

NO. 67

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, MAY 2, 2024

Thursday, May 2, 2024
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 46:1

We read that the Psalmist declares: "God is our refuge and strength, an ever-present help in trouble."

Join me, friends, as we bow in prayer: Today, Holy God, is officially the National Day of Prayer, a day first set aside by action of Congress in 1952. Yet of course, even long before that action, throughout our Nation's history prayer has been significant, not just in times of desperate troubles, but also during periods when we have given praise for the rich blessings that surround us all. Therefore, Lord, here in the Senate of South Carolina, may we always and unfailingly be individuals who turn to You and pray: praying together for this Nation we love, praying for the State of South Carolina, praying for all of our citizens, and praying for the meaningful and important work of this Senate. Bless and sustain us all, O Lord, for in Your loving name we pray. 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	Goldfinch
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Loftis
Martin	Massey	Matthews
McLeod	Peeler	Reichenbach
Rice	Sabb	Senn

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Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator CROMER, at 11:08 A.M., Senator GROOMS was granted a leave of absence until 11:30 A.M.

Leave of Absence

On motion of Senator McELVEEN, at 4:18 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 4:18 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:18 P.M., Senator ALLEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 4:21 P.M., Senators GAMBRELL and RANKIN were granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

Thank you, Mr. PRESIDENT. Prophet Isaiah said, "the grass withers, the flower fades, when the breath of the Lord blows upon it." Surely the people are grass. The grass withers, the flower fades, but the word of our God stands forever. In the first chapter of Genesis, "So God created mankind in his own image, in the image of God he created him; male and female he created them." Yesterday, actually this morning, it was completed on the south steps a reading of the Bible, -- a marathon reading that went from Genesis chapter one to the end -- took about ninety hours, and it concluded today, which is the National Day of Prayer. I understand

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and I realize that most all of what we deal with down here is simply political in nature. Bills that change various laws and regulations and so forth. Occasionally, we deal with things that are more constitutional in nature -- good example that is Bills that we have on the second amendment. We argue over what the Constitution means on that point. And of course you bring your political arguments into it, but at least we're arguing about what the Constitution says. It rises to our higher level of debate. And then there are those very few issues that kind of get to moral issues. Issues at which whatever your compass is on issues of morality -- whatever your guiding stars are -- those come into play. Because they're inescapable, and we're talking about the rightness or wrongness of taking an innocent life in the womb, and issues such as can you actually separate basic human biology, where cells of your body are either male or female, can we separate that from gender? You just can't get away from the moral dimensions of the debate.

We are going to pass or not pass something here in the next few days, the course for rule favorably or unfavorably, in a brief period of time all of us in this Chamber will no longer be here. I'm simply here to say that there are some things in the nature of creation and male and female is one of them that go beyond what you believe or what I believe is rooted in the creation. It is rooted in the Creator, and those who oppose that are in some sense opposing the nature of creation itself. Thank you, Mr. PRESIDENT.

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

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and members. I appreciate the diversity of opinions. I think that we are all products of our experience. I do think that some of our debates center around issues associated with morality. I remember when I was in law school the question was whether or not one could legislate morality, and it made for an interesting debate. So here we are. We find ourselves in an issue dealing with morality and I don't think the question is whether or not we can legislate morality. I think the question is whether or not we can legislate it in a meaningful way such that it impacts our society in a positive way. There is a portion of our

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debate from yesterday to me that hinges on the issue of fundamental fairness.

