(1) For students in kindergarten through second grade who are not demonstrating reading proficiency, additional support in foundational literacy skills shall be provided. These interventions must be based in the science of reading, be at least thirty minutes daily, and be in addition to the minimum of ninety minutes of daily reading and writing instruction provided to all students in kindergarten through second grade. The delivery of additional supports and interventions shall not result in a student losing access to regular instruction in subject areas identified in the defined program for grades K-5 as established by the board. The district must continue to provide intensive interventions until the student is meeting grade-level reading proficiency.

(2) To ensure early interventions, districts are encouraged to retain students in kindergarten through second grade who are not demonstrating grade-level reading proficiency. In making retention decisions, districts shall seek recommendations from the student's teacher(s) and principal.

(F) ~~For students~~ For students in grades four and above who are substantially not demonstrating reading proficiency, ~~interventions~~ shall be provided by additional reading ~~interventionists~~ interventions which may include services from a reading interventionist in the classroom and or supplementally by teachers with a literacy teacher add-on endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school, as documented in the district reading plan, and may include book clubs, high dose low ratio tutoring or mentoring as prescribed by the department, or in summer reading camps.

(G) Students eligible for retention pursuant to this section shall enroll in a summer reading camp provided by their district or a summer reading camp consortium to which their districts belong prior to being retained the following school year. Summer reading camps must be at least the equivalent of ninety-six hours of instruction. The camps must be taught by compensated teachers who have at least a literacy endorsement or who have documented and demonstrated substantial success in helping students achieve proficiency of grade-level reading standards. The

## THURSDAY, FEBRUARY 22, 2024

department shall assist districts that cannot find qualified teachers to work in the summer camps. Districts may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not demonstrate reading proficiency for his grade level shall make the final decision regarding the student's participation in the summer reading camp.

(H) A district shall include in the summer reading camps first and second grade students who are not exhibiting grade-level reading proficiency. This shall be implemented beginning with the 2025-2026 School Year by including first grade students not exhibiting grade-level reading proficiency and beginning with the 2026-2027 School Year by including second grade students not demonstrating grade-level reading proficiency. Students at any other grade who are not exhibiting reading proficiency may be included in summer reading camps at the discretion of the district. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first through third grade and does not meet the good cause exemption.

SECTION 8. Section 59-155-170 of the S.C. Code is amended to read:

~~Section 59-155-170. (A) To help students develop and apply their reading and writing skills across the school day in all the academic disciplines, including, but not limited to, English/language arts, mathematics, science, social studies, the arts, career and technology education, and physical and health education, teachers of these content areas at all grade levels must focus on helping students comprehend print and nonprint texts authentic to the content area. The Read to Succeed Program is intended to institutionalize in the public schools a comprehensive system to promote high achievement in the content areas described in this chapter through extensive reading and writing. Research-based practices must be employed to promote comprehension skills through, but not limited to:~~

- ~~—— (1) vocabulary;~~
- ~~—— (2) connotation of words;~~

## THURSDAY, FEBRUARY 22, 2024

- (3) connotations of words in context with adjoining or prior text;
- (4) concepts from prior text;
- (5) personal background knowledge;
- (6) ability to interpret meaning through sentence structure features;
- (7) questioning;
- (8) visualization; and
- (9) discussion of text with peers.

— (B) These practices must be mastered by teachers through high-quality training and addressed through well-designed and effectively-executed assessment and instruction implemented with fidelity to research-based instructional practices presented in the state, district, and school reading plans. All teachers, administrators, and support staff must be trained adequately in reading comprehension in order to perform effectively their roles enabling each student to become proficient in content-area reading and writing.

~~(C)(A)~~ During Fiscal Year 2014-2015, the Read to Succeed Office ~~The~~ department shall establish a set of essential competencies ~~that~~ describing what certified teachers ~~at the~~ in early childhood, elementary, ~~middle or secondary levels~~ middle and secondary levels, and special education must know and be able to do so that all students can comprehend grade-level texts. These competencies, developed collaboratively with the faculty of higher education institutions and based on ~~research and national standards~~ the science of reading, must then be incorporated into the coursework required by Section 59-155-180. ~~The Read to Succeed Office, in collaboration with South Carolina Educational Television,~~ The department shall provide professional development courses to ensure that educators have access to multiple avenues of receiving endorsements.

