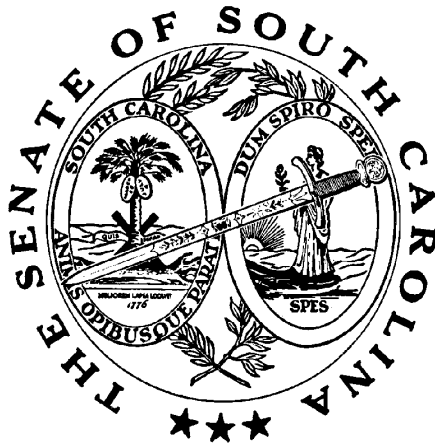


NO. 65

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, APRIL 30, 2024

Tuesday, April 30, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Philippians 4:4

In Philippians we find Paul telling us to: “Rejoice in the Lord always; again I will say, Rejoice!”

Dear friends, please bow with me as we pray: O gracious and Ever-loving God, we do rejoice as we thank You for the manifold blessings that surround all of us here in South Carolina. Indeed, wherever we might turn, we readily note the many reasons for us to praise You, to lift up to You our heartfelt gratitude. So today, Lord, we ask You to guide this Senate as these women and men continue to work together to provide for the wise and careful use of our natural resources, to tap into the marvelous wealth of opportunities that are before our people, and to develop further the unlimited talent that our citizens themselves offer. May we unfailingly rejoice as these Senators work together to make the best use of our Carolina treasures, doing so unfailingly for the benefit of all. In Your wondrous name we pray, O Lord. Amen.

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

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
McElveen	McLeod	Peeler

TUESDAY, APRIL 30, 2024

Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

Good morning! We have a packed house inside and out, which is a great audience for what I would like to share today. I have not spoken from the well this year very much. This message is directed towards every legislator in this Body, including the House and the Senate. It is also directed to every person who is running for office. I don't care what level that might be.

One of the many reasons I ran for office is related to our extremely toxic political environment, so I thought I could do things in a different way. I thought I could be a different kind of leader. And I wanted to show how to lead by example without the mudslinging, the lies and the name-calling. My goal has always been to lead effectively with decency, common sense and grace. And I have done my best, but like most, I have fallen short of that goal at times.

We are not supposed to talk about campaign stuff, so I'll make a general statement. We are in "primary season," and I think people sometimes lose their minds when running for office. The pressure is on everyone involved and when you are in the process -- inside the bubble-- it's really easy to lose your perspective. I just want to make a few observations and give some of my infamous unsolicited advice.

First of all, if you don't have a true will to serve, please don't run for office. Secondly, if you don't like talking with people, please don't run for any office, because the people are why you would be in that office. Finally, if you don't have enough good stuff to say about yourself--including what you have done, want to do or could do, please -- if you cannot promote yourself, don't run. If running to trash someone or discredit is your primary reason for entering politics, and I have seen that in the past, please don't run. You might even win accidentally, and then

TUESDAY, APRIL 30, 2024

your poor constituents are stuck with someone who has no personal direction and is there for the wrong reasons.

The public wants to have faith, trust and respect in our elected officials. I am proud to be a State Senator here. I think our Body works very well together, and we show respect towards one another. I'm very proud of that fact. People do watch us, and our actions speak far, far more than our words. We need to step it up -- all of us!

I have distributed a poem, but I am not going to read it. It is a famous poem by Rudyard Kipling, and I carried a copy in my wallet for ten years. My eighth grade English teacher, Faye Gools, by made us memorize it, and it's just a road map. For those who did not get a copy, google it, because it is a great poem that inspired me to speak here in our last weeks of session.

We are dealing with difficult topics, important things, and we all need to show grace -- and that also means the people in the lobby or up there in the gallery or in the House. We can move forward, and we can pass good Legislation. Let's be humble and show grace and forgive one another.

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

CO-SPONSORS ADDED

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

S. 303 Sen. Young
S. 403 Sen. Climer
S. 425 Sen. Young
S. 440 Sen. Kimbrell
S. 767 Sen. Climer
S. 1050 Sen. Young
S. 1160 Sen. Stephens

RECALLED

S. 1297 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

TUESDAY, APRIL 30, 2024

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1298 -- Senators Davis, Shealy, Matthews, McLeod, Senn, Hutto and Devine: A SENATE RESOLUTION TO RECOGNIZE SENATOR PENRY GUSTAFSON FOR HER CONSCIENTIOUS STAND AGAINST AN ABORTION BAN IN SOUTH CAROLINA, FOR

TUESDAY, APRIL 30, 2024

WHICH SHE WAS HONORED WITH THE 2023 JOHN F. KENNEDY PROFILE IN COURAGE AWARD.

sr-0711km-hw24.docx

The Senate Resolution was adopted.

Senator DAVIS spoke on the Resolution.

Remarks by Senator GUSTAFSON

Senator GUSTAFSON was recognized for brief remarks.

Recorded Vote

Senators KIMBRELL, CLIMER, CORBIN, RICE and GARRETT desired to be recorded as voting against the adoption of the Resolution.

S. 1299 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE THE PASSING OF COLONEL JOHN MCCLURE AND TO HONOR HIS LEGACY AS A SOLDIER DURING THE AMERICAN REVOLUTIONARY WAR.

sr-0714km-vc24.docx

The Senate Resolution was adopted.