I want to talk for a moment or two -- and really for me the issue is the message that we send based upon our debates. I wonder when the little ones look at a debate like yesterday -- I think that the idea of going to public schools is a choice. The idea of going to private schools is a choice. I think when state action is a part of the choice where we in effect pay for that education. I think that there is an obligation on behalf of the State to make sure that what we are providing is somehow dealt in a fair way. I would disagree with the idea that we ought to fund private education and have no say. I believe that it is wrong of us to say that we will spend money -- public funds -- for private school purposes and that the State will stay away and that we won't be involved at all in the regulation of private schools -- that it is the intent, our intent. I appreciate how Senator STEPHENS talks about legislation that he doesn't support. One of the things that I notice he always says is, "We did it." Whether he voted for it or not, he is a member of this Body, and so if the Body voted for it, he's a part of it. I've tried to embrace that, because I believe I'm a part of it, as well. So, the idea that we believe that we ought to fund private education but have no say in whether or not all of our children are being dealt with -- as we say in a fair manner. I don't think that is fair, and I believe children that are listening to our debate will wonder why it is. I listened to Senator FANNING as he asked questions yesterday relative to the weight that we place on teachers, and whether or not we ought to be adding things that they're required to do -- where we are measuring their effectiveness based upon the result from testing. So, if we place extra burdens on public school teachers that we're unwilling to place on private school teachers, is that a fair playing field for them to be measured upon? I just think that's an issue of fundamental fairness and I think to the extent that we say boldly to the State of South Carolina we are going to fund private education with no strings attached. I think that's a formula for disaster. I think it is wrong, and I think it takes us down a perilous road. I'm going to end with this, because Senator HARPOOTLIAN, when he started talking to us about what's happening with public charter schools and how it was not our intent for public charter schools to go the way that they're going, and that we're funding them. I think he's right. I think we've got a responsibility to make sure that the purposes upon which we created those entities and fund those entities are being realized and how those entities are working. And not one's where they are simply adding to the pockets of those who are opportunists and are not interested in the choice that is given -- the

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unique opportunities to be creative, to try to be effective, to try to educate our kids, particularly those who need to learn differently from others. I think that is the basis upon which that opportunity was given, but to the extent that opportunity is not the one that's happening on the ground, then I think we've got a fundamental obligation to make sure that the matter of which Thank you, Mr. PRESIDENT, thank you Senator STEPHENS, thank you members and I don't intend to take the five minutes. I think I've made the point that I want to make on that issue, tied into the issue associated with public charter schools, tied into the responsibility that we have to make sure that our teachers get an opportunity to teach and to make sure all our children are treated fairly -- try to create an educational system to make sure every child has an opportunity to learn, every child has an opportunity to appreciate the fact that there are what Douglas Wilder classified as being the endless possibility of the individual. I think what most of us have found is that although there are several different paths for success, education continues to be the one where the vast majority of successful Americans and successful people in the world realize their dreams and their successful journey as a result of number one having been educated. And so, I wanted to make the point that I think it is fundamentally wrong for us in this Chamber to take the position that we will fund private schools, but the State of South Carolina will have no oversight. The State of South Carolina will not be a part of making sure that there is accountability -- State of South Carolina would not be a part of making sure that those scholarships are used in the right way. I just think that we in effect toss our responsibility out of the window because we are promoting something. And I hate to go into something else, but I have to and then I'm going to sit down, I promise. The idea of critical race theory, and I start thinking in terms of every education member -- if I had any idea, well actually I did, but I don't know that we in this Body appreciate the fact that black history can no longer be taught in our schools. I don't know whether or not that was the intent of our debate, but on the ground that's what's happening. If in a classroom there is a book that the teacher's using that teaches African American history, that is a violation of the law as is viewed by some. If that is the intent of this Body, I wish somebody would come to this well. I don't want to be long winded and get on a soapbox, but I think it is wrong for anyone in this Nation to say that if you are teaching what the impacts of slavery were back in the day, you are somehow committing an affront to any child. I would challenge that notion, and here is why. When you look back at slavery, and you look back at the struggles through the civil rights movement, what you find is that people of good conscious from all races

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and all nationalities, banded together to outlaw wrong. That history is not a history that's associated with a person of color. That is a history of people associated with goodwill. So, any time we try to erase that because somebody feels uncomfortable -- I would submit that sometimes the truth makes us feel a bit uncomfortable, but we ought to rejoice in the notion that was an issue that was resolved through diversity. That ought to be something we celebrate as a people, and perhaps I'm off on an island. Perhaps I'm talking to myself when I say the things that I'm saying, but I fundamentally believe in my heart of hearts and mind of minds that if you deny a people their past, and restrict the opportunity for their future and force them to live in the presence, that's a lost soul. And I don't think any of us in this Chamber are about the business of doing anything other than giving a guiding light for people. I spoke true words that are Biblically written, but my goodness, if we dig deeper I guarantee we find in book after book after book support for what I am now sharing. So what I would encourage is for us to refocus on that, because if that's what's happening on the ground, I don't believe that's what we intended. We've got an opportunity to fix it. Thank you, Mr. PRESIDENT.