(B)(1) The department shall deliver professional development that has demonstrated success in establishing deep knowledge of foundational literacy skills grounded in the science of reading and promoting student reading achievement. Each district shall participate in the implementation of this foundational literacy skills training with the goal of statewide implementation to include all kindergarten through third grade teachers certified in early childhood, elementary, or special education, and elementary administrators. This training shall be offered at no cost to the district or teacher.

(2) Successful completion of this training shall satisfy the requirements of the literacy endorsement provided for in Section 59-155-180.

**THURSDAY, FEBRUARY 22, 2024**

SECTION 9. Section 59-155-180(C) of the S.C. Code is amended to read:

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children ~~and adolescents~~ in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2) A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job-embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

(a) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;

(b) facilitate study groups;

(c) train teachers in data analysis and using data to differentiate instruction;

(d) coaching and mentoring colleagues;

(e) work with teachers to ensure that ~~research-based~~ scientifically-based reading programs are implemented with fidelity;

(f) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms; and

(g) help lead and support reading leadership teams.

(3) The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments. ~~By August 1, 2014, the department must publish guidelines that define the minimum qualifications for a reading coach. Beginning in Fiscal Year 2014-2015, reading/literacy coaches are required to earn the add-on certification within six years, except as exempted in items (4) and (5), by completing the necessary courses or professional development as required by the department for the add-on. During the six year period, to increase the number of qualified reading coaches, the Read to Succeed Office shall~~



## THURSDAY, FEBRUARY 22, 2024

identify and secure courses and professional development opportunities to assist educators in becoming reading coaches and in earning the literacy add-on endorsement. In addition, the Read to Succeed Office will establish a process through which a district may be permitted to use state appropriations for reading coaches to obtain in-school services from department-approved consultants or vendors, in the event that the school is not successful in identifying and directly employing a qualified candidate. Districts must provide to the Read to Succeed Office department information on the name and qualifications of reading coaches funded by the state appropriations.

(4) Beginning in Fiscal Year 2015-2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add-on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements. Inservice hours earned through professional development for the literacy teacher endorsement must be used for renewal of teaching certificates in all subject areas. The courses and professional development leading to the endorsement must be approved by the State Board of Education and must include foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand-alone practicum. Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add-on reading teacher certification can take a content area reading course to obtain their literacy teacher add-on endorsement. Individuals who possess a literacy teacher add-on endorsement or who have earned a master's or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework required

## THURSDAY, FEBRUARY 22, 2024

for the literacy teacher add-on certificate. The board is authorized to approve guidelines on an annual basis for professional development, coursework, certification, and endorsement requirements for teachers of early childhood and elementary education, including special education teachers, interventionists, reading specialists, and administrators, whose responsibilities, either directly or indirectly, substantially relate to reading and literacy instruction, support, or interventions as provided in this section. The guidelines approved by the board shall also include the issuance of appropriate credit to individuals who have completed a department - approved intensive and prolonged professional development program. Local school districts, working with the department, shall offer the required professional development, coursework, certification, and endorsements at no charge to teachers. In-service hours earned through professional development must be used for renewal of teaching certificates in all subject areas.

