

NO. 66

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, MAY 1, 2024

Wednesday, May 1, 2024
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 20:15

We read in the book of Proverbs that: "Gold there is, and rubies in abundance, but lips that speak knowledge are a rare jewel."

Please, let us pray: O Holy God, as wonderful a place as this State House happens to be -- incredibly beautiful, richly historic, classically meaningful -- I have yet to hear of any storerooms holding precious jewels, bars of gold, much less chests filled with thousand dollar bills. What we do possess, however, especially here in the Senate of South Carolina, is an even more meaningful treasure, a treasure that unfailingly benefits our State in so many wondrous ways. And that is the individual and the collective gift of wisdom brought here by each Senator and every Senate aide. And the thrust of our prayer today, Lord, is a simple one: that these individuals continue using their gifts to benefit this State and her citizens. May it ever be so. We pray this in Your loving name, dear Lord. Amen.

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

Call of the Senate

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

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

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

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN

The following was received:
Document No. 5224
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: R.45-8, Defective and Duplicate Ballot Cards, Sealed After
Tabulation
Received by President of the Senate January 9, 2024
Referred to Judiciary Committee
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn April 29, 2024

Leave of Absence

On motion of Senator YOUNG, at 3:25 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

RECALLED

H. 3392 -- Rep. M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND MELROSE DRIVE IN CHARLESTON COUNTY "DEPUTY SHERIFF JEREMY CHRISTOPHER LADUE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

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

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

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1307 -- Senator Rankin: A SENATE RESOLUTION TO HONOR FORMER REPRESENTATIVE JOHN JAMES "BUBBER" SNOW, JR. FOR HIS LOVE OF BEACH MUSIC AND TO COMMEMORATE THE FORTIETH ANNIVERSARY OF HIS SUCCESSFUL EFFORTS TO HAVE THE SHAG ENSHRINED AS THE SOUTH CAROLINA STATE DANCE.

sj-0047pb-pb24.docx

The Senate Resolution was adopted.

S. 1308 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE LOUISE GOODWIN MACK ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0721km-vc24.docx

The Senate Resolution was adopted.

S. 1309 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT COLONEL KATRINA FELDER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER TWENTY-ONE YEARS OF DEDICATED SERVICE IN THE UNITED STATES AIR FORCE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0713km-hw24.docx

The Senate Resolution was adopted.

S. 1310 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE ALLIANCE CONSULTING ENGINEERS, INC. UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY AND TO COMMEND ALLIANCE CONSULTING ENGINEERS,

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INC. FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0707km-hw24.docx

The Senate Resolution was adopted.

S. 1311 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE LOUREATHA LAWSON PITTMAN AS HER TENURE AS THE PRESIDENT OF THE GETHSEMANE WOMAN AUXILIARY COMES TO A CLOSE, TO COMMEND HER FOR HER FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0724km-vc24.docx

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

S. 1312 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE TERRY A. BLACKMON, R.PH. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0725km-vc24.docx

The Senate Resolution was adopted.

S. 1313 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE XAVIER LEGGETTE FOR BEING SELECTED AS THE THIRTY-SECOND PICK IN THE 2024 NFL DRAFT BY THE CAROLINA PANTHERS.

sr-0715km-vc24.docx

The Senate Resolution was adopted.

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0716km-vc24.docx

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

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S. 1315 -- Senator Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.

sr-0710km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

S. 1316 -- Senator Fanning: A SENATE RESOLUTION TO HONOR THE SIGNIFICANT CONTRIBUTIONS OF THE CLINTON CHAPEL AME ZION CHURCH IN UNION COUNTY AND TO RECOGNIZE ITS INVALUABLE EFFORTS TO FOSTER UNITY IN THE COUNTY AND SURROUNDING AREAS.

lc-0724wab-bl24.docx

The Senate Resolution was adopted.