S. 1300 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO REENACT SECTION 14-23-1040 OF THE S.C. CODE RELATING TO ELIGIBILITY REQUIREMENTS FOR PROBATE JUDGES; AND TO PROVIDE THAT THE REENACTED SECTION 14-23-1040 SHALL BE ENFORCEABLE BEGINNING ON MARCH 1, 2025.

sr-0696km24.docx

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

S. 1301 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLE, RELATING TO BILLING ACCOUNTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5221, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0721wab-rt24.docx

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

TUESDAY, APRIL 30, 2024

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0712km-hw24.docx

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

S. 1303 -- Senator Williams: A CONCURRENT RESOLUTION TO HEREBY PROCLAIM SEPTEMBER 2024 AS CHILDHOOD CANCER AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT RESEARCH FOR THE CURE OF CHILDHOOD CANCER AND TREATMENT OF CHILDREN DIAGNOSED WITH CHILDHOOD CANCER AND TO SUPPORT THEIR FAMILIES WHO ARE ALL SO DEEPLY IMPACTED.

lc-0468vr-gm24.docx

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

S. 1304 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BLUFF ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH WINDY DRIVE TO ITS INTERSECTION WITH PINEVIEW DRIVE "DEPUTY SHERIFF JACOB ERIC SALRIN MEMORIAL WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0609cm-gt24.docx

On motion of Senator JACKSON, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

S. 1305 -- Senators McElveen, K. Johnson and Malloy: A SENATE RESOLUTION TO CONGRATULATE JOSHUA BAPTIST CHURCH UPON THE OCCASION OF ITS ANNUAL HOMECOMING AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE DALZELL COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

TUESDAY, APRIL 30, 2024

sr-0719km-vc24.docx

The Senate Resolution was adopted.

S. 1306 -- Senator Turner: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE "FRANK" SHEPPARD UPON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS DECADES OF DISTINGUISHED SERVICE IN THE INSURANCE INDUSTRY TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

sr-0718km-vc24.docx

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

REPORTS OF STANDING COMMITTEES

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

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION

TUESDAY, APRIL 30, 2024

REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out H. 5246 favorable:

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

Poll of the Family and Veterans' Services Committee

Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Shealy	Young	<i>K. Johnson</i>
McElveen	Climer	Fanning
Talley	Gambrell	Cash
Harpootlian	Adams	Gustafson
<i>M. Johnson</i>	Kimbrell	Reichenbach
Tedder		

Total--16

NAYS

Total--0

NOT VOTING

Stephens

Total--1

TUESDAY, APRIL 30, 2024

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 30, 2024

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE

TUESDAY, APRIL 30, 2024

SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, ordered that the titles be changed to Acts and enrolled for Ratification:

H. 5267 -- Rep. Forrest: A BILL TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.

On motion of Senator MASSEY.

H. 3248 -- Reps. Collins and Carter: A BILL TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE MONTHLY REIMBURSEMENT AMOUNT.

On motion of Senator RICE.

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

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

S. 1292 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE

TUESDAY, APRIL 30, 2024

DEMOGRAPHIC INFORMATION PERTAINING TO THE
REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator MASSEY.

SECOND READING BILL

H. 5356 -- Rep. Gilliam: A BILL TO AMEND ACT 171 OF 1976, AS AMENDED, RELATING TO FISCAL MATTERS AND THE IMPOSITION OF SCHOOL TAXES FOR LAURENS COUNTY SCHOOL DISTRICTS FIFTY-FIVE AND FIFTY-SIX, SO AS TO ELIMINATE AN EQUALIZATION FORMULA AND PROVIDE EACH DISTRICT WITH FISCAL AUTONOMY; AND TO SPECIFY THE MANNER IN WHICH THE EQUALIZATION FORMULA APPLIES TO PREVIOUS TAX YEARS.

On motion of Senator VERDIN.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

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

CARRIED OVER

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR

TUESDAY, APRIL 30, 2024

COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

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

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE

TUESDAY, APRIL 30, 2024

INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION;

TUESDAY, APRIL 30, 2024

BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNER'S PERMIT FOR AT LEAST THIRTY DAYS.

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE

TUESDAY, APRIL 30, 2024

FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

Senator DAVIS explained the Bill.

H. 4333 -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.

AMENDED, OBJECTION

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

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SMIN-440.MW0002S), which was adopted:

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

SECTION X. Any retired South Carolina Senator shall automatically be given the rank of Colonel within the South Carolina unorganized Militia.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator JACKSON objected to further consideration of the Bill.

TUESDAY, APRIL 30, 2024

READ THE SECOND TIME

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 4

AYES

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

Total--40

NAYS

Cash	Fanning	McElveen
McLeod		

Total--4

TUESDAY, APRIL 30, 2024

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

RECOMMITTED

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

On motion of Senator MALLOY, the Bill was recommitted to the Committee on Judiciary.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

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

RECOMMITTED

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE

TUESDAY, APRIL 30, 2024

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

TUESDAY, APRIL 30, 2024

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

TUESDAY, APRIL 30, 2024

RECOMMITTED

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

AMENDMENT PROPOSED, OBJECTION

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

The Senate proceeded to a consideration of the Bill.