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

Motion to Ratify Adopted

At 11:46 A.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

First, I would like to apologize because I could not find the email that I received from Walterboro this past weekend. Most of you may not know it, but it is what we call "Rice Festival Week" in Walterboro. It's an annual festival where a lot of our local vendors have an opportunity to show off their wears and to make sales -- they usually make a lot of money during the festival.

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I was out of town, so I did not get a chance to go to the festival this year, but I understand that a couple of folks in here were able to go to the parade. We usually start out with the Taste of Walterboro, which is very heavily attended -- it is a wonderful event. For over ten years I was on the Rice Festival Committee. Our goals were to raise money to make Walterboro visible. We usually have a parade on Saturday. We have different events like a 5k run, a pageant, and singers of all kinds and like a lot of festivals it is our time to show.

And I want you to know, the Senate of South Carolina, that because the Palmetto Gun Rights Lobby was successful in getting what I call “unconstitutional carry” or “anybody can carry” through -- because of them making this Body, and the one across the Chamber, and the Body across the street, to rush this gun Bill through -- I want you to know that I got backlash when I returned to Walterboro because they had to shut down the Rice Festival for the first time since I have been back in Walterboro from college. They had to shut down the Rice Festival early. They did not have the street dance and they couldn't -- even though it had been paid for -- they couldn't have the vendors and food trucks out there selling. Do you know why? Because there were guys carrying guns in the city parking lot. And the officers, because of the way the Bill had been written, felt that they could not legally question them. So, they did not question them. They shut the whole thing down to protect themselves and to protect the people who were there. Those little children who were out there, the community members who were there to perform, the budding country singers who usually perform, the bands that perform throughout the entire day, the gospel groups who sing and perform... thank you Senate, thank you for allowing gun rights to trump the rights of people. We are not protecting with this law. We need to revisit this issue and we need to protect our law enforcement. Most importantly, we need to protect our people! We need to protect our children!

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

Doctor of the Day

Senator GOLDFINCH introduced Dr. William Mills, of Spartanburg, S.C., Doctor of the Day.

RECALLED AND ADOPTED

S. 1293 -- Senators Davis, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Devine, Fanning, Gambrell,

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Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, Kevin Johnson, Michael Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE MAY 12 THROUGH MAY 18, 2024, AS “POLICE WEEK IN SOUTH CAROLINA” AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

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

The Resolution was recalled from the Committee on Judiciary.

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

There was no objection.

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

On motion of Senator DAVIS, the Resolution was adopted.

OBJECTION

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.

Senator CLIMER asked unanimous consent to make a motion to recall the Resolution from the Committee on Agriculture and Natural Resources.

Senator MATTHEWS objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1317 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE EIGHTIETH CELEBRATION OF APPALACHIAN SQUARE DANCES AT OCONEE STATE PARK.

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sr-0722km-vc24.docx

The Senate Resolution was adopted.

S. 1318 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE HERITAGE CONDOMINIUMS UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND ROBERT T. "BOBBY" LYLES FOR HIS WORK AS LEAD ARCHITECT FOR THE PROJECT.

sr-0726km-vc24.docx

The Senate Resolution was adopted.

S. 1319 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRADEN WILSON, AN EIGHTH GRADE SOCIAL STUDIES TEACHER AT PALMETTO MIDDLE SCHOOL IN ANDERSON SCHOOL DISTRICT ONE, AND TO CONGRATULATE HER FOR BEING NAMED THE SOUTH CAROLINA TEACHER OF THE YEAR.

lc-0337ha-gm24.docx

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

S. 1320 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE MARINE CORPS LEAGUE DEPARTMENT OF SOUTH CAROLINA UPON THE OCCASION OF ITS ANNUAL CONVENTION AND COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0723km-vc24.docx

The Senate Resolution was adopted.

S. 1321 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT/PARAMEDIC MATT DOMANOWSKI OF THE CITY OF BEAUFORT/TOWN OF PORT ROYAL FIRE DEPARTMENT FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT SAVED THE LIFE OF A GUNSHOT VICTIM ON NOVEMBER 1, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR LIEUTENANT DOMANOWSKI'S SELFLESS SERVICE.

lc-0456hdb-rm24.docx

The Senate Resolution was adopted.