H. 5495 -- Reps. J. E. Johnson, Anderson, Atkinson, Bailey, Brittain, Crawford, Guest, Hardee, Hayes, McGinnis, Schuessler, Alexander, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH GARY GILMORE OF COASTAL CAROLINA UNIVERSITY FOR HIS REMARKABLE CAREER OF NEARLY THIRTY YEARS AS BOTH BASEBALL COACH AND MENTOR TO COUNTLESS STUDENT-ATHLETES, TO CONGRATULATE HIM ON THE OCCASION OF HIS APPROACHING RETIREMENT,

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AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

lc-0723wab-rm24.docx

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

PRESIDENT PRESIDES

At 1:56 P.M., the PRESIDENT assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3220 -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3313 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3734 -- Reps. B. Newton, Cobb-Hunter and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 5-15-10, RELATING TO THE CONDUCT OF MUNICIPAL PRIMARY, GENERAL, AND SPECIAL ELECTIONS, SO AS TO REQUIRE THAT ALL SUCH MUNICIPAL ELECTIONS BE CONDUCTED USING THE VOTING SYSTEM APPROVED AND ADOPTED BY THE STATE ELECTION COMMISSION; BY AMENDING SECTION 5-15-40, RELATING TO TERMS OF OFFICE OF MAYOR AND COUNCILMEN, SO AS TO PROVIDE THAT THE TERMS OF THE MAYOR AND COUNCILMEN COMMENCE THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION RESULTS; BY AMENDING SECTION 5-15-50, RELATING TO ESTABLISHMENT OF MUNICIPAL WARD LINES AND TIME FOR MUNICIPAL GENERAL AND SPECIAL ELECTIONS, SO AS TO, AMONG OTHER THINGS, REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ON ONE OF CERTAIN ENUMERATED DATES, PROHIBIT THE TERMS OF INCUMBENT COUNCIL MEMBERS FROM BEING EXTENDED WHEN A NEW TIME FOR MUNICIPAL GENERAL ELECTIONS IS ESTABLISHED, AND REQUIRE MUNICIPAL SPECIAL ELECTIONS SCHEDULED TO OCCUR WITHIN CERTAIN TIME FRAMES OF THE MUNICIPALITY'S GENERAL ELECTION TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION; BY AMENDING SECTION 5-15-100, RELATING TO FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO EXTEND THE TIME FRAME BY WHICH A MUNICIPAL ELECTION COMMISSION MUST MEET AND DECLARE THE RESULTS FOLLOWING AN ELECTION; BY AMENDING SECTION 5-15-120, RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO CHANGE THE TIME WHEN NEWLY ELECTED OFFICERS MAY BE QUALIFIED AND THEIR TERMS COMMENCE TO THE MONDAY AFTER CERTIFICATION OF THE ELECTION RESULTS; AND BY AMENDING SECTION 5-15-145, RELATING TO TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO REQUIRE COUNTY ELECTION COMMISSIONS TO CONDUCT MUNICIPAL ELECTIONS FOR MUNICIPALITIES THAT ELECT TO TRANSFER AUTHORITY.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J.E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4158 -- Reps. Pendarvis, M.M. Smith, Bauer, King, Henderson-Myers, Gilliard, Rivers, Jefferson, Henegan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL

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TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4231 -- Reps. M.M. Smith, Davis, Bernstein, Guest, Brittain, Henegan, B. Newton, Carter, B.L. Cox, Bannister, Herbkersman, Robbins, Schuessler, Hart and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-6-1155, RELATING TO MICRO-DISTILLERIES, SO AS TO PROVIDE THAT A MICRO-DISTILLERY MAY SELL CERTAIN LIQUORS DISTILLED ON THE PREMISES ON SUNDAYS; AND BY AMENDING SECTION 61-6-4160, RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO PROVIDE THAT CERTAIN LOCAL GOVERNING BODIES MAY AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS ON SUNDAYS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF “SUPPORTS AND ASSISTANCE”; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD’S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE

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CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III

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CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Ordered for consideration tomorrow.