TUESDAY, APRIL 30, 2024

Senator CAMPSSEN proposed the following amendment (SFGF-1158.BC0003S):

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

SECTION X. Section 23-31-215(P) of the S.C. Code is amended to read:

(P) ~~Upon renewal, a~~ permit issued pursuant to this article is valid for five years. ~~Subject to subsection (Q), SLED shall renew a currently valid permit upon:~~ automatically issue a renewed permit to a permit holder as soon as is practicable prior to a permit's expiration date if it determines the permit holder has a valid South Carolina driver's license and a state and federal background check on the permit holder is favorable. A permit that is automatically renewed must use the information and photograph of the permit holder that is on the permit holder's driver's license, and it must be mailed to the address on the driver's license. Subject to subsection (Q), a permit that is not automatically renewed shall be renewed at no cost upon:

~~(1) payment of a fifty dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;~~

~~(2)~~(1) completion of the renewal application; and

~~(3)~~(2) picture identification or facsimile copy thereof.

SECTION X. Section 23-31-215(S) of the S.C. Code is amended to read:

(S) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail₁ or online if permitted by subsection (H)₁ at the permit holder's address of record that the permit is set to expire along with notification of the permit holder's opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q). The notification is not required to be sent to the holder of a permit that will be automatically renewed.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

Senator SHEALY objected to further consideration of the Bill.

AMENDMENT PROPOSED, CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

TUESDAY, APRIL 30, 2024

AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (SR-3865.JG0009S):

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

SECTION X. Article 1, Chapter 17, Title 14 of the S.C. Code is amended by adding:

Section 14-17-15. No person is eligible to hold the office of clerk of court who is not at the time of his election:

(1) a citizen of the United States and of this State;

(2) at least twenty-one years old;

(3) a qualified elector of the county in which he is to be clerk of court; and

(4)(a) a graduate from an accredited post-secondary institution with a bachelor's degree, or

(b) has at least eight years' experience as an employee in a county clerk of court's office in this State if he has not received a four-year bachelor's degree.

SECTION X. The provisions contained in Section 14-17-15, as added to the S.C. Code by this act, do not apply to a person serving as county clerk on the effective date of this act for the remainder of his current term or any subsequent, consecutive term.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect January 15, 2025.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

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

READ THE SECOND TIME

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230,

TUESDAY, APRIL 30, 2024

RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

RECOMMITTED

S. 1114 -- Senators Bennett, Hutto, Shealy, Cromer, Kimbrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345 AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO

TUESDAY, APRIL 30, 2024

AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 12-37-890, RELATING TO A PLACE WHERE PROPERTY SHALL BE RETURNED FOR TAXATION, SO AS TO PROVIDE THAT BOATS, BOAT MOTORS, AND WATERCRAFT MUST BE RETURNED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED FOR TAXATION; BY AMENDING SECTION 12-37-3220, RELATING TO PROPERTY TAX RETURNS FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO PROVIDE THAT SUCH PROPERTY TAX RETURNS MUST BE SUBMITTED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED IF THAT IS DIFFERENT THAN THE OWNER'S COUNTY OF RESIDENCE; BY AMENDING SECTION 50-23-340, RELATING TO APPLICATION FOR AND ISSUANCE OF NUMBER AND CERTIFICATE FEES, SO AS TO PROVIDE THAT APPLICATIONS FOR MOTORBOAT NUMBERS MUST INCLUDE A DECLARATION OF THE COUNTY IN WHICH THE MOTORBOAT IS PRINCIPALLY LOCATED; AND BY AMENDING SECTION 50-23-370, RELATING TO EXPIRATION AND RENEWAL, SO AS TO PROVIDE THAT CERTIFICATE RENEWAL NOTICES MUST BE SENT TO OWNERS OF WATERCRAFT PRINCIPALLY LOCATED IN THE COUNTY.

On motion of Senator VERDIN, the Bill was recommitted to the Committee on Finance.

OBJECTION

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A

TUESDAY, APRIL 30, 2024

QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-4087.DG0014S):

Amend the bill, as and if amended, SECTION 2, by striking Section 12-6-3460(A)(3) and inserting:

(3) "Qualified recycling facility" means a facility certified as a qualified recycling facility by a duly authorized representative of the department which includes all real and personal property incorporated into or associated with the facility located or to be located within this State that will be used by the taxpayer to manufacture or fabricate products for sale composed of at least fifty percent postconsumer waste material by weight or by volume. The minimum level of investment for a qualified recycling facility must be at least ~~three~~ one hundred fifty million dollars incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

Amend the bill further, SECTION 3, by striking Section 12-10-30(20) and inserting:

(20) "Remote employee" is a full-time employee who is a resident of this State, North Carolina, or Georgia who is subject to withholding pursuant to Chapter 8 who is hired to fill a job for the project and who works either completely or partially from a home office or other residence within or without this State.