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S. 1322 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BELTON-HONEA PATH HIGH SCHOOL FOR BEING NAMED A NATIONAL SCHOOL OF EXCELLENCE AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, AND STUDENTS FOR THEIR CONTRIBUTIONS TO THIS ACHIEVEMENT.

lc-0727wab-gm24.docx

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

S. 1323 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS DEEP APPRECIATION FOR THE LATE SENATOR JOHN L. SCOTT, JR., AND HIS YEARS OF MEANINGFUL SUPPORT FOR STATE EMPLOYEES DURING HIS SERVICE TO THE STATE OF SOUTH CAROLINA IN THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IN THE SOUTH CAROLINA SENATE.

lc-0616cm-gm24.docx

The Senate Resolution was adopted.

S. 1324 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE THE MEMBERS OF THE STAFF OF PAWMETTO LIFELINE AND TO WISH THEM SUCCESS AS THEY BEGIN THE ANIMAL ADVOCACY ASSOCIATION OF SOUTH CAROLINA AND AS THEY CONTINUE TO PROVIDE SOUTH CAROLINA POLICE ACADEMY WITH ACCREDITED TRAINING FOR ANIMAL CONTROL OFFICERS AND LAW ENFORCEMENT OFFICERS ACROSS OUR GREAT STATE.

lc-0729wab-ar24.docx

The Senate Resolution was adopted.

S. 1325 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE JOURNAL FOR WINNING SEVERAL SOUTH CAROLINA PRESS ASSOCIATION AWARDS, INCLUDING THE TOP AWARD IN GENERAL EXCELLENCE.

sr-0702km-vc24.docx

The Senate Resolution was adopted.

S. 1326 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN ROBERT COKER OF THE MCCORMICK COUNTY SHERIFF'S OFFICE FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT

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POTENTIALLY SAVED THE LIVES OF INNOCENT RESIDENTS WHILE PUTTING HIMSELF IN HARM'S WAY ON JUNE 18, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR SERGEANT COKER'S SELFLESS SERVICE.

lc-0608sa-rm24.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

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

H. 4086 -- Reps. Sandifer, Nutt, Chapman and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-59-35 SO AS TO PROVIDE THAT THE WORK OF CERTAIN LICENSEES OF THE RESIDENTIAL BUILDERS COMMISSION THAT COMPLIES WITH APPLICABLE REGULATIONS OF THE COMMISSION MUST BE DEEMED TO SATISFY CERTAIN IMPLIED WARRANTIES; BY ADDING SECTION 40-59-40 SO AS TO PROVIDE IMPLIED WARRANTIES INCLUDE ONLY THOSE PERFORMANCE STANDARDS VIOLATIONS IDENTIFIED BY A HOMEOWNER WITHIN TWELVE MONTHS AFTER SUBSTANTIAL COMPLETION; BY AMENDING SECTION 40-59-10, RELATING TO COMPOSITION OF THE COMMISSION, SO AS TO REVISE ITS COMPOSITION; BY AMENDING SECTION 40-59-20, RELATING TO DEFINITIONS APPLICABLE TO THE COMMISSION AND ITS LICENSEES, SO AS TO REVISE VARIOUS DEFINITIONS, INCLUDING THE RENAMING OF SPECIALTY CONTRACTORS AS RESIDENTIAL TRADE CONTRACTORS; BY AMENDING SECTION 40-59-25, RELATING TO ROOFING CONTRACT CANCELLATIONS FOR INSURANCE COVERAGE DENIALS, SO AS TO EXPAND THE APPLICABILITY OF THESE PROVISIONS; BY AMENDING SECTION 40-59-30, RELATING TO THE REQUIREMENT OF LICENSURE TO ENGAGE IN RESIDENTIAL BUILDING AND RESIDENTIAL SPECIALTY CONTRACTING, SO AS TO MAKE CONFORMING CHANGES AND PROVIDE PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 40-59-50, RELATING TO THE ROSTER OF LICENSEES OF THE COMMISSION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-80, RELATING TO INVESTIGATIONS OF COMPLAINTS, SO AS TO PROVIDE LICENSEES OR REGISTRANTS MAY BE