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

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4817 -- Reps. West and G.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE

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AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4874 -- Reps. Hixon, Chapman and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO REGULATE CAPTIVE WILDLIFE BY DEFINING TERMS, OUTLINING THE PERMITTING PROCESS, LISTING EXCEPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 50-16-40, RELATING TO EXCEPTIONS TO THE PERMIT REQUIREMENT FOR WILDLIFE IMPORTED FOR EXHIBITION PURPOSES, SO AS TO LIMIT THE EXCEPTIONS; AND BY REPEALING SECTION 50-11-1180 RELATING TO THE AUTHORITY OF THE DEPARTMENT TO ISSUE PERMITS TO COLLECT PROTECTED WILDLIFE FOR SCIENTIFIC OR PROPAGATING PURPOSES.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

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.

Returned with concurrence.

Received as information.

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

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.

RECOMMITTED

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 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,

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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 HUTTO, the Bill was recommitted to Committee on Judiciary.

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 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

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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; 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 MALLOY, the Bill was carried over.

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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. 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.

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

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

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

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

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. 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,

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SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

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, 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

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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.

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.

Senator McELVEEN explained the Bill.

CARRIED OVER

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

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On motion of Senator M. JOHNSON, the Bill was carried over.

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.

CARRIED OVER

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

Senators GROOMS and MATTHEWS proposed the following amendment (SR-3865.JG0009S), which was withdrawn:

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.

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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 GROOMS, with unanimous consent, the amendment was withdrawn.

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

AMENDED, CARRIED OVER

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SR-4601.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4100(D) and inserting:

(D) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway. Provisions of this subsection do not apply to motor vehicles with a curb weight of eight thousand two hundred pounds or less.

Renumber sections to conform.
Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

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

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 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.

Senator WILLIAMS objected to consideration of the Bill.

READ THE SECOND TIME

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.

The Senate proceeded to a consideration of the Bill.

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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

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, 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,

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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, 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.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3424.PH0003S), which was adopted:

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

SECTION X. Chapter 1, Title 39 of the S.C. Code is amended by adding:

Section 39-1-100. (A) As used in this section:

(1) "Child pornography" means any material depicting a person under the age of eighteen years doing or assisting in doing an act or thing constituting an offense pursuant to Chapter 15, Title 16 and involving any material, act, or thing that is obscene within the meaning of Section 16-15-305.

(2) "Child sexual exploitation" is defined as the term is used in Sections 16-15-395, 16-15-405, and 16-15-410.

(3) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

(4) "Digitized identification card" means a data file available on any mobile device which has connectivity to the Internet through a state-approved application that allows the mobile device to download the data file from a state agency or an authorized agent of a state agency that contains all of the data elements visible on the face and back of a license or identification card and displays the current status of the license or identification card.

(5) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmit, circulate, or disseminate by any means.

(6) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.

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(7) "Material harmful to minors" is defined as those terms are used in Section 16-15-375.

(8) "Obscene material" is defined as the term is used in Section 16-15-305.

(9) "Minor" is defined as the term is used in Section 16-15-375.

(10) "News-gathering organization" means any of the following:

(a) an employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subsection, who can provide documentation of such employment with the newspaper, news publication, or news source; or

(b) an employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subsection, who can provide documentation of such employment.

(11) "Publish" means to communicate or make information available to another person or entity on a publicly available Internet website.

(12) "Reasonable age verification methods" means verifying that the person seeking to access the material is eighteen years old or older by using any of the following methods:

(a) use of a digitized identification card as defined in this subsection;

(b) verification through an independent, third-party age verification service that compares the personal information entered by the individual who is seeking access to the material that is available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification; or

(c) any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the material.

(13) "Substantial portion" means more than thirty-three and one-third percent of total material on a website, which meets the definition of "material harmful to minors" as defined in this section.

(14)(a) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.

(b) "Transactional data" includes records from mortgage, education, and employment entities.