Amend the bill further, SECTION 3, by striking Section 12-10-60 and inserting:

Section 12-10-60. ~~(A)~~ The council may enter into a revitalization agreement with each qualifying business with respect to the project. The

TUESDAY, APRIL 30, 2024

terms and provisions of each revitalization agreement must be determined by negotiations between the council and the qualifying business. The decision to enter into a revitalization agreement with a qualifying business is solely within the discretion of the council based on the appropriateness of the negotiated incentives to the project and the determination that approval of the project is in the best interests of the State. The revitalization agreement must set a date by which the qualifying business shall have ~~completed the project~~ met the required investment and employment levels. Within three months of the completion date. After meeting the thresholds, the qualifying business shall document the actual costs of the project in a manner acceptable to the council. A business is allowed to count jobs filled by remote employees towards the minimum employment levels. While remote employees count towards a business's minimum employment levels, a business may claim job development credits on a remote employee only to the extent the remote employee was subject to withholdings pursuant to Chapter 8. A business which pays withholdings on a remote employee in South Carolina and some other state can only claim job development credits to the extent of the South Carolina withholdings.

~~—(B) If a qualifying business that entered into a revitalization agreement before January 1, 1997, receives council approval to amend its revitalization agreement to increase its minimum job requirement, the law in effect on the date of the amendment determines the amount of job development credit a qualifying business may claim pursuant to Section 12-10-80 for additional jobs created after the date of the amendment. This subsection does not apply to a business whose application for job development fees or credits pursuant to Section 12-10-81 has been approved by council before the effective date of this act.~~

Amend the bill further, by striking SECTIONS 5 and 6 and inserting: SECTION X. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators

TUESDAY, APRIL 30, 2024

used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters, and waste house lights.

(B) As used in this section:

(1) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) "Computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) "Concurrently maintainable" means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

(5) "Datacenter" means a new or existing facility ~~at a single location~~ or an array of facilities in a single county in South Carolina, including its contracted tenants, owners, operators, and other entities with an ownership or financial interest thereto:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five year period; or

TUESDAY, APRIL 30, 2024

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five year period;

(iii) where ~~a taxpayer creates and maintains~~one or more taxpayers create at least twenty-five full-time jobs over a five year period at the ~~facility datacenter~~ with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the ~~facility datacenter~~ is located, whichever is lower, according to the most recently published data available at the time the ~~facility datacenter~~ is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a ~~facility datacenter~~ with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) “Eligible business property” means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) “Multiple distribution paths” means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) “Redundant capacity components” means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the ~~facility datacenter~~ in the case of a seventy-five million dollar investment made by more than one taxpayer, shall notify the Department of Revenue and Department of Commerce, in writing, of ~~its~~ a datacenter taxpayer’s intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii), capital investment and job creation begin accruing once the ~~taxpayer datacenter~~ notifies each department. Also, the five year period begins upon notification.

(2) Once the ~~taxpayer datacenter~~ collectively meets the requirements of subitem (B)(5), or at the end of the five year period, the ~~taxpayer datacenter~~ shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The ~~taxpayer datacenter~~ shall provide the proof the department determines necessary to determine that the requirements have been met.

TUESDAY, APRIL 30, 2024

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the ~~taxpayer-datacenter~~ may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three-year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the ~~taxpayer-datacenter~~ makes the investments.

(F)(1) If a ~~taxpayer-datacenter~~ receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a ~~taxpayer-datacenter~~ meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the ~~facility-datacenter~~, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the ~~taxpayer-datacenter~~ meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to January 1, 2032. However, this item shall continue to apply to a ~~taxpayer-datacenter~~ that is certified by December 31, 2031, for an additional ten year period. Upon the end of the ten year period, this subitem is repealed;

TUESDAY, APRIL 30, 2024

SECTION 6. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2023, except that SECTION 3 first applies to income tax years beginning after 2020.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CLIMER objected to further consideration of the Bill.

Objection

Senator DAVIS 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.

OBJECTION

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Senator PEELER objected to consideration of the Bill.

OBJECTION

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS,

TUESDAY, APRIL 30, 2024

TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Senator HUTTO objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

TUESDAY, APRIL 30, 2024

The Committee on Medical Affairs proposed the following amendment (SR-3988.JG0014S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-43-190(B)(3)(a) and inserting:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy; ~~Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-3988.KM0016S), which was ruled out of order:

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

SECTION 1. This act may be cited as the “Medical Freedom Act.”

SECTION 2. Chapter 17, Title 16 of the S.C. Code is amended by adding:

Section 16-17-780. (A) For purposes of this section:

(1) “Novel vaccine” means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years. The term “novel vaccine” does not include vaccines required by law to attend K-12 schools in this state, including, but not limited to:

- (a) hepatitis A;
- (b) hepatitis B
- (c) DTaP
- (d) polio;
- (e) MMR;
- (f) varicella; and
- (g) Tdap.

(2) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by

TUESDAY, APRIL 30, 2024

integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) “Indemnified product” means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

(C) A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than two years, or both; and

(3) for a third or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than three years, or both.

SECTION 3. Chapter 1, Title 41 of the S.C. Code is amended by adding:

Section 41-1-55. (A) As used in this section:

(1) “Agent” means any former supervisor or the employer's designee.

(2) “Employer” means any person, partnership, for-profit or non-profit corporation, limited liability corporation, or the State and its political subdivisions and their agents that employ one or more employees.