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PRESENT FOR INSPECTIONS CONDUCTED PURSUANT TO AN INVESTIGATION, AND TO PROVIDE UNDERLYING COMPLAINTS THAT PROMPT AN INVESTIGATION MUST BE DISMISSED IF THE COMPLAINANT UNJUSTIFIABLY REFUSES TO COOPERATE WITH THIS REQUIREMENT; BY AMENDING SECTION 40-59-105, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, SO AS TO REVISE THE BASES FOR WHICH REFERRALS OF VIOLATIONS TO THE COMMISSION ARE MADE; BY AMENDING SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF A LICENSE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-140, RELATING TO DENIALS OF LICENSURE OR REGISTRATION BASED ON THE PAST CRIMINAL RECORD OF THE APPLICANT, SO AS TO MAKE THE DENIALS DISCRETIONARY WITH THE COMMISSION AND TO PROVIDE THAT ALL NEW APPLICANTS SHALL PROVIDE CERTAIN CRIMINAL BACKGROUND REPORTS; BY AMENDING SECTION 40-59-220, RELATING TO LICENSES AND CERTIFICATES OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES, TO REVISE CRITERIA FOR LICENSURE, AND TO REVISE REQUIREMENTS FOR HOMEOWNER CLAIMS FOR LOSS, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-230, RELATING TO LICENSURE RENEWALS AND CONTINUING EDUCATION REQUIREMENTS, SO AS TO MAKE THE EXAMINATION REQUIREMENT FOR CERTAIN INACTIVE LICENSEES DISCRETIONARY WITH THE COMMISSION, TO PROVIDE THE CONTINUING EDUCATION PROGRAMS MUST BE ADMINISTERED BY THE HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA, AND TO PROVIDE A TIERED SYSTEM FOR RESIDENTIAL BUILDER LICENSES; BY AMENDING SECTION 40-59-240, RELATING TO THE CLASSIFICATIONS OF RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO MAKE CONFORMING CHANGES, TO REMOVE THE LIMITATION ON THE NUMBER OF CLASSIFICATIONS FOR WHICH THE COMMISSION MAY ISSUE REGISTRATIONS, AND TO INCREASE THE THRESHOLD COSTS OF AN UNDERTAKING THAT REQUIRES AN EXECUTED BOND WITH A SURETY IN AN AMOUNT APPROVED BY THE COMMISSION; BY AMENDING SECTION 40-59-250, RELATING TO CREDIT REPORTS REQUIRED FOR LICENSURE, SO AS TO MAKE CONFORMING CHANGES, AND TO MAKE PROOF OF

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NET WORTH AN AVAILABLE ALTERNATIVE TO A CREDIT REPORT; BY AMENDING SECTION 40-59-260, RELATING TO EXCEPTIONS FOR PROJECTS BY THE PROPERTY OWNER FOR PERSONAL USE, EXEMPTION DISCLOSURE STATEMENTS, AND CERTAIN NOTICES FILED WITH THE REGISTER OF DEEDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-270, RELATING TO THE APPLICABILITY OF CHAPTER 49, TITLE 40, TO LICENSEES OF THE CONTRACTOR'S LICENSING BOARD, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-300, RELATING TO CONSTRUCTION OF LOW-INCOME HOUSING USING VOLUNTEER LABOR BY CERTAIN ELEEMOSYNARY ORGANIZATIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-400, RELATING TO DEFINITIONS CONCERNING CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-410, RELATING TO RESIDENTIAL BUSINESS CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-530, RELATING TO EXCEPTIONS FROM PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-580, RELATING TO REMEDIES AVAILABLE TO THE COMMISSION FOR VIOLATIONS OF PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO REMOVE CIVIL PENALTIES FROM THE AVAILABLE REMEDIES; BY AMENDING SECTION 40-59-600, RELATING TO CRIMINAL PENALTIES FOR PERSONS UNDERTAKING THE BUSINESS OF HOME INSPECTION WITHOUT LICENSURE OR EXEMPTION, SO AS TO REMOVE TIERED PENALTIES; BY AMENDING SECTION 40-59-820, RELATING TO DEFINITIONS IN THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 40-59-830, RELATING TO STAYS OF ACTIONS BROUGHT UNDER THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT UNTIL THE CLAIMANT COMPLIES WITH THE PROVISIONS OF THE ACT, SO AS TO PROVIDE THE CLAIMANT'S UNJUSTIFIED FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE ACT