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(B)(1) Any commercial entity that knowingly and intentionally publishes or distributes obscene material, or material that depicts, describes, or promotes child pornography or child sexual exploitation, on the Internet may be held liable to an individual for nominal damages, actual damages, court costs, and reasonable attorney's fees as ordered by the court.

(2) A commercial entity that has violated this section in a manner that satisfies the standards for imposition of punitive damages elsewhere provided by law may be held liable to an individual for punitive damages.

(3) Individual claims that satisfy the generally applicable standards for joinder or class action elsewhere provided by law or rules of court, as applicable, may combine their claims in a single action.

(C)(1) Beginning January 1, 2025, a commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material must be held liable if the entity fails to perform reasonable age verification methods to verify the age of an individual attempting to access the material.

(2) A commercial entity that is found to have violated this section is liable to the minor, by and through the minor's parent or legal guardian, for damages resulting from a minor's accessing the material, including liability for nominal damages, actual damages, court costs, and reasonable attorney's fees as ordered by the court.

(3) A commercial entity that has violated this section in a manner that satisfies the standards for imposition of punitive damages elsewhere provided by law may be held liable to the minor, by and through the minor's parent or legal guardian, for punitive damages.

(4) Individual claims that satisfy the generally applicable standards for joinder or class action elsewhere provided by law or rules of court, as applicable, may combine their claims in a single action.

(5) A commercial entity may not be held liable under this section for allowing access to its website if the entity uses reasonable age verification methods to verify that the individual attempting to access the material from its website is not a minor.

(6) A commercial entity or third party that uses reasonable age verification methods may not retain any identifying information of the individual after access has been granted to the material.

(7) A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual is liable to the individual for damages resulting from

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retaining the identifying information, including court costs and reasonable attorney's fees as ordered by the court.

(8) This section does not apply to any bona fide news or public interest broadcast, website video, report, or event and may not be construed to affect the rights of a news-gathering organization, unless the organization's website contains a substantial portion of material harmful to minors.

(9) An Internet service provider, affiliate or subsidiary of an Internet service provider, search engine, or cloud service provider may not be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the Internet, or a facility, system, or network not under that provider's control, including transmission, downloading, storing, or providing access, to the extent that such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.

(D) The Attorney General may seek injunctive and other equitable relief against a commercial entity that fails to comply with the provisions of this section.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (LC-3424.VR0008S), which was adopted:

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

SECTION X. Section 16-15-375 of the S.C. Code is amended to read:

Section 16-15-375. The following definitions apply to Section 16-15-385, disseminating or exhibiting to minors harmful material or performances; Section 16-15-387, employing a person under the age of eighteen years to appear in a state of sexually explicit nudity in a public place; Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; Section 16-15-410, third degree sexual exploitation of a minor; Section 16-15-415, promoting prostitution of a minor; and Section 16-15-425, participating in prostitution of a minor.

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(1) "Harmful to minors" means that quality of any material or performance that depicts sexually explicit nudity or sexual activity and that, taken as a whole, has the following characteristics:

(a) the average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest of minors in sex; and

(b) the average adult person applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material or performance is patently offensive to prevailing standards in the adult community concerning what is suitable for minors; and

(c) to a reasonable person, the material or performance taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(2) "Material" means pictures, drawings, video recordings, films, digital electronic files, computer generated images or pictures, or other visual depictions or representations but not material consisting entirely of written words.

(3) "Minor" means an individual who is less than eighteen years old.

(4) "Prostitution" means engaging or offering to engage in sexual activity with or for another in exchange for anything of value.

(5) "Sexual activity" includes any of the following acts or simulations thereof:

(a) masturbation, whether done alone or with another human or animal;

(b) vaginal, anal, or oral intercourse, whether done with another human or an animal;

(c) touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female;

(d) an act or condition that depicts bestiality, sado-masochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a costume which reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or the condition of being fettered, bound, or otherwise physically restrained on the part of the one so clothed;

(e) excretory functions;

(f) the insertion of any part of a person's body, other than the male sexual organ, or of any object into another person's anus or vagina, except when done as part of a recognized medical procedure.