(3) “Employee” means any person employed by an employer.

(4) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(5) “Novel vaccine” means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which

TUESDAY, APRIL 30, 2024

has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years. The term “novel vaccine” does not include vaccines required by law to attend K-12 schools in this state, including, but not limited to:

- (a) hepatitis A;
- (b) hepatitis B
- (c) DTaP
- (d) polio;
- (e) MMR;
- (f) varicella; and
- (g) Tdap.

(6) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) “Indemnified product” means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) Employers are prohibited from taking any adverse pre-employment or employment action including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

(C) If an employer violates the provisions of this section, an aggrieved employee shall have the right to apply for and receive unemployment benefits subject to the benefit amounts, duration, and requirements provided in Article 1, Chapter 35, Title 41, as well as back pay, front pay, lost wages, consequential damages, emotional damages, court and litigation costs, and attorney’s fees.

(D) If an employer willfully or maliciously discriminates or commits a violation of this section, they shall also be liable to the employee or prospective employee for punitive damages in the treble amount of the actual damages awarded.

SECTION 4. Section 44-1-100 of the S.C. Code is amended to read:

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~ may aid and assist the Director of the Department of Public Health and Environmental Control and ~~must~~ may carry out and obey his orders,

TUESDAY, APRIL 30, 2024

or those of the Department of Public Health and Environmental Control, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. ~~During during~~ a state of public health emergency, as defined in Section 44-4-130, ~~the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44.~~

SECTION 5. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) “Biological agent” means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) “Bioterrorism” means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) “Chemical agent” means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) “Chemical terrorism” means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) “Chain of custody” means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~“Commissioner”~~ “Director” means the ~~Commissioner~~ Director of the Department of Public Health and Environmental Control.

(G) “Contagious disease” is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) “Coroners, medical examiners, and funeral directors” have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~“DHEC”~~ “Department” means the Department of Public Health and Environmental Control, or any person authorized to act on behalf of the Department of Public Health and Environmental Control.

(J) “Facility” means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

TUESDAY, APRIL 30, 2024

(K) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(L) “Health care facility” means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(M) “Health care provider” means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(N) “Infectious disease” is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(O) “Isolation” and “quarantine” mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit

TUESDAY, APRIL 30, 2024

the transmission of the disease to others; if the context so requires, “quarantine” means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. “Isolation” means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(P) “Protected health information” means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(Q) “Public health emergency” means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(R) “Public safety authority” means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

~~(R)~~(S) “Qualifying health condition” means:

- (1) a natural disaster; or
- ~~—(2)—~~an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, widespread illness, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number of human fatalities, ~~or serious economic impact to the agricultural sector, including food supply, or incidents of permanent or long-term disability.~~

~~(S)~~(T) “Radioactive material” means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(T)~~(U) “Radiological terrorism” means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

TUESDAY, APRIL 30, 2024

~~(U)~~(V) “Specimens” include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(W) “Tests” include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(X) “Trial court” is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health.

(Y) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

SECTION 6. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person or person who has been exposed to the contagious disease for which the public health emergency has been declared whose refusal of physical examination or testing results in uncertainty regarding whether he or she ~~has been exposed to or is infected with a~~ contagious disease ~~or possibly contagious disease or otherwise poses a danger to public health.~~

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

SECTION 7. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

TUESDAY, APRIL 30, 2024

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease~~, DHEC may isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason (including, but not limited to, health, religion, or conscience) to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations may be performed by any qualified person authorized by ~~DHEC~~ the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC~~ the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, “informed consent” means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(2) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(3) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7); and

(4) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion.

(F) The safety and efficacy of vaccines, tests, and treatments performed and administered as provided in this section must be reviewed

TUESDAY, APRIL 30, 2024

and adverse events monitored by the department. References to evidence-based data determined to validate vaccines, tests, and treatments including, but not limited to VAERS data, must be prominently posted on the department's public website.

SECTION 8. Section 44-4-530 of the S.C. Code is amended to read:

Section 44-4-530. (A) During a public health emergency, ~~DHEC~~the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. ~~This includes individuals or groups who have not been vaccinated, treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520.~~ DHEC ~~The department~~ may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

(B) ~~DHEC~~The department must adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

(1) isolation and quarantine must be by the least restrictive means necessary to prevent the ~~spread~~transmission of ~~a~~the contagious or ~~possibly contagious~~ disease ~~to others~~ and may include, but are not limited to, confinement to private homes or other private and public premises;

(2) individuals isolated because of objective evidence of infection or contagious disease must be confined separately from quarantined asymptomatic individuals;

(3) the health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine;

(4) an asymptomatic quarantined individual must be confined for no more than twenty-one days;

~~(4)~~(5) if a quarantined individual becomes infected or is reasonably believed to be infected with ~~a~~ the contagious ~~or possibly contagious~~ disease, he or she must be promptly removed to isolation;

~~(5)~~(6) isolated and quarantined individuals must be immediately released when they no longer pose a substantial risk of transmitting a contagious ~~or possibly contagious~~ disease to others;

~~(6)~~(7) the needs of persons isolated and quarantined must be addressed in a systematic and competent fashion including, but not limited to, providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care;

~~(7)~~(8) premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize

TUESDAY, APRIL 30, 2024

the likelihood of further transmission of infection or other harms to persons isolated or quarantined; ~~and~~

~~(8)(9)~~ to the extent possible, cultural and religious beliefs must be considered in addressing the needs of the individuals and establishing and maintaining isolation and quarantine premises; ~~and~~

(10) individuals who have recovered from the contagious disease must not be separated from quarantined or isolated family members.