~~(5) Beginning in Fiscal Year 2015-2016, middle and secondary licensed classroom teachers are required to take at least one course or three credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses and professional development must be approved by the State Board of Education and include courses and professional development leading to the literacy teacher add-on endorsement. Coursework and professional development in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher rate. Individuals who possess a literacy teacher add-on endorsement or who have earned a master's or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add-on certificate.~~Beginning September 1, 2026, early childhood, elementary, and special education teacher candidates seeking their initial certification in South Carolina must earn a passing score on a rigorous test of scientifically-based reading instruction and intervention and data-based decision making principles as approved by the board. The objective of this item is to ensure that teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

## THURSDAY, FEBRUARY 22, 2024

~~(6) Beginning in Fiscal Year 2015-2016, principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office. The board shall approve guidelines and procedures to allow in-service teachers the option of utilizing the test in item (5) to exempt requirements established by the board pursuant to item (4). As part of this process, the board shall set a minimum cut score for an in-service teacher to achieve to take advantage of this provision. A teacher's score on this assessment may not be used for evaluation purposes. Contingent upon funding by the General Assembly, this test shall be provided at no cost to the teacher.~~

~~(7) The Read to Succeed Office shall publish by August 1, 2014, the guidelines and procedures used in evaluating all courses and professional development, including virtual courses and professional development, leading to the literacy teacher add-on endorsement. Annually by January first, the Read to Succeed Office shall publish the approved courses and approved professional development leading to the literacy teacher add-on endorsement. Teachers, administrators, and other certified faculty and staff are exempt from having to earn the literacy endorsement to maintain certification only if they are not educating or serving students in a school or other educational setting. The literacy endorsement must be earned before an individual who was previously exempt pursuant to this item returns to a position where they educate or otherwise serve students.~~

~~(8) Annually by August first, the department shall publish guidelines and procedures used in evaluating all courses offered to teachers, including virtual courses and professional development, leading to the literacy endorsement. The department shall publish the approved courses and professional development leading to the literacy endorsement no later than January first, annually.~~

~~(9) Prior to August 1, 2026, and continuing every five years thereafter, the department will conduct an evaluation of approved courses used for compliance of this section. The evaluation should include survey data from prior course participants. The department shall remove any courses receiving an unsatisfactory evaluation from the list of approved courses and professional development under this section.~~

**THURSDAY, FEBRUARY 22, 2024**

SECTION 10. Section 59-155-200 of the S.C. Code is amended to read:

Section 59-155-200. The ~~Read to Succeed Office~~department and each school district must plan for and act decisively to engage the families of students as full participating partners in promoting the reading ~~and writing~~ habits and skills development of their children. With support from the ~~Read to Succeed Office, department,~~ districts and individual schools shall provide families with information about how children progress as readers and writers and how they can support this progress. ~~This family support must include providing time for their child to read, as well as reading to the child. To ensure that all families have access to a considerable number and diverse range of books appealing to their children, schools should develop plans for enhancing home libraries and for accessing books from county libraries and school libraries and to inform families about their child's ability to comprehend grade level texts and how to interpret information about reading that is sent home. The districts and schools shall help families learn about reading and writing through open houses, South Carolina Educational Television, video and audio tapes, websites, and school family events and collaborations that help link the home and school of the student. The information should enable family members to understand the reading and writing skills required for graduation and essential for success in a career. Each institution of higher learning may operate a year-round program similar to a summer reading camp to assist students not reading at grade level.~~

SECTION 11. Section 59-155-210 of the S.C. Code is amended to read:

Section 59-155-210. The ~~board and~~ department shall translate the statutory requirements for reading and writing specified in this chapter into ~~standards, practices, and procedures~~ guidance for school districts, boards, and ~~their employees and for other organizations as appropriate.~~ In this effort, they shall solicit the advice of education stakeholders who have a deep understanding of the science of reading, as well as school boards, administrators, and others who play key roles in facilitating support for and implementation of effective reading instruction.

SECTION 12. Section 59-18-310(D) of the S.C. Code is amended to read:

(D)(1) Beginning with the 2025-2026 School Year, The~~the~~ State Board of Education shall create a statewide adoption list of no more than five nationally-normed formative assessments for use in grades kindergarten through ~~nine~~eighth grade aligned with the state content

**THURSDAY, FEBRUARY 22, 2024**

standards in English/language arts and mathematics that satisfies professional measurement standards in accordance with criteria jointly determined by the Education Oversight Committee and the State Department of Education. The formative assessments must provide diagnostic information in a timely manner to all school districts for each student during the course of the school year. ~~For use beginning with the 2009-2010 School Year, and s~~Subject to appropriations by the General Assembly for the assessments, local districts must be allocated resources to select and administer formative assessments from the statewide adoption list to use to improve student performance in accordance with district improvement plans.