(6) "Sexually explicit nudity" means the showing of:

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(a) uncovered, or less than opaquely covered human genitals, pubic area, or buttocks, or the nipple or any portion of the areola of the human female breast; or

(b) covered human male genitals in a discernibly turgid state.

(7) "Identifiable minor"

(a) means a person who:

(1) was a minor at the time the image was created, adapted, or modified, or whose image as a minor was used in the creating, adapting, or modifying of the image; and

(2) is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark, or other recognizable feature.

(b) shall not be construed to require proof of the actual identity of the identifiable minor.

(8) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct or sexually explicit activity or appearing in a state of sexually explicit nudity.

SECTION X. Section 16-15-395(A)(4) of the S.C. Code is amended to read:

(A) An individual commits the offense of first degree sexual exploitation of a minor if, knowing the character or content of the material or performance, he:

(4) records, photographs, films, develops, duplicates, produces, or creates a digital electronic file for sale or pecuniary gain material that contains a visual representation depicting a minor or a morphed image of an identifiable minor engaged in sexual activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

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SECTION X. Section 16-15-405(A) of the S.C. Code is amended to read:

(A) An individual commits the offense of second degree sexual exploitation of a minor if, knowing the character or content of the material, he:

(1) records, photographs, films, develops, duplicates, produces, or creates digital electronic file material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(2) distributes, transports, exhibits, receives, sells, purchases, exchanges, or solicits material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION X. Section 16-15-410(A) of the S.C. Code is amended to read:

(A) An individual commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a minor or a morphed image of an identifiable minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the

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course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION X. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to, any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

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(i) any other offense as described in Section 23-3-430(D); or
(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA);

(k) criminal sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) criminal sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(m) criminal sexual exploitation of a minor, third degree (Section 16-15-410), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(n) obscene visual representation of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article..

SECTION X. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(C)(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to, any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in

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any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or

(h) violations of Article 3, Chapter 15, Title 16 involving a minor, except as otherwise provided in this article:

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

SECTION X. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender

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within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) ~~after fifteen years of having been registered for at least fifteen years, or after fifteen years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other alternative to incarceration,~~ if the offender was required to register based on an adjudication of delinquency or the offender ~~was required to register as is~~ a Tier I offender;

(b) ~~after twenty-five years of having been registered for at least twenty-five years, or after twenty-five years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other active alternative to incarceration,~~ if the offender was convicted as an adult, and ~~was required to register as is~~ a Tier II offender;

(c) ~~an~~ a Tier I or Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

SECTION X. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

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Section 16-15-390. (A) As used in this section:

(1) "Obscene" has the same meaning as Section 16-15-305.

(2) "Visual depiction or representation" means and includes undeveloped film and videotape, and data stored on a computer disk or by electronic means that is capable of conversion into a visual image, and also includes any photograph, film, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

(B) Any person who knowingly produces, distributes, receives, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

(C) Any person who knowingly possesses a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting, that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this section or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the

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course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SENN objected to further consideration of the Bill.

AMENDMENT PROPOSED, 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

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AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-3988.JG0019S):

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-43-30(73)(f).

Amend the bill further, SECTION 5, by striking Section 40-43-190(A) and inserting:

As used in this section:

(1)"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;

(2) "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; and

(3) "novel vaccine" means a vaccine which has obtained Emergency Use Authorization by the U.S. Food and Drug Administration (FDA), or which has otherwise not been approved by the FDA, or which has been approved for use by the FDA for less than 5 years. The term "novel vaccine" does not include vaccines for which the contents have only been modified by antigenic subtype to address the most prevalent strain of virus including, but not limited to, the yearly influenza vaccine.