(C) A person subject to isolation or quarantine must comply with ~~DHEC's~~ the department's rules and orders, and must not go beyond the isolation or quarantine premises. Failure to comply with these rules and orders constitutes a ~~felony~~ misdemeanor and, upon conviction, a person must be fined not more than ~~one thousand~~ two hundred dollars or imprisoned not more than thirty days; ~~or both.~~

(D)(1) ~~DHEC~~ The department may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.

~~(2) No person, other than a person authorized by DHEC, shall enter isolation or quarantine premises. Failure to comply with this provision constitutes a felony and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.~~

~~(3)(2)~~ A person entering an isolation or quarantine premises with or without authorization of ~~DHEC~~ from the department may be isolated or quarantined as provided for in this chapter.

~~(4)(3)~~ The public safety authority and other law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of an isolation or quarantine order after the order is given to the individual pursuant to Section 44-4-540(B)(3) ~~or after the individual is provided notice of the order. In a case where an individual is not the subject of an isolation or quarantine order under Section 44-4-540, law enforcement officers may provide written or verbal notice of the order.~~ Law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of isolation or quarantine ~~rules~~ orders after the ~~rules~~ orders are established and the individual is given written ~~or verbal~~ notice of the ~~rules~~ orders. An arrest warrant or ~~an additional~~ isolation or quarantine order is not required for arrest, isolation, or quarantine under Section 44-4-530(D)~~(4)(3)~~.

(E) An employer may not fire, demote, or otherwise discriminate against an employee complying with an isolation or quarantine order issued pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540; however, nothing in this section prohibits an

TUESDAY, APRIL 30, 2024

employer from requiring an employee to use annual or sick leave to comply with such an order.

SECTION 9. Section 44-4-540 of the S.C. Code is amended to read:

Section 44-4-540. (A) During a public health emergency, the isolation and quarantine of an individual or groups of individuals must be undertaken in accordance with the procedures provided in this section.

—(B)(1) The ~~DHEC~~Department of Public Health may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the commissioner or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize ~~DHEC's~~the department ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.

(2) The emergency order must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a copy of Article V of this act and relevant definitions of this act.

(3) A copy of the emergency order must be given to the individual(s) or groups of individuals to be isolated or quarantined, or if impractical to be given to a group of individuals, it may be posted in a conspicuous place in the isolation or quarantine premises.

(4) Within ~~ten~~five days after issuing the emergency order, ~~DHEC~~the department must file a petition pursuant to subsection (C) of this section for a court order authorizing the continued isolation or quarantine of the isolated or quarantined individual or groups of individuals.

(C)(1) ~~DHEC~~The department may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.

(2) A petition under subsection (C)(1) must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, ~~if known~~; and (v) a statement of compliance with the conditions and principles for isolation or quarantine of Section 44-4-530(B); and (vi) a statement of the basis upon which isolation or quarantine is justified in compliance with this article. The petition must be accompanied by a sworn affidavit ~~of DHEC~~from the department attesting to the facts asserted in the petition,

TUESDAY, APRIL 30, 2024

together with any further information that may be relevant and material to the court's consideration.

(3) Notice to individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(4) A hearing must be held on any petition filed pursuant to this subsection within five days of filing of the petition. ~~In extraordinary circumstances and for good cause shown, DHEC may apply to continue the hearing date on a petition filed pursuant to this section for up to ten days, which continuance the court may grant in its discretion giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence.~~

(5)(a) The court must grant the petition if, by a preponderance of the evidence, isolation or quarantine is shown to be reasonably necessary to prevent or limit the transmission of a contagious ~~or possibly contagious~~ disease.

(b) An order authorizing isolation or quarantine may do so for a period not to exceed ~~30~~ the maximum number of days allowed pursuant to Section 44-4-530.

(c) The order must: (i) identify the isolated or quarantined individuals or groups of individuals by name or shared or similar characteristics or circumstances; (ii) specify factual findings warranting isolation or quarantine pursuant to this act; (iii) include any conditions necessary to ensure that isolation or quarantine is carried out within the stated purposes and restrictions of this act; and (iv) served on affected individuals or groups of individuals in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(d) Prior to the expiration of an order issued pursuant to this item, ~~DHEC~~ the department may move to continue the isolation or quarantine for additional periods not to exceed thirty days each. The court must consider the motion in accordance with standards set forth in this item.

(D)(A)(1) An individual or group of individuals isolated or quarantined pursuant to this act may apply to the trial court for an order to show cause why the individual or group of individuals should not be released. The court must rule on the application to show cause within forty-eight hours of its filing. If the court grants the application, the court must schedule a hearing on the order to show cause within twenty-four

TUESDAY, APRIL 30, 2024

hours from issuance of the order to show cause. The issuance of the order to show cause does not stay or enjoin the isolation or quarantine order.