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UNDER CIRCUMSTANCES THAT MAKE COMPLIANCE WITH THE CERTAIN PROVISIONS OF CHAPTER 59, TITLE 40, IMPOSSIBLE SHALL REQUIRE THE COURT TO DISMISS THE ACTION WITH PREJUDICE; AND BY REPEALING SECTION 40-59-560 RELATING TO INSPECTION REPORTS AND FORMS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Operations and Management polled out H. 5042 favorable:

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

Poll of the Operations and Management Committee
Polled 8; Ayes 8; Nays 0; Not Voting 1

AYES

Alexander	Peeler	Setzler
Hutto	Malloy	Massey
Shealy	Turner	

Total--8

NAYS

Total--0

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NOT VOTING

Rankin

Total--1

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

1st Congressional District, Registered Nurse:

Bridget A. Enos, 8049 Kittery Ave., North Charleston, SC 29420-8918 *VICE* Kelli Garber

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, #29650, Greer, SC 29650-3422

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2024, and to expire September 30, 2027

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 2, 2022, and to expire June 2, 2026

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302-2716

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Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2021, and to expire June 30, 2025

Speech-Language Pathologist:

Beth F. Montgomery, 14 Hillstone Court, Columbia, SC 29212-8646

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Audiologist:

Jason P. Wigand, 310 Honey Tree Drive, Lexington, SC 29073-6401

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

Received as information.

HOUSE CONCURRENCE

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION

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NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

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.

Returned with concurrence.

Received as information.

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

RECOMMITTED

S. 303 -- Senators Shealy, McElveen, Gustafson, Talley, Davis, Adams, Kimbrell, Jackson, Rankin, Harpootlian, M. Johnson, Hutto, Sabb, Matthews, Fanning, Gambrell, Peeler, Goldfinch, McLeod and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 52-5-300 SO AS TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA; BY ADDING SECTION 52-5-310 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 52-5-320 SO AS TO ESTABLISH THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-330 SO AS TO ESTABLISH THE POWERS OF THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-340 SO AS TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-350 SO AS TO PROVIDE GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-360 SO AS TO PROVIDE APPLICATION GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING

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SECTION 52-5-370 SO AS TO PROVIDE FOR APPLICATION AND LICENSE FEES; BY ADDING SECTION 52-5-380 SO AS TO PROVIDE FOR THE EQUINE INDUSTRY DEVELOPMENT FUND; BY ADDING SECTION 52-5-390 AND SECTION 52-5-400 SO AS TO PROVIDE GUIDELINES AND PROTECTIONS FOR COMMITTEE MEMBERS; BY ADDING SECTION 52-5-410 SO AS TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT.

On motion of Senator SHEALY, the Bill was recommitted to Committee on Family and Veterans' Services.

RECOMMITTED

S. 143 -- Senators Shealy, Goldfinch, Senn, McLeod, Hutto, Jackson, Devine and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS, SO AS TO DEFINE A HOUSEHOLD MEMBER AND TO DEFINE A DATING RELATIONSHIP; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITION FOR ORDER OF PROTECTION, SO AS TO DESIGNATE PEOPLE WHO CAN APPLY FOR AN ORDER OF PROTECTION ON BEHALF OF A MINOR.

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

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

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

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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.

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

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 KIMBRELL spoke on the amendment.

Senator DEVINE spoke on the amendment.

Senator TEDDER spoke on the amendment.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the committee amendment.

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The committee amendment was adopted.

Amendment No. 1

Senator VERDIN proposed the following amendment (SR-4624.JG0095S), which was adopted:

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

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

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator DAVIS proposed the following amendment (SMIN-4624.MW0100S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) "Reversible" means not permanent or irreversible as accepted by clinical practice guidelines.

Amend the bill further, SECTION 1, by striking Section 44-42-320 and inserting:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

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Amendment No. 6

Senator DAVIS proposed the following amendment (SR-4624.JG0110S), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) "Reversible" means not permanent or irreversible as accepted by clinical practice guidelines within the context of the patient's relationship with his physician or healthcare professional.

Amend the bill further, SECTION 1, Section 44-42-320, by adding a subsection to read:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CASH spoke on the amendment.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

Senator VERDIN moved to lay the amendment on the table.

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

Ayes 23; Nays 16

AYES

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

Total--23

NAYS

Davis	Devine	Gustafson
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Hutto	Jackson	Malloy
Matthews	McElveen	McLeod
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Williams		

Total--16

The amendment was laid on the table.