(B)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

Amend the bill further, SECTION 5, by striking Section 40-43-190(B) and inserting:

(B)(C) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education

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or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

- (a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;
- (b) standards for adult vaccination practices;
- (c) basic immunology and vaccine protection;
- (d) vaccine-preventable diseases;
- (e) recommended vaccination schedules;
- (f) vaccine storage management;
- (g) biohazard waste disposal and sterile techniques;
- (h) informed consent;
- (i) physiology and techniques for vaccine administration;
- (j) prevaccine and postvaccine assessment and counseling;
- (k) vaccination record management;
- (l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;
- (m) understanding of vaccine coverage by federal, state, and local entities;
- (n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

- (a) obtain the signed written consent of the person being vaccinated or that person's guardian;
- (b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;
- (c) notify that person's designated physician or primary care provider of a vaccine administered;
- (d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;
- (e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

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

- (a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;
- (b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;
- (c) 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);
- (d) 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; and
- (e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician 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 or pharmacy technician:

(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

(b) completes this course of training described in item (1) if a pharmacy technician, the pharmacy technician must be:

- (i) state-certified; or
- (ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this

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section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician 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.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Point of Order

Senator HARPOOTLIAN 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.

Senator MATTHEWS spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

Senator MATTHEWS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

On motion of Senator HARPOOTLIAN, 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 TALLEY objected to consideration of the Bill.

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

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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.

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

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.

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

OBJECTION

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.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

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.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

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

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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.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

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 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

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BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

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

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

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.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

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 CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS

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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.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

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.

Senator ALEXANDER objected to consideration of the Resolution.

OBJECTION

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

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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 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.

Senator ALEXANDER objected to consideration of the Bill.

CARRIED OVER

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.

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

CARRIED OVER

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.

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

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ADOPTED

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.

The Resolution was adopted, ordered sent to the House.

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.

The Resolution was adopted, ordered sent to the House.

Motion Failed

Senator MATTHEWS moved that the Senate stand adjourned.

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

Ayes 9; Nays 34

AYES

Devine	Fanning	Harpootlian
Matthews	McElveen	McLeod
Sabb	Stephens	Tedder

Total--9

NAYS

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

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Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--34

The Senate refused to adjourn.

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

MOTION ADOPTED

At 3:36 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.

CARRIED OVER

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS

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AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

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, 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 third reading of the Bill.

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The Committee on Medical Affairs proposed the following amendment (SR-4624.JG0088S):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-350 and inserting:

Section 44-42-350. The South Carolina Medicaid Program shall not reimburse or provide coverage for practices prohibited under the provisions of this chapter.

Amend the bill further, SECTION 2, by striking Section 59-32-36 and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public school shall not knowingly:

Amend the bill further, SECTION 2, Section 59-32-36, by adding a subsection to read:

(B) The principal, vice principal, or counselor at a public school shall immediately notify in writing a minor's parent or legal guardian if the minor:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310;

(2) requests a school employee to address the minor by a name other than the minor's legal name or a derivative thereof; or

(3) requests a school employee to address a minor using a pronoun or title that does not align with the minor's sex.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Debate was interrupted by adjournment.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lieutenant Michael Charles Wood, Jr. of Newberry, S.C. Michael was a graduate of Newberry College where he played football. He served on the board of the Newberry Soil and Water Conservation District and was a boy scout leader and youth baseball coach. He was a member of Wightman United Methodist Church. Michael joined the Newberry Police Department in 2003 and earned Lieutenant rank in 2017. He organized the Walk and Talk Community Outreach Health Initiative and was awarded the Life Saving Award and the “ADP” Award from the city of Newberry. Michael was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jayson Reed Haven of Aiken, S.C. Jayson was a member of the South Carolina National Guard, Company B, 1-118th Infantry. He enjoyed reading, traveling, music, history, politics, international studies, playing video games, attending live concerts and was a Master of Discord. Jayson was a loving son and devoted brother who will be dearly missed.

ADJOURNMENT

At 4:37 P.M., on motion of Senator VERDIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

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