(2)(a) An individual or group of individuals isolated or quarantined pursuant to this act may request a hearing in the trial court for remedies regarding breaches to the conditions of isolation or quarantine. A request for a hearing does not stay or enjoin the isolation or quarantine order.

(b) Upon receipt of a request under this subsection alleging extraordinary circumstances justifying the immediate granting of relief, the court must fix a date for hearing on the matters alleged not more than twenty-four hours from receipt of the request.

(c) Otherwise, upon receipt of a request under this subsection, the court must fix a date for hearing on the matters alleged within five days from receipt of the request.

(3) In any proceedings brought for relief under this subsection, in extraordinary circumstances and for good cause shown, ~~DHEC~~ the department may move the court to extend the time for a hearing up to forty-eight hours, which extension the court in its discretion may grant giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of the necessary witnesses and evidence.

(E)(~~B~~) A record of the proceedings pursuant to this section must be made and retained. In the event that, given a state of public health emergency, parties cannot personally appear before the court, proceedings may be conducted by their authorized representatives and be held via any means that allow all parties to fully participate.

(F)(~~C~~) The court must appoint counsel to represent individuals or groups of individuals who are or who are about to be isolated or quarantined pursuant to the provisions of this act and who are not otherwise represented by counsel. Payment for these appointments must be made in accordance with other appointments for legal representation in actions arising outside of matters in this act and is not the responsibility of any one state agency. Appointments last throughout the duration of the isolation or quarantine of the individual or groups of individuals. ~~DHEC~~ The department must provide adequate means of communication between such individuals or groups of individuals and their counsel. Where necessary, additional counsel for ~~DHEC~~ the department from other state agencies or from private attorneys appointed to represent state agencies, must be appointed to provide adequate representation for the agency and to allow timely hearings of the petitions and motions specified in this section.

TUESDAY, APRIL 30, 2024

~~—(G) In any proceedings brought pursuant to this section, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence, the court may order the consolidation of individual claims into groups of claims where:~~

~~—(1) the number of individuals involved or to be affected is so large as to render individual participation impractical;~~

~~—(2) there are questions of law or fact common to the individual claims or rights to be determined;~~

~~—(3) the group claims or rights to be determined are typical of the affected individuals' claims or rights; and~~

~~—(4) the entire group will be adequately represented in the consolidation.~~

(G)(H) Notwithstanding the provisions of subsection (A), prior to the Governor declaring a public health emergency, as defined in Section 44-4-130, the isolation and quarantine of an individual or groups of individuals pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540 must be undertaken in accordance with the procedures provided in this section.

SECTION 10. Section 44-4-570 of the S.C. Code is amended to read:

Section 44-4-570. (A) ~~DHEC~~The department, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency powers, the following emergency powers regarding licensing of health personnel:

~~—(1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State;~~

~~(2)~~(1) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response; and

~~(3)~~(2) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office.

TUESDAY, APRIL 30, 2024

(B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. ~~DHEC~~The department may terminate the in-state and out-of-state appointments at any time or for any reason provided that any termination will not jeopardize the health, safety, and welfare of the people of this State.

(2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.

(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.

(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the time of rendering the services from sources including, but not limited to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.

(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.

(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for the performance of these duties.

(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for

TUESDAY, APRIL 30, 2024

damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Point of Order

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

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator DAVIS proposed the following amendment (SR-3988.KM0018S), which was tabled:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-43-190(B)(3),(4), and (5) and inserting:

(3) A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.

(4) A pharmacy intern may administer vaccinations under the direct supervision, ~~as defined in Section 40-43-84(C)~~, of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern:

TUESDAY, APRIL 30, 2024

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy; ~~Joint Pharmacy Access Committee~~ and

(b) completes this course of training described in item (1).

(5) A pharmacist administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CROMER moved to lay the amendment on the table.

The amendment was laid on the table.

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

OBJECTION

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

Senator CORBIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED READ THE SECOND TIME

S. 1160 -- Senators Hembree and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS

TUESDAY, APRIL 30, 2024

IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE
RELATED REQUIREMENTS OF SCHOOL DISTRICTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment
(SEDU-1160.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-5-105(C),
by adding a subsection to read:

(D) School mapping data is not subject to disclosure under the
Freedom of Information Act.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

TUESDAY, APRIL 30, 2024

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. 1286 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5248, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

CARRIED OVER

S. 1287 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5253, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

CARRIED OVER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

The Senate proceeded to a consideration of the Bill.

Senator TURNER explained the Bill.

TUESDAY, APRIL 30, 2024

The question being the second reading of the Bill.

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

READ THE SECOND TIME

H. 3563 -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	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--46

TUESDAY, APRIL 30, 2024

NAYS

Total--0

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

READ THE SECOND TIME

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780,

TUESDAY, APRIL 30, 2024

RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin

TUESDAY, APRIL 30, 2024

Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

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

CARRIED OVER

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH explained the Bill.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

H. 4953 -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

The Senate proceeded to a consideration of the Bill.