Amendment No. 4A

Senator McLEOD proposed the following amendment (SR-4624.JG0109S), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(A) and inserting:

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

(1) encourage or coerce a minor to withhold from the minor's parent or legal guardian the fact that the minor's perception of his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

(2) withhold from a minor's parent or legal guardian information related to the minor's perception that his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator VERDIN moved to lay the amendment on the table.

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

Ayes 23; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Turner

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Verdin

Young

Total--23

NAYS

Allen	Devine	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Matthews
McElveen	McLeod	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	

Total--17

The amendment was laid on the table.

Amendment No. 5

Senator GUSTAFSON proposed the following amendment (SR-4624.JG0103S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(B)(1) and (2) and inserting:

(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; or

Renumber sections to conform.

Amend title to conform.

Motion Failed

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, with the addition of one amendment by each the Minority leader and the Majority leader and that upon consideration of all amendments, the Senate would proceed to a vote on third reading of the Bill.

The question then was the adoption of the motion.

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

Ayes 21; Nays 18

AYES

Adams	Alexander	Campsen
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Cash	Climer	Corbin
Garrett	Goldfinch	Grooms
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Young

Total--21

NAYS

Allen	Bennett	Davis
Devine	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Tedder	Williams

Total--18

Having failed to receive the necessary vote, the motion failed.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Motion Adopted

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, that amendments be limited to four for the proponents, controlled by Senator VERDIN, and four for opponents, controlled by Senator HUTTO, and further that one amendment from Senator HUTTO and one amendment from Senator MASSEY be permitted and that upon completion of the amendments, the Senate move immediately to a vote on third reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to proceed to Amendment No. 15.

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There was no objection.

Amendment No. 15

Senator CASH proposed the following amendment (SR-4624.JG0106S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(D) and inserting:

(D) Subject to the provisions in subsections (A) and (B), nothing in this section prohibits a licensed health provider from offering mental health services within the scope of his practice.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator HUTTO proposed the following amendment (SMIN-4624.MW0080S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-360(C) and inserting:

(C) A person shall be required to bring a claim for a violation of Section 44-42-320 no later than three years after the day the cause of action accrues. A minor may bring an action before reaching eighteen years of age through a parent or guardian and may bring an action in the minor's own name upon reaching eighteen years of age at any time from that point until six years after.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 9

Senator MATTHEWS proposed the following amendment (SMIN-4624.MW0112S), which was not adopted:

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Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(E) and inserting:

(E) A physician who knowingly performs genital gender reassignment surgery in violation of this chapter is guilty of assault and battery in the second degree as provided for in Section 16-3-600(D).

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 10

Senator DAVIS proposed the following amendment (SR-4624.JG0111S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-330(1) and inserting:

(1) appropriate medical services to a person for precocious puberty, prostate cancer, breast cancer, endometriosis, or other procedure unrelated to gender transition, or to a person who was born with a medically verifiable disorder of sexual development including, but not limited to, a person with external biological sexual characteristics that are ambiguous including, but not limited to, people who were born with forty-six XX chromosomes with virilization or forty-six XY chromosomes with under virilization or having both ovarian and testicular tissue;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke in favor of the amendment.

Senator CASH spoke in favor of the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

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Amendment No. 11

Senator DEVINE proposed the following amendment (SMIN-4624.MW0113S), which was not adopted:

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

Section 44-42-370. Any treatment for harm to a persons mental health caused by this act shall be covered by Medicaid.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 12

Senator DEVINE proposed the following amendment (SMIN-4624.AA0114S), which was not adopted:

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

SECTION X. A. As used in this section, "conversion therapy" means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

B. No provider in this state whose services include counseling or any professional licensed in this state shall engage in conversion therapy with a person under 18 years of age. Any conversion therapy efforts with a person under 18 years of age shall constitute unprofessional conduct and shall be grounds for disciplinary action by the appropriate regulatory authority.

Renumber sections to conform.

Amend title to conform.

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Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

The question then was third reading of the Bill.

Point of Quorum

At 6:09 P.M., Senator HUTTO made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

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

Ayes 28; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Turner	Verdin	Williams
Young		

Total--28

NAYS

Allen	Devine	Harpootlian
Hutto	Jackson	Matthews
McLeod	Tedder	

Total--8

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

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Motion Adopted

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

ADJOURNMENT

At 6:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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