(2) Districts shall ensure all students in kindergarten through eighth grade are assessed using a state-approved, nationally-normed formative assessment tool during the fall, winter, and spring each year. School districts shall provide all formative assessment data and scores by grade level and school to the department from the prior school year. The department is directed to compile the information received and submit a comprehensive report regarding performance on the formative assessments to the General Assembly by June 1, annually. Any school district failing to provide this data to the department shall have ten percent of their State Aid to Classroom funding withheld until the data is provided. However, if a local district already administers formative assessments, the district may continue to use the assessments if they meet the state standards and criteria pursuant to this subsection.

(3) The State approved, nationally-normed formative assessments shall be periodically reevaluated pursuant to a timeline established by the department not to exceed four years.

SECTION 13. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator LOFTIS spoke on the amendment.

The question then was the adoption of the amendment.

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

**Ayes 41; Nays 2**

**AYES**

Adams

Alexander

Allen

**THURSDAY, FEBRUARY 22, 2024**

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

**Total--41**

**NAYS**

Fanning	McLeod
---------	--------

**Total--2**

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

**Expression of Personal Interest**

Senator CAMPSEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator FANNING rose for an Expression of Personal Interest.

**MOTION TO VARY THE ORDER OF THE DAY ADOPTED**

Senator MASSEY moved under Rule 32A to vary the order of the day and proceed to the reading of the box.

**Motion Adopted**

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

**THURSDAY, FEBRUARY 22, 2024**

**MOTION ADOPTED**

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Karl Huggins Smith of Bishopville, S.C. Karl was a graduate of the University of South Carolina and the University of South Carolina School of Law. He practiced law in Hartsville for over forty-four years. Karl enjoyed playing golf, watching the South Carolina Gamecocks, antiques and spending time with family. Karl was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Patrick D'Alessio of Camden, S.C. Patrick was a U.S. Army veteran and the first recipient of the South Carolina State Guard "Pasquale Francesco D'Alessio Unsung Hero Award" which honored his leadership and dedication to community service. He was a member of St. David's Episcopal Church where he served as a lay reader and acolyte. Previously, he served as senior warden, member of the vestry and leader of several ministries at St. Stephens Episcopal Church in North Myrtle Beach, S.C. Patrick was a loving husband, devoted father and loving grandfather who will be dearly missed.

**ADJOURNMENT**

At 1:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*

**THURSDAY, FEBRUARY 22, 2024**

**SENATE JOURNAL INDEX**

S. 235.....	18	S. 1054.....	15
S. 250.....	18	S. 1064.....	17
S. 251.....	19	S. 1082.....	3
S. 418.....	26	S. 1083.....	3
S. 479.....	25	S. 1084.....	3
S. 578.....	14	S. 1085.....	4
S. 615.....	19	S. 1086.....	4
S. 755.....	20	S. 1087.....	4
S. 780.....	7	S. 1088.....	5
S. 839.....	21	S. 1089.....	5
S. 845.....	21	S. 1090.....	5
S. 877.....	21	S. 1091.....	6
S. 881.....	22	S. 1092.....	6
S. 912.....	2	S. 1093.....	6
S. 944.....	9	S. 1094.....	7
S. 946.....	9	S. 1095.....	7
S. 947.....	22		
S. 954.....	22	H. 3355 .....	7
S. 974.....	10	H. 3518 .....	11
S. 995.....	23	H. 4002 .....	16
S. 996.....	24	H. 4116 .....	12
S. 1001.....	10	H. 4319 .....	25
S. 1005.....	24	H. 4833 .....	25
S. 1026.....	15	H. 4868 .....	9
S. 1027.....	15		