TUESDAY, APRIL 30, 2024

Senator McELVEEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	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--46

NAYS

Total--0

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

CARRIED OVER

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

TUESDAY, APRIL 30, 2024

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

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

CARRIED OVER

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

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

CARRIED OVER

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

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

POINT OF ORDER

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY

TUESDAY, APRIL 30, 2024

AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

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

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkerman,

TUESDAY, APRIL 30, 2024

M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: 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 TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

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

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE

TUESDAY, APRIL 30, 2024

CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

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.

ADOPTED

S. 1268 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 315 IN JASPER COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 170 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 "BISHOP DELORIS M. YOUNG HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

ADOPTED

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION AT LOCKHART

TUESDAY, APRIL 30, 2024

ROAD AND KEYS LANE IN KERSHAW COUNTY
“COMMISSIONER DAVID E. BRANHAM, SR. INTERSECTION”
AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS
LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

AMENDED, ADOPTED

H. 5314 -- Reps. Haddon and Burns: A CONCURRENT
RESOLUTION TO REQUEST THE DEPARTMENT OF
TRANSPORTATION NAME THE INTERSECTION OF UNITED
STATES HIGHWAY 25 (WHITE HORSE ROAD) AND SOUTH
CAROLINA HIGHWAY 183 (SALUDA DAM ROAD) IN THE
GREENVILLE COUNTY TOWN OF BEREA “HAROLD M.
BATSON JR. MEMORIAL INTERSECTION” AND ERECT
APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION
CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Bill.

Senator RICE proposed the following amendment (SR-
5314.KM0002S), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the
eighth paragraph and inserting:

That the members of the South Carolina General Assembly, by this
resolution, request the Department of Transportation name the
intersection of United States Highway 25 (White Horse Road) and South
Carolina Highway 183 (Farrs Bridge Road) in the Greenville County
Town of Berea “Harold M. Batson Jr. Memorial Intersection” and erect
appropriate signs or markers at this location containing these words.

Be it further resolved that a copy of this resolution be forwarded to the
Department of Transportation.

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The Resolution, as amended, adopted, ordered returned to the House.

TUESDAY, APRIL 30, 2024

ADOPTED

H. 5323 -- Reps. Yow, Henegan, Mitchell and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9/UNITED STATES HIGHWAY 601 FROM ITS INTERSECTION WITH STATE ROAD S-13-40 (HIGH POINT CHURCH ROAD) TO ITS INTERSECTION WITH STATE ROAD S-13-555 (ARANT STREET) IN CHESTERFIELD COUNTY "SSGT. JASON C. HICKS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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

MOTION ADOPTED

At 3:09 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.

CARRIED OVER

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE SECOND TIME

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch,

TUESDAY, APRIL 30, 2024

West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

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

Motion Adopted

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

There was no objection.

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Broadus O. Taylor of Gilbert, S.C. Broadus was a lineman for thirty-six years with Mid-Carolina Electric before retiring as a line supervisor. He was an Army veteran who served in the Vietnam War. Broadus was a member of First Calvary Baptist Church where he served as an usher and was a member of the cemetery committee and Bible Fellowship class. Broadus was a loving husband, devoted father and doting grandfather who will be dearly missed.

TUESDAY, APRIL 30, 2024

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Lisa Barbee Switzer of Pauline, S.C. Lisa retired from Wofford College in 2014. She was a member of Southside Baptist Church in Spartanburg. Lisa enjoyed spending time with and praying for her family and friends. Lisa was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Liner Ray Switzer of Pauline, S.C. Ray retired in July 2022 as vice president of business affairs from Spartanburg Community College. He was a member of the North Spartanburg Rotary Club and Southside Baptist Church. Ray enjoyed being outdoors, hunting, fishing, doing yard work and spending time with his family. Ray was a loving husband for forty-eight years, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:14 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

TUESDAY, APRIL 30, 2024
SENATE JOURNAL INDEX

S. 87.....	15	H. 3424	29
S. 142.....	7	H. 3501	49
S. 154.....	10	H. 3563	50
S. 266.....	10	H. 3865	20
S. 440.....	14	H. 3880	14
S. 1114.....	22	H. 3988	30
S. 1158.....	19	H. 4029	16
S. 1160.....	47	H. 4087	23
S. 1221.....	16	H. 4113	13
S. 1222.....	17	H. 4189	55
S. 1223.....	17	H. 4333	14
S. 1224.....	17	H. 4387	21
S. 1225.....	18	H. 4436	56
S. 1226.....	18	H. 4486	47
S. 1227.....	18	H. 4552	60
S. 1228.....	19	H. 4594	29
S. 1268.....	58	H. 4624	60
S. 1275.....	8	H. 4642	51
S. 1286.....	49	H. 4673	13
S. 1287.....	49	H. 4819	13
S. 1292.....	9	H. 4832	57
S. 1297.....	2	H. 4843	53
S. 1298.....	3	H. 4869	57
S. 1299.....	4	H. 4953	53
S. 1300.....	4	H. 4957	11
S. 1301.....	4	H. 4965	58
S. 1302.....	4	H. 5008	3
S. 1302.....	2	H. 5235	54
S. 1303.....	5	H. 5236	55
S. 1304.....	5	H. 5245	55
S. 1305.....	5	H. 5246	7
S. 1306.....	5	H. 5267	9
		H. 5314	59
H. 3248	9	H. 5323	59
H. 3278	6	H. 5